

*Minutes*  
**DEFIANCE TOWNSHIP TRUSTEES**  
**February 28<sup>th</sup>, 2012 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 28<sup>th</sup>, 2012 at 7:00 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 declared.

Township employees present were: Jason Shaffer (equipment operator and zoning inspector) – 13386 St Rte 15, Ed Young 23013 Watson Rd, Joe Kolb 16492 Cullen Road & Mike Daniels 21786 St Rte 637.

Visitors present: Toni McBroom 24893 Kammeyer Rd, Brenda Griffith 1216 Magnolia St., Joe & Kate Webb 19577 Cromley Rd, Patty Edwards 21786 St Rte 637, Rhonda Shaffer 13386 St. Rte 15, Penny Bakle 1204 Wayne Ave., & JoEllen Houck 8 Deville Drive, Defiance, Ohio.

**ORDER OF BUSINESS NO. 1**

Reviewed and approved the minutes of the previous session.

Chairman Peck requested a motion for the approval of minutes from the January 24<sup>th</sup>, 2012, regular session.

Bakle moved to approve.

Mayer seconded.

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

The minute's for the January 24<sup>th</sup>, session were approved.

**ORDER OF BUSINESS NO. 2 - Citizen concerns:**

- 1) The chair asked for citizen concerns from the floor.
  - a) Trustees received comments from several candidates running for office this year.
    - i) Tony McBroom stated she was running for the Defiance County Clerk of Courts office, Brenda Griffith is running for a County Commissioners seat, Defiance County Treasurer Robert Bailey III is seeking a full term having been appointed to replace long time Treasurer Karen Tubbs and Charles Bakle Jr. running for Defiance County Commissioner. All candidates stated their qualifications and reasons for pursuing public office.
  - b) Joe & Kate Webb were recognized.
    - i) The Webb's informed the Trustees about their concerns relative to the maintenance of Cromley Road. The Webb's noted that the portion of Cromley road in front of their residence at 19577 Cromley road is mud. The Webb's said that most of the road is asphalt covered. The Webb's asked that the Trustees facilitate repairs to Cromley road from the present end of asphalt to the end of the dedicated road which is approximately several hundred additional feet. The Webb's asked that this section of the road which is presently dirt/mud be stoned and eventually brought up to the standard of the paved portion of the road. They noted that this situation has been in existence since they lived at their present address for 12 years. Further, Joe Webb stated he had several times placed stone on this section of the road. The Webb's concluded by stating they are not complainers but believe it is time for the Township to address this issue.
    - ii) Trustees concurred and stated that stone and grindings will be placed as soon as conditions permit. That section of the road will then be rebuilt via cement stabilization.
  - c) The Chair asked if there were any additional concerns from anyone.
    - i) Ed Young 23013 Watson was recognized. He stated that Joe Kolb was unaware of the regular meeting date change from the last Tuesday of the month to the fourth Tuesday of each month. Young felt that someone should have called Joe to let him know.
      - (1) The fiscal officer responded that an ad had been placed in the crescent news noting the change and as per policy a notice was posted on the public bulletin board in the County Commissioners

building. That is all the notice required whether for Twp employees or the general public.

d) Again the Chair asked if there were any other concerns from the public.

i) 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 \$232,092.11 balance is minus the outstanding checks and Township investment funds.

b) Receipt report:

i) Receipts for February 12 were \$17,484.58.

c) Payment reports:

i) Payments for February 2012 were \$17,445.74.

d) The Cash fund summary through February 28, 2012, showed an “ending cash balance” of \$934,133.25.

i) The unencumbered cash balance “cash available” was \$507,039.68 which is the balance after encumbrances are subtracted from the cash balance.

e) Appropriation Status showed that through February 28, 2012, 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 02-28-12 was \$703,470.34.

g) Trustees reviewed and signed the February bills without comment

h) Trustees, having prior to the meeting been provided with Twp employee’s time cards had reviewed same and then, signed the February 2012 payroll without debate.

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

MOTION by: Bakle

SECOND by: 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. Jason Shaffer provided the following electronic copy of this report.

i) report for February 2012.

(1) Building Permit was issued to Stephan Phillips at 15711 SR 66 for an addition to his Pole Barn.

(2) A Building permit will be issued to Jaci Moss 14597 Power Dam Rd, for an addition to her residence, as well a concrete driveway. Pending report from Defiance Water/Soil.

(3) I talked to Defiance County Court reference Tim Font of On The Edge Construction. Mr. Font did clean up the back side of the property that was in general in Violation. I informed the Law Office that R.C. 519.99 permits the Township to Fine \$500.00 per offense per day for violating Zoning resolutions. They advised that they would look into it.

(4) Received a phone call from Ben Smith, who requested an inspection of his power inlet. According to Mr. Smith, he had a power pole fall onto his residence, and he had it repaired, and needed an inspector to look at the repairs, for Power Co. to connect the main power. I advised him that I was not an Inspector, and he would have to contact an electrician.

b) Mr. Shaffer then proposed that the ad noting permit requirements for Def. Twp, which was run in February be run again. Mr. Shaffer also suggested placing another ad in the paper noting that fines for violations can be up to \$500 per citation.

i) Trustees instructed Shaffer to prepare the ad with the fine notice and have the prosecutor’s office approve and return to them for review and final authority to run this second ad.

c) Mr. Shaffer then stated he intends to send a letter to Mr. Font of On the Edge Construction, stating that if the issue of improper placement of construction and demo material recurs on this property that he will be again cited to court and that the fine can be up to \$500.

i) Trustees instructed Shaffer to have the letter reviewed by the prosecutor’s office and with the prosecutor’s approval it may be sent.

(1) The fiscal officer notes that a copy must be cc’d to him for Twp records

- d) Shaffer stated he would like to send a letter to all property owners currently using improper storage facilities such as box trucks and or boxed trailers. There items are not permitted for storage in Defiance Township under the zoning regulations.
  - i) Again, Trustees instructed the zoning inspector to prepare the letter for the prosecutor's office to review and upon approval of the prosecutor the letter may be sent.
    - (1) Fiscal officer note: a copy must be cc'd to the fiscal officer for the Twp records.
- e) Mr. Peck 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) Daniels – reported that the skid loader has been repaired and the cost was approximately \$1,000 (wiring harness and spool valve).
  - ii) Daniels also stated he has approximately 55 gallons of waste oil and wants direction on how to dispose of this material.
    - (1) The fiscal office stated he would contact the waste oil company currently servicing the landfill and see if the landfill tanks had room for the Twp's waste oil. The effort to have the Twp bring the oil to the co would be coordinated so that the Twp oil would be in the co storage tanks just prior to the waste oil company's arrival to pick up the Co oil. (note: there is no cost to the County for this service at this time).
  - iii) Ed Young noted that one of the Twp crew had again left the overhead lights on over the back door. This adds to Twp electric bill and Trustees would like the lights off when no one is working.
  - iv) Young also stated that while using Twp eq he rubbed against the overhead door and took the seal off. He then noted the seal was already in "bad" shape as was the seal on the other 2 overhead doors. Young suggested that the seals be replaced on all three doors and that all doors should be inspected and general maintenance should be preformed.
    - (1) Trustees determined to contact a professional door company.
  - v) Ed Young also stated that the Twp berming sled is beyond repair. He suggested a new one be purchased.
    - (1) Trustees instructed him to contact Clemens Welding of Defiance. Young is to take the current sled to Clemens so that they can use it as a pattern to build another.
  - vi) Young then noted that the Twp's John Deere Tractor's clutch needs adjusted.
    - (1) Mike Daniels stated he had adjusted the clutch to its proper setting.
    - (2) Ed state there is no free play.
    - (3) Mike said it sounds as if the hydraulic pump is failing. He will check this out.
    - (4) Trustees directed Mike to put a new hydraulic pump on the tractor if he determined that the pump was indeed failing.
- b) The Chair asked if there were any other equipment issues to be discussed?
  - i) 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) The Trustee Bakle noted a need to address weeds and fill pot holes as noted when conditions permit.
    - (1) Trustees will call out staff per usual for snow removal work.
- b) Trustees reviewed the status of proposed 2012 Twp rd projects that are to be done by or managed by the County Engineer's office on the Township's behalf.
  - i) As of the 02-28-2012 Twp session, this list is as follows:
    - (1) Hammersmith road – ditch work – estimated cost \$20k – carryover from 2010
      - (a) For portion of ditch west of Singer rd
      - (b) Project was awarded to Webb Const of Defiance.

- (i) Mr. Webb noted this project will begin as soon as conditions permit.
- (2) 2nd Hammersmith ditch proj between St Rt 111 and Twp maintenance building – not scheduled for 2012 – estimate unofficial – if work is performed by Co Eng crew \$10k per their estimated of August 2011.
  - (a) The Co Engineer has stated that this project will be done by the Co when the road rebuild is done on this section of Hammersmith.
- (3) Rebuild Hammersmith Rd from its west end Def Twp terminus -- easterly approximately to Singer Rd.
  - (a) The project will be bid by the Co Engineer – the project's new estimated cost is \$180,500. This figure includes pavement markings per the engineer's list:
    - (i) \$80k in OPWC grant dollars &;
    - (ii) \$100,500 from Twp road funds. This is up from the previous estimate of \$70.5k
  - (b) During the Jan session trustees were uncertain as to the opwc grant funding. The question was -- did this project have a special grant assigned to it in addition to current Twp opwc funds or were future twp opwc grants being designated for the project.
    - (i) Tjh reported that he has spoken with the county engineer since the Jan session and learned that future twp opwc funds were in fact to be used for this project.
    - (ii) There was no further discussion...
  - (c) Trustees continued their discussion on the possibility of turning over Hammersmith road to the County Engineer. Trustee Peck was to contact the Co Engineer.
    - 1. Mr. Peck stated he thought the Engineer might be inclined to take over Hammersmith but would want to exchange equal miles of road. The Engineer's office won't simply take on additional road miles in Mr. Peck's opinion.
    - 2. Mr. Peck said he will be meeting with the engineer soon on this issue.
- (4) Indian Bridge lane: - paving project for 2012 with CDBG grant and OPWC grant - \$5,200
  - (a) In August 2011 – Trustees voting 2-1 approved the use of Twp funds to pay the following:
    - (i) Drainage project – \$9k to \$12k
      - 1. Consists of 9 of 11 drainage pipes – to drain storm water on east side of the boulevard to the center of boulevard ditch.
      - 2. Trustees in Jan approved the addition of 2 pipes on the east side of the boulevard per the Engineer's plans. The estimated cost was an additional \$3,000.
      - 3. Work to be by county engineer over winter of 2011-2012
      - 4. Trustees reported that the County Engineer's office had completed the pipe project in February.
    - (ii) Additional upgrades to Indian Bridge lane planned for 2012 were reviewed.
      - 1. In 2011 the Twp was approved to receive \$15,800 CDBG grant dollars in 2012 towards the paving project in grant funds
      - 2. The Twp is pledged to provide \$5,200 towards paving
  - (b) Previously, Trustee Bakle has indicated he will support applying for a CDBG grant in 2012 for pavement of the west side of the boulevard. Those grant dollars if acquired would be used in a 2013 project.
    - (i) Mr. Bakle asked that Mr. Peck confer with the County Engineer to ensure that the 2012 CDBG grant for the paving of the east side of the boulevard was being prepared.
- (5) Ball Road - 2012
  - (a) Hot-mix patching – estimated at \$3,130
  - (b) A crack-seal –estimated at \$2,750
  - (c) A chip & seal- estimated cost per the Co Engineer's office - \$9564.
  - (d) Pavement markings – estimated at \$613
  - (e) Possible replacement of the culvert at Ball and Canal (this issue was patched in the fall of 2011) and may or may not need replaced. No cost estimated yet provided.
- (6) Cromley Road
  - (a) A chip and seal on the portion from Krouse east for approximately 1450' - estimated cost \$3,278
  - (b) Pavement markings - \$310
  - (c) Trustee Mayer suggested we might be doing the rebuild – widening of Cromley in reverse order given the Webb issue which was discussed earlier tonight.

- (i) Trustees agreed to review the project with the County Engineer.
  - (7) Kiser rd – added by Co Engineer to their proposed Jan list of Twp work and approved by the Trustees.
    - (a) A hot-mix patching - \$6,032
  - c) Financial impact review from the fiscal officer:
    - i) The total amount of expenditures proposed for 2012 special projects by the County Engineer's office is \$226,908.
      - (1) Trustees are reminded that:
        - (a) Regular twp expenses are estimated – base on historical review, at between \$70,000 and \$100,000
        - (b) Anticipated total projected rd work to be posted to the Twp road funds in 2012 to date are at least - \$135,882 more or less (not including OPWC grant funds.)
          - (i) This is in addition to the 70 to 100k in line a above.
          - (ii) Total road project costs of twp funds (not including opwc) is \$235,882 at present.
          - (iii) There are still projects noted above that are without cost estimates.
        - (c) Anticipated revenues as noted in the 2012 amended certificate from the County Auditor for road work was \$156,345.00
          - (i) At present it is estimated that exp will exceed rev by about
            - 1. \$70,000 depending on the actual exp noted in b-i at year's end.
        - (d) The chair asked for discussion.....
          - (i) Trustee Bakle again, stated we have been saving funds for several years primarily for the Hammersmith project, funds are available for our list of projects.
      - (2) The fiscal officer then reported on the 2012 OPWC grant funds. The report update includes carryover funds from previous OPWC grants–
        - (a) Trustees should refer to the hand out from the Jan 12, 2012 re-organizational session:
        - (b) The opwc grants include funds from unspent portions of twp grants 2009 through 2011
        - (c) The expenditures from 09 through December 2011 were (\$20,679.48)
        - (d) The grant balance now stands at (no change from Sept 2011) \$55,275.01
        - (e) The report indicates that the Hammersmith project is to be posted at least in part to future grants from this program.
        - (f) There was no further discussion
- d) Other projects/issues?
  - i) Salt purchases for 2011-2012 for snow removal efforts by the Twp were reviewed.
    - (1) Exhibit 6-e was a spreadsheet noting salt mix acquired by the Twp and stored in the Twp salt bins on Hammersmith road.
    - (2) The twp is acquiring mixed salt (2 parts salt 1 part grit) at \$55 per ton.
    - (3) Total spent in the 2011 – 2012 winter season was \$8854.45
    - (4) There was no further discussion
  - e) The February work assignments for the Twp crew – were distributed and reviewed by Trustee Bakle. This was exhibit 6-f-in the meeting.
  - f) Twp cemeteries –
    - i) Mr. Bakle suggested that a catch basin be placed in Taylor cemetery to facilitate drainage from a ponding area along the drive.
      - (1) Trustees agreed to hire Benedele contracting who will be assisted by Twp operators. The project is to be addressed as soon as conditions permit.

Chairman Peck requested a motion to contract with Benedele contracting for the above note project.

It was moved by Mayer  
Seconded by Bakle

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

The motion to hire Benedele contracting to place a catch basin in Taylor cemetery was approved.

- g) Other projects/issues?
  - i) The chair asked if there were any other road or cemetery projects to be reviewed.
    - (1) There were none.

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

- a) The monthly (February 12) GrassRoots clippings – was distributed as exhibit 7a
- b) Exhibit 7-b was reviewed this was a notice of the annual Twp mileage certification report from the County Engineer's office.
  - i) Def twp is 23.087 miles of roads
  - ii) In 2011 the Twp was certified with 23.147
- c) The Defiance County General health District notified Trustees that it will hold its annual meeting March 13th, 7 p.m. in the upstairs conference room at Def. Co East – 1300 East Second St. Defiance – see exhibit 7-c.

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

- a) Up-date on "Fire-Rescue" regionalization discussion by Twp's and the City of Defiance. Mr. Peck represents Defiance Twp
  - i) Mr. Peck said that another regionalization session is planned soon and he will attend.
  - ii) Mr. Bakle said he had heard that Tiffin, Richland, Noble and Highland are considering forming their own fire district which they believe will be less expensive than one which includes the Defiance City Fire Department.
  - iii) Trustees will continue to monitor closely as the cost for Def Twp fire and rescue through the City of Defiance now exceeds the annual revenue generated by the current levy for such services.
- b) As directed by Trustees and upon the request of the Zoning Inspector the fiscal officer reported that the Twp has run an add approved by the Trustees and the Prosecutor, noting permit requirements in Defiance Twp.
  - i) This item was discussed under the zoning section of this meeting.
- c) The Chair asked if there is any other old business?
  - i) There was none.

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

- 1) The Chair asks if there is any new business to come before the board?
  - a) The fiscal office stated that the 2012 State Auditor's annual Local Gov't Conf – directed at fiscal personnel is scheduled for March 7, 8 & 9; in Columbus, Ohio.
    - i) The fiscal officer requests Trustee permission to attend, and;
    - ii) Noted that there is a major software change and new equipment distribution scheduled for this year.
    - iii) Cost is \$175 for the conf plus hotel, parking and food.

Mr. Bakle moved to authorize the fiscal officer to attend the Annual State Auditor's Local Gov't conf

Mrs. Mayer seconded

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

The motion was approved.

- b) Mr. Bakle noted that state ODOT equipment is available for public entities to bid at [asset.auction.com](http://asset.auction.com)

- i) Bakle noted there is a JD 6320 which he believes is the size unit the Twp needs for certain of its road work.
  - ii) Trustees asked the fiscal officer to set up the account with this web site provider.
  
  - iii) The Chair asks if there is any new business to come before the board?
    - (1) There was none
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**ORDER OF BUSINESS NO. 10 - NEXT MEETING:**

Date: Tuesday – March 20<sup>th</sup>, 2012 – this meeting was previously moved from the regular 4<sup>th</sup> Tuesday. Notice will be posted on the public bulletin board in the Commissioners building per Twp policy.  
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. Peck requested a motion to adjourn the meeting of February 28<sup>th</sup>, 2012

It was moved by: Bakle  
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