

Minutes
DEFIANCE TOWNSHIP TRUSTEES
February 26th, 2019 MEETING

The Defiance Township Trustees met in regular session at the offices of Northwest Realty – 618 South Clinton Street, in Defiance Township, Defiance, Ohio, on Tuesday, February 26th, 2019 at 6:30 p.m. Answering as present were Diana Mayer & Dan Peck. Mr. Shaffer was excused (work conflict), with two of three (3) members of the BOARD OF TRUSTEES having answered the roll, a quorum was declared.

Township employees present were: John Diemer 23361 Defiance-Paulding Co. Line Rd. - Defiance, Ohio.

Visitors present: Patti Diemer 23361 Defiance-Paulding Co. Line Rd 10 & JoEllen Houck 8 Deville Dr., Defiance, Ohio.

ORDER OF BUSINESS NO. 1

Vice-Chair Peck assumed the gavel.

Review and approval of the minutes of the previous session(s).

Mr. Peck requested a motion for the approval of minutes from the January 22nd, 2019, regular session.

Mr. Peck moved to approve the minutes as presented.

Mrs. Mayer seconded.

The vote being 2 Yea(s) 0 Nea(s)

The minutes for the session were approved.

ORDER OF BUSINESS NO. 2 - Citizen concerns:

- 1) The vice-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 \$199,225.78-- 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 \$20,818.02.
- c) Payment reports:
 - i) Payments for February (UAN software-) were \$25,495.64.
- d) The Cash fund summary through February 24th, 2019, (UAN software) showed an "ending fund balance" of \$898,280.67.
 - i) The "cash available" for encumbrances (unencumbered fund balance- UAN software) was \$290,164.49.
- e) Appropriation Status showed that through February 24th, 2019 (UAN software), 2.5% 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 02-24-19 was \$720,316.67.
- g) Exhibit 3-g was reviewed.
 - i) This was a notice from the Defiance City Fire Department of the 2019 fees for the Fire Combat Contract – fees are based on property valuation of the Twp. The property valuations are provided by the County Auditor's Office.
 - (1) The quarterly fee for fire combat will be \$15,857.71
 - (2) The quarter fee in 2018 was \$15,092.46
- h) Trustees signed and reviewed February bills.
- i) Payroll & February time cards (time cards provided trustees prior to session) – Trustees Reviewed & Signed.

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

MOTION by: Mayer

SECOND by: Peck

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) February report
 - i) No Permits
 - ii) Site reviews:
 - (1) No site reviews
 - iii) nuisance issues
 - (1) none
 - iv) Talked to Don Varner about a property on State Route 15

Respectfully submitted

John Diemer, Twp. Zoning Inspector

- b) The Chair asked if there were any other Zoning/nuisance issues to be discussed.
 - i) There were none.

ORDER OF BUSINESS NO. 5 -- Equipment;

- a) Comments or concerns from Twp. employees on current or proposed new eq &/or safety items.
 - i) There were none.

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

- a) **Trustee Monthly Twp. Rd** report - inspection by Trustee Shaffer.
 - i) The report noted that some berming is necessary when weather-road conditions permit.
 - ii) Operators are to use the report as a work order in March when conditions allow for berming or cold patch application.
 - iii) The March Rd. review will be by Trustee Mayer as Trustee Peck will be out of town. Mr. Peck will do the road review in April.

- a) **2019 Road projects:**
 - i) Exhibit 6-b was the 2019 road repairs, recommended by the Co. Engineer's Office, for Def. Twp. roads. (this is the Twp. road maintenance program and does not include major reconstruction projects – i.e. Bowman Rd re-build.
 - (1) The Co. Engineer was not able to be at the Twp's Feb. session but has stated he will attend the March 26th session to review both the 2019 maintenance list and the work that will be done on Bowman Rd. in 2019.
 - ii) Re-build of 4 miles of Twp's portion of Bowman Rd. – see mins from Feb. 2018 for history.
 - (1) Trustees have confirmed with the Co. Engineer as of the Annual Co. Trustees Assoc. – Elected Officials meeting of Jan. 17th, 2019, that the Engineer's Office will manage a rebuild of up to 1 mile of Bowman Rd. of the four (4) miles of Twp responsibility; or what the Engineer can accomplish in 2019.
 - (2) The Co. Engineer provided the following information and cost estimates (from fall of 2018):
 - (a) There is no need to acquire right of way.
 - (b) The Engineer's office will send out construction notices (Jan./Feb. 2019) to all residents of Bowman Rd. along the 4 miles of Twp. responsibility. –confirmed at Co. Elected Officials session of Jan. 17th, 2019.
 - (c) Grading and seeding will cost approximately \$30k per mile and can be done in sections.
 - (d) Widening of the road will cost an estimated \$55k per mile –
 - (i) Engineer noted that the Twp could break this down 1 side at a time.
 - (e) Paving and striping is estimated to cost \$55k per mile –
 - (i) Again, this can be broken into sections.
 - (3) The engineer is aware of the dollar limit (\$140k) set by the Trustees via an email from the fiscal officer on Jan. 18th, 2019, to the Engineer and Trustees documenting the Trustees' desires and budgeted funds.
 - (4) Trustees will budget as funds allow to rebuild all four miles over a yet to be determined number of years dependent upon available funds.

- (5) Mr. Peck asked if there was any additional discussion.....
 - (a) Mr. Peck noted that if we could do asphalt this year as the price of oil is currently low the Twp. would save money.
 - (i) This possibility will be discussed with the Engineer at the March session.

iii) From past 2018 sessions, Trustees had approved the Co Engineer to do the following:

(1) Repair street drain covers in the Lakeview addition.

(a) No cost estimate provided.

- (i) Trustees reported no activity as of the Jan. Twp meeting.
- (ii) Mr. Shaffer was to discuss with co. eng.
- (iii) Feb. update.....
 - 1. Trustees noted there was no work in Feb.

(b) Some storm water drains (twp catch basins) are filled with leaves - Shaffer has asked the Co. Engineer to use the jet vac to remove this debris.

- (i) It was agreed that the work will be done in Oct. or early Nov. after the leaves have fallen.
- (ii) No cost estimated provided.
- (iii) Trustees reported no activity as of the Jan. Twp meeting.
- (iv) Feb. update....
 - 1. Trustees noted there was no work in Feb.

(b) Dura Patching is needed on Wilhelm Rd – about 500’ south of McAlistar and on Co. Line Rd 10 east of 66 and again 100’ further west.

- (i) No cost estimates acquired.
- (ii) As this item was not completed in Oct the project will be moved to 2019 due to weather conditions.
- (iii) Feb. update...
 - 1. Trustees noted there was no work in Feb.

(c) Nov. 2018 session - Mr. Shaffer noted that he had been contacted by a Twp resident on Garmin Rd. with a complaint that tree branches overhang onto the road and need trimmed back.

- (i) Mr. Shaffer stated he confirmed this during his Nov. road inspection.
 - 1. The tree branches overhanging are too high up in the tree for Twp operators. Shaffer will ask the Co. Engineer to address.
 - a. Jan. Trustees reported on activity.
 - b. Feb. update.....
 - i. Mr. Diemer reported that the Co. Engineer completed this task the 2nd week of Feb.
 - ii. This item will be removed from future agendas.

(d) Total est . expenses for co Eng work on twp behalf in 2019 as of this session is \$140k + \$48,574.46 from proposed project list from the Co. Engineer – see exhibit 3-b of this session.

b) Twp projects by Twp staff or other contractors for 2019:

- i) Trustees have previously noted that Karnes Rd was damaged by contractors working to replace the Watson Rd bridge.
 - (1) The contractor acknowledges the damage per Trustee Shaffer and the contractor is to repair the road.
 - (2) There is no cost to the Twp.
 - (3) There was no work on this in Jan..
 - (4) Feb. update....
 - (a) Trustee Peck stated that Trustees should continue to monitor this area of Karnes road and if the road begins to deteriorate – Trustees can then pursue appropriate repairs by the bridge contractor.
 - (b) This item is to be removed from future agendas until conditions warrant repairs from these damages.
- ii) The Chair asked if there were any other projects.
 - (1) There were none.

c) **2019 financial impact review by the fiscal officer:**

i) The fiscal officer reported that total road expenses year to date are:

(1) Total road fund revenues year date are	\$8,855.16
(2) Total road fund expenses year to date are	\$15,994.81

ii) Anticipated revenue for 2019 – based on the January 2nd, Twp amended certificate was:

(1) \$177,700.00 more or less

iii) Anticipated expenses for 2019 – as of this session:

(1) Regular twp. expenses are estimated – based on historical review, at between \$70,000 and \$100,000 – would include Twp projects listed above & also completed so far this year.:

(2) \$48,574.46 as of this session for Co Eng work- in 2019 – (other then Bowman Rd. rebuild).

(3) Bowman Rd. rebuild - \$140,000

(4) Salt purchases (in 2019) to-date:

(a) \$1,860

(i) Salt price for the fall – winter (2018 – 19) is \$62 per mixed ton.

(5) Total anticipated road fund(s) expenses based on the above:

(a) from \$240,000 to 290,000k if there are no additional projects added..

b) **A recap of the OPWC grants** – see minutes of previous sessions for history. An update was last received from the Co Engineer's Office dated 01-17-2019 provided at the Jan. 2019 session as **exhibit 6-e**.

i) Current status – the OPWC report from the County Engineer's office as of 01-17-2019 indicates that:

(1) The Engineer's Office had posted to Def Twp. grant – the Twp.'s 2019 (former LTIP) grant of \$18,000. (money is with the Co Eng. – any used in 2019 will be posted to Twp. fund lines as pass through money.

(a) In Jan. (1-7-19) the Engineer's posted \$600.00 against the Twp. grant line.

(i) Total grant dollars used by the Co. Eng. on behalf of the Twp. to date in 2019 is \$600.00.

(b) As of (2-26-2019) the Twp. has \$19,819.32 grant funds unspent from previous grants.

(c) An amended certificate will be needed in the fall of 2019 to account for the expenditures of these and any additional grant funds used on behalf of the Twp.

ii) The Engineer has 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 6 years or a total of \$150k remaining give or take.

d) The Chair asked if there is any other discussion regarding the fiscal impact report?

i) There was none.

c) The Chair asked if there were any **cemetery issues** for discussion

i) Trustees note that during the August 2018 session Trustees were requested to sell burial lots in Taylor cemetery. Trustees adopted lot fees passing resolution 14-2018. This resolution established lot sale prices for all Twp. cemeteries.

ii) Rhonda Caster made the request for lot purchases in Taylor in August.

iii) Lots have been surveyed and numbered in Taylor cemetery.

iv) Trustees asked the fiscal officer to research and prepare drafts of rules and to acquire a draft of a deed so that lots may be sold.

v) Exhibit 6-d contained a draft set of rules & a draft deed based on the rules & deed now used by the City of Defiance.

vi) A check of near by Twp's found that none have written rules.

vii) Trustees note that whatever is adopted will need to be reviewed by the Prosecutor's Office.

viii) Review and discussion..

(1) Trustees agreed to table the draft rules.

(2) Trustee Mayer moved to adopt the draft deed and submit it to the Prosecutor's office for review and edit if necessary.

(3) Trustee Peck seconded.

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

The draft deed was approved for submittal to the Co. Prosecutor's office for review and possible edit.

- ix) Once the draft deed has been reviewed by the Prosecutor's office, Trustees will adopt it for use for Twp cemeteries at a future Twp. meeting.
- e) The Chair asks if there were any other cemetery issues for discussion?
 - i) There were none.

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

- a) Monthly (February 19) GrassRoots clippings – **exhibit 7a**
- b) **Exhibit 7-b** was a "site review process brochure" from Soil & Water.
 - i) Def. Co. Soil and Water is contracted to conduct site reviews and assist the Twp in zoning & road issues.
- c) **Exhibit 7-c** was a notice from the Joint Four Co. Solid Waste District that the district will designate landfills that may accept waste from the District.
 - i) The District is in the process of re-writing its waste management plan as required every 5 yrs by OEPA.
- d) **Exhibit 7-d-** was an invitation from Def. Co. Soil and Water to Trustees to attend the 2019 Annual Planning workgroup meeting.
 - i) To be held – March 14th
 - ii) 8 to 9:30a.m.
 - iii) Defiance Eagles
 - (1) 711 West Second St.
 - (2) Defiance, Ohio
 - (3) Rsvp by Trustee(s) needed
 - (4) Call 419 782 1794
- e) Mr. Peck asked if there were any questions or discussion?
 - i) There was none.

ORDER OF BUSINESS NO. 8- Old Business

- a) The Chair asked if there was any old business to come before the Board?
 - i) At the Jan 2019 session Trustees were provided a form for the 2019 County wide demolition program. This program is under the auspices of the Defiance Co. Commissioners.
 - (1) The City of Defiance has provided the Twp Trustees with a property demolition project that is located both within the City and Twp. **exhibit 8-a.**
 - (2) Mayor Mike McCann was present and stated to Trustees that the City seeks the Twp's approval to submit this form to the Co. Commissioners for consideration.
 - (3) The property is owned by Raymond Clemens and is located at 1407 Jackson Ave. Defiance City-Defiance Township.
 - (4) Mr. Clemens has given his consent – see consent page of project form.
 - (5) Mr. Peck asked for discussion.
 - (a) Trustees stated that they are unaware of a eligible property in the Twp's rural areas (Precints Def. Twp. A & B).
 - (b) Trustees asked the Mayor to bear in mind the upcoming renewal of the Fire Rescue contract that the Twp has with the City. This agreement expires Dec. 31st, 2019.

Trustee Peck then moved to co-sponsor the Co. Demolition project as proposed by the City.

Trustee Mayer seconded.

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

The application was approved for submittal to the Def. Co. Commissioners.

- b) Trustee Public Official Bonds through OTARMA – (bond packet is **exhibit 8-b**)
 - i) With the change of Insurance providers from the Ohio Plan to OTARMA new bonds are required for Trustees.
 - (1) Bonds are provided by OTARMA without charge.
 - (2) Bonds cover the Trustee's term in office or until Trustees change insurance providers.
 - (3) Bonds are kept on file with the fiscal officer and the Co. Treasurer.
 - (4) Bonds need signed and witnessed by the Municipal Court Judge.
 - ii) The bonds were witnessed and signed.
 - iii) The fiscal officer will present the bonds to the Defiance Co. Municipal Court for judicial signature.
- c) The Chair asked if there was any other old business to be discussed....
 - i) There was none.

ORDER OF BUSINESS NO. 9 - New Business.

- a) Mr. Shaffer arrived at the session:
- b) Mr. Peck asked if there is any new business to be discussed....
 - i) Exhibit 9-a was the 2019 authorized personnel use list from Menards of Def.
 - ii) Each year Trustees must list those Twp employees/representatives that may utilize the Twp's charge at Menards.
 - iii) Trustees listed Twp. employees/representatives and asked the fiscal officer to submit the filled out form to Menards.
 - (1) A copy of the filled out form to be filed in the Twp. Feb. 2019 meeting file.
- c) Trustees reviewed an ODOT safety sign grant notice-exhibit 9-c). Trustees asked the fiscal officer to submit the application packet to the Co. Engineer. The Engineer's office monitors the reflectivity of the Twp. road signage. If additional or replacement signage is needed the Engineer's office would make that suggestion to Trustees.
- d) Mr. Peck asked if there was any other new business to be brought before the Board.
 - i) There was none.

ORDER OF BUSINESS NO. 10 - NEXT MEETING:

- a) The next regular session.

Date: Tuesday – March 26th, 2019 regular session.
Time: 6:30 p.m.
Place: Northwest Ohio Real Estate Services - 618 S Clinton St, Defiance, OH 43512

ORDER OF BUSINESS NO. 10 – Adjournment:

Mr. Peck requested a motion to adjourn the meeting of February 26th, 2019.

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