

*Minutes*  
***DEFIANCE TOWNSHIP TRUSTEES***  
***March 31<sup>st</sup>, 2020 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, March 31<sup>st</sup>, 2020 at 6:30 p.m. Answering as present were Dan Peck, Diana Mayer & Jason Shaffer. With all three (3) members of the BOARD OF TRUSTEES having answered the roll, a quorum was declared.

Township employee(s) present were: none

Visitors present: JoEllen Houck 8 Deville drive, Defiance County - Defiance, Ohio.

**ORDER OF BUSINESS NO. 1**

Reviewed and approved the minutes of the previous session(s).

Mr. Peck requested a motion for the approval of minutes from the February 25<sup>th</sup>, 2020 regular session.

Mr. Shaffer 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 February - noted a primary checking reconciliation balance of \$280332.20-- balance is minus the outstanding checks and Township investment funds & is taken from the Bank's monthly statement.
- b) Receipt report:
  - i) Receipts for March (UAN software-) were \$142,120.39.
- c) Payment reports:
  - i) Payments for March (UAN software-) were \$10,829.74.
- d) The Cash fund summary through March 28<sup>th</sup>, 2020, (UAN software) showed an "ending fund balance" of \$1,128,148.96.
  - i) The "cash available" for encumbrances (unencumbered fund balance- UAN software) was \$490,469.79.
- e) Appropriation Status showed that through March 28<sup>th</sup>, 2020 (UAN software), 3.8% 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 03-28-20 was \$738,077.07.
- g) Trustees asked the Fiscal Officer to review gas tax revenues comparing revenue after the additional gas tax increase (11cents per gallon) passed the Ohio Legislature in July 2019.
  - i) See Jan. 2020 mins for initial review.
  - ii) 2020 comparisons posted to UAN – through the March Twp meeting.
    - (1) Exhibit 3-g-1 is gas tax posted through March 2019.
      - (a) was \$15,648 more or less
      - (b) Exhibit 3-g-2 is 2020 rev posted through March 2020- \$36,411 more or less –
      - (c) For the first three months of 2020 the increase is \$20,763 more or less- 6,921 ave per month
- h) March bills through the 28<sup>th</sup>, – were then reviewed & signed by Trustees.
- i) Payroll & March time cards (time cards provided trustees prior to session) – were reviewed and signed by Trustees Review.
- j) Mr. Peck requested a motion to accept the March financial reports.

MOTION by: Shaffer  
 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) March Monthly Zoning report - the report is to be emailed to the fiscal officer and will be included in the minutes of the March session. This is due to the corona virus lock down order by the Governor.
- b) Mr. Diemer emailed the March report on 4-13 report:
  - i) permits issued:
    - (1) No new issues in March.
  - ii) Zoning issues:
    - (1) No new issues in March.
  - iii) Nuisance violations:
    - (1) No new issues in March.
  - iv) Site reviews:
    - (1) None in March.

Respectfully submitted  
 John Diemer, Twp. Zoning Inspector

- c) The Chair asked again if there were any other zoning issues to come before the Board.
  - (1) 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) OTARMA ins cards for all Twp licensed vehicles were rec'd via email from OTARMA on 3-11-2020- these were provided to Trustee Mayer who distributed them to operators to be placed in Twp. vehicles.
  - ii) Trustee Shaffer stated that the 2016 John Deere tractor needs two new tires, a right side front and rear.
    - (1) Trustees verbally approved the purchase.
- b) The Chair again asked if there were any other equipment issues to be discussed?
  - i) There was none.

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

- a) Trustee Report – Monthly Twp Rd inspection by Trustee Mayer.
  - i) Roads were reported to be in good shape for this time of year.
  - ii) The April report is to be by Trustee Peck.
- b) **2020 Road projects:**
  - i) Defiance County Engineer Warren Schlatter had presented Trustees with the 2020 Twp Rd. maintenance program as prepared by his office at the Trustees Jan 28<sup>th</sup> business meeting. Refer to exhibit 6-b – of the Jan. Twp session.
  - ii) Trustees approved as presented:
    - (1) The projected total cost is \$60,257.00
    - (2) 2020 Def. Twp. rd. maintenance program with cost estimates from Eng. dated Jan 28<sup>th</sup>. The road maintenance program does not include major reconstruction projects – i.e. Bowman Rd re-build, or other Twp road expenses assigned by Trustees to Twp personnel or other private contractors.

(a) <b>Chipseal:</b>	<b>Est.</b>	<b>Actual cost</b>
(i) Karnes – from Bowman to Watson- 5328'	\$9,759	
(ii) Keller – from Powers to Kiser – 2640'	\$2,667	
(iii) Sponseller – Def/Pau Co. line to Bowman – 5303'	<u>\$5,999</u>	
(iv) Estimated total exp. of chip seals	<b>\$18,425</b>	

- (b) Patching:**
  - (i) Bowman –

1.	from Campbell to Williams – 4 patches	\$5,447
2.	from St. Rt 66 to Twp line – 2 patches	\$4,085
(ii)	Carter Rd –from Ginter to St Rt 66 – 2 patches	\$2,931
(iii)	Def-pau line #10 – from st rt 66 to Holly rd – 2 patches	\$2,118
(iv)	Garman – from Harding to Wilhelm – 1 patch	\$1,059
(v)	Ginter rd. – from Carter to Def. City limit – 2 patches	\$3,518
(vi)	Keller rd – from Powers to Kiser – 1 patch	\$ 945
(vii)	Kibble rd – from Canal to Winn – 1 patch	\$1,210
(viii)	Kiser – f keller to canal – 3 patches	\$4,083
(ix)	McCollister rd – f Wilhelm to dead end – 1 patch	\$ 983
(x)	Singer rd – f St rt 111 to Hammersmith – 1 patch	\$1,059
(xi)	Sponseller rd – f def/pau co line to Bowman – 3 patches	\$3,177
(xii)	Wilhelm rd – f Watson to McCollister – 1 patch	\$1,588
1.	From McCollister to Garmin – 1 patch	<u>\$1,059</u>
(xiii)	Estimated total patching exp -	<b>\$33,270</b>
<b>(c) Crack Seal-</b>		
(i)	Def/Pau Co Line :	
1.	f .5mile east of Campbell to Williams – 2640'	\$1,689
2.	f Williams to St Rt 66 – 5306'	\$3,395
3.	St. Rt 66 to Holly – 5359'	<u>\$2,857</u>
4.	Estimated total exp. crack seal	<b>\$7,943</b>
<b>(d) Pavement Markings:</b>		
(i)	Karnes Rd – f Bowman to Waton – 5228'	<u>\$618.00</u>
<b>(e) Total est and final expenses for 2020-</b>		<b>\$60,257</b>

iii) Re-build and widen 4 miles of Twp's portion of Bowman Rd. – see mins from Feb. 2018 for history.

(1) As of this session:

(a) In 2019:

(i) No construction work was done in 2019 due to bid scheduling and engineer's field personnel dedicated to other tasks (no prep work).

(b) In 2020:

(i) Co. Engineer Schlatter was informed (at the Jan session ) that the Trustees agreed to dedicate \$190k of its 2020 road funds towards this project.

(ii) Trustees agreed that the Engineer will manage the project at the Engineer's discretion based on the funding the Twp commits,.

(iii) To date in 2020:

1. The Engineer's office stated to the fiscal officer:

a. .5 miles of north side between Sponseller and Power Dam have been cleared of brush and trees.

b. Residents between Sponseller and Campbell have been informed of clearing op to take place.

c. The annual Engineer's bid for road work (which includes the Bowman project) is to be opened on March 30<sup>th</sup>.

i. Awards take place after Engineer review.

**c) Twp projects by Twp staff or other contractors for 2020:**

i) The Chair asked if there were any proposed projects for the Twp staff or private contractors 2020?

(1) May Rd; maintenance from Feb. 25<sup>th</sup> session – see mins of Feb session for details

(a) **Exhibit 6-c-1** – of the March Trustee session was a letter from Def. Fire Dept. noting possible issue with getting fire eq. to the only residence on this road (Andy Bok).

(i) Email from Trustee Peck – noting Twp response to Bok's concern as stated at the Feb. Twp. session. (both items were emailed to Trustees during March)

(ii) May road was re-stoned and graded during March by Twp staff.

(iii) **Exhibit 6-c-2** is from an email from the Prosecutor's office sought by Trustee Peck –the email notes Twp. responsibilities for Road Maintenance.

(iv) Discussion:

1. Trustees noted that the work by the Township in March was completed after the Fire Dept review.

2. Trustees believe the Twp has and is meeting its obligations regarding road maintenance

for all Twp roads including May road.

- d) Re-build Ginter/Carter Rd. from Jefferson Ave. (St. Rt 66) to at Carter Rd to Ginter and Jefferson (St. Rt 66)
- i) At the Jan 2020 session the City proposed a joint project with the Twp: the rebuild of Carter/Ginter road:
  - ii) See mins of Jan session for details:
  - iii) The effort also includes a use path (sidewalk).
  - iv) The road will be rebuilt using cement stabilization; the walk way will be on the west side of the road (Boy Scout Camp side).
  - v) The road will be widen.
  - vi) Co Engineer Schlatter had prepared a project cost estimate:
    - (1) Road rebuild using cement stabilization with a 2" asphalt cover - \$550,000
    - (2) Use path (side walk) - \$100,000
    - (3) Each party (Def City – Def Twp) would need a local contribution of approx. 130 to 150k
  - vii) Schlatter estimated time line and costs for the Twp:
    - (1) If approved by the end of June 2020 – by both the city and Twp
    - (2) A grant proposal and anticipated approval would be written in late summer – fall of 2020 and submitted. The grant would then be reviewed and approved in 2021 for construction in 2022.
    - (3) For the Twp portion (road only – 275k) – the OPWC grant could be used – if used this would take all the remaining grant funds the Twp would acquire in this grant cycle (next 5 years before law must be re-voted).
    - (4) The Twp's actual cash outlay for this project would be 130k to 150k depending upon the bid pricing in 2022.
  - viii) Discussion...
    - (1) Trustees will continue to study the project and its financial impact on the Twp road funds and will revisit this issue at the Twp's next session.

e) **2020 financial impact review by the fiscal officer:**

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

(2) Total road fund revenues year date are	\$13,192
(3) Total road fund expenses year to date are	\$ 7,049
(a) Road salt purchased winter 2019 – 2020 – total \$3,015.	

- ii) Anticipated revenue for 2020 – based on the January 2nd, Twp amended certificate was:
  - (1) \$181,850 more or less

- iii) Anticipated expenses for 2020 – as of this session:

- (1) Regular twp. expenses anticipated for the year, baring emergencies. The estimate for 2020 – based on historical review, is placed at between \$70,000 and \$100,000 – would include Twp projects listed above & also any work completed so far this year.:
- (2) \$60k as of this session for Co Eng work- in 2020 – refer to item 6-b-1 of the Jan 2020 agenda – (other than Bowman Rd. rebuild).
- (3) 190k - Bowman Rd. rebuild –
- (4) ??? - savings towards the Carter/Ginter rd project.

(a) Total projected expenses from Twp rd acc'ts for 2020 is based on the completion of all noted above.

**(i) \$350,000 + savings for Carter/Ginter**

- f) **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 03-10-2020- see **exhibit 6-f**.

- i) the OPWC report from the County Engineer's office as of 03-10-2020 indicates that:
- (1) The Engineer's Office has posted to Def Twp. for 2020 –
    - (a) \$2,975.14 for expenses for trimming overhanging tree branches – this work was done Feb. 28<sup>th</sup>.
    - (2) The engineer's office had posted a 2020 grant of \$48,700 to the Def. Twp. grants line.
      - (a) the Twp. has \$63,378.21 in grant funds unspent from this and previous grants.
  - 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 5 years or a total of \$125k remaining give or take.
    - (1) The Chair asked if there is any discussion?

(a) There was none.

- g) The Chair asked if there was any other discussion regarding the fiscal impact report or other road issues?  
i) There was none.

#### **ORDER OF BUSINESS NO. 7 - Cemetery issues for discussion.**

- a) The Chair asked if there are any cemetery issues for discussion
- i) Cromley cemetery tree branches overhanging Twp. Road (Cromley) –
- (1) Refer to mins of April 2019 Twp session forward for details:
  - (2) At the January 2020 Twp session update:
    - (a) Trustee Mayer asked that Mr. Peck or Mr. Shaffer again request the Co. Engineer's office to address this issue.
  - (3) Feb. session update:
    - (a) There was no work on this issue.
  - (4) March update:
    - (a) Trustees reviewed the bill from the Co. Engineer for tree trimming work. The bill included work at several Twp sites including the Cromley Rd. cemetery.
    - (b) Trustees deemed this project complete.
- ii) During Feb. Caleb Turnbull of the Oberlin-Turnbull Funeral Home in Bryan, Ohio, contacted trustees and the fiscal officer.
- (1) A Katherin Teschkey had passed away and family desires to bury cremated remains with her parents - Harvey and Addi Ball – they (the parents) were buried in the early 70's in the Twp's Cromley cemetery – section 35.
  - (2) The family does not have a deed and wishes to place the ashes over one of the parents in an urn.
    - (a) There are 2 burials in this section (Harvey and Addi). The section is 15' deep by 22' long (see cemetery map).
    - (b) The family does not have a deed.
    - (c) The Twp's records are incomplete – the twp only has the cemetery map. The fiscal officer has reviewed old records and cannot find any deeds.
    - (d) This info was emailed to Trustees Feb. 18<sup>th</sup>.
    - (e) Trustees concurred that:
      - (i) We do not know if there are other deeds issued for lots in this section.
      - (ii) The urn could be buried in one of the existing graves (over Harvey or Addi).
      - (iii) A Headstone could be placed just behind the existing grave (headstones mark where grave sites are located).
    - (f) Trustees asked the fiscal officer to prepare a policy which would allow for more than 1 interment in a grave site.
    - (g) The draft was prepared and submitted to the Prosecutor for approval as to form.
      - (i) The prosecutor had a number of questions which he desired the Trustees to consider.
    - (h) **Exhibit 7-ii** contains:
      - (i) An email from the fiscal officer to Trustees dated March 24<sup>th</sup>, with a second draft of a proposed policy #15 regarding interments and the prosecutor's email with noting his questions which was first reviewed at the Feb. Twp session.
      - (ii) Discussion:
      - (iii) Trustees noted the draft contained references to Hinckley Twp cemeteries.
      - (iv) The fiscal officer stated he missed this and that these references will be removed.
- Trustee Shaffer then moved to approve Policy #15 regarding the burials and burials of cremated remains in the same burial plot as one occupied with a coffin.
- Trustee Mayer seconded
- YEA(s) 3      NAY(s) 0      Passed X      Failed
- Twp policy #15 was approved.
- b) The Chair asked if there were any other cemetery issues for discussion?  
i) There were none.

#### **ORDER OF BUSINESS NO. 8 – PERSONNEL**

- a) The Chair asked if there was any personnel business to be discussed?  
i) There was none.

**ORDER OF BUSINESS NO. 9 - Handouts were distributed as noted below:**

- a) Monthly (March 19) GrassRoots clippings – **exhibit 9a**
- b) **Exhibit 9-b-** notice from United State Bankruptcy Court that FirstEnergy has emerged from bankruptcy into reorganization.
  - i) First Energy serves a portion of Def. Twp.
- c) **Exhibit 9-c** – was a notice from the Def. Co. Twp. Association of the next meeting –
  - i) Rsvp required – michelezeedyk@yahoo.com by Friday April 10
  - ii) Meeting is at Sherwood VFW, 115 Cedar Street, Sherwood Ohio
- d) **Exhibit 9-d-** was a notice from the Ohio Dept of Commerce – all permits to sell alcoholic beverages in Def. Twp. expires June 1, 2020 – permits will be renewed unless Trustees file an objection.
- e) **Exhibit 9-e** – Ohio Attorney General “guidance” not legal opinion on electronic public meetings during coronavirus pandemic and Ohio Dept of Health director Dr. Amy Acton’s order defining the banning of “mass gatherings”.
- f) **Exhibit 9-f** – notice from Def. co. that a “defensive driving” training class is available for twp operators.
  - i) Classes are June 29 for 2 hour refresher &;
  - ii) June 30 for the 4 hour regular class for operators who have never had the training.
  - iii) Class location is at Def. Co. Senior Center – 140 east Broadway, Defiance, Ohio 43512
  - iv) Trustees determined not to mandate attendance.

**ORDER OF BUSINESS NO. 10- Old Business**

- 1) The Chair asked if there is any old business to come before the Board?
  - a) There was none.

**ORDER OF BUSINESS NO. 11 - New Business.**

- 1) The Chair asked if there is any new business to be discussed....
  - a) During March Trustees were emailed information regarding open meeting requirements during the COVID – 19 pandemic shut down ordered by Gov. DeWine.
    - i) The Twp. continues to hold its public sessions which is approved in the DeWine order. Should Trustees determine to utilize alternative meeting methods such as live internet, or other state approved electronic methods, the Twp. will need to acquire IT support to have this set up.
      - (1) Discussion.
      - (2) There was none.
  - b) The fiscal officer had requested permission to attend the 2020 local gov’t conference hosted by the State Auditor’s Office in Columbus, Ohio, April 7, 8 & 9, 2020. This conference is focused on fiscal training – attendance provides required ceu’s for the fiscal officer’s position under the “fiscal integrity act” which became effective in March 2015.
    - ii) Trustees had approved the request.
    - iii) This training session was canceled due to the coronavirus outbreak.
- 2) The Chair again asked if there was any other new business.
  - a) There was none offered.

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**ORDER OF BUSINESS NO. 12 - NEXT MEETING:**

- 1) The next regular session.
  - a) The next session.

**Date:** Tuesday, April 28<sup>th</sup>, 2020 regular business session.  
**Time:** 6:30 p.m.  
**Place:** Defiance County Commissioners building  
2nd floor conference room  
500 Court St.  
Defiance, Ohio 43512

**ORDER OF BUSINESS NO. 13 – Adjournment:**

- 1) Mr. Peck requested a motion to adjourn the meeting of March 31<sup>st</sup>, 2020.

It was moved by: Shaffer  
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