

Minutes
DEFIANCE TOWNSHIP TRUSTEES
March 20th, 2012 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, March 20th, 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, and Joe Kolb 16492 Cullen Road.

Visitors present: 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 February 28th, 2012, regular session.

Bakle moved to approve.

Mayer seconded.

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

The minute's for the February 28th, 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 \$230,682.23 balance is minus the outstanding checks and Township investment funds.
- b) Receipt report:
 - i) Receipts for March 12 were \$8,151.25.
- c) Payment reports:
 - i) Payments for March 2012 were \$23,472.94.
- d) The Cash fund summary through March 31, 2012, showed an “ending cash balance” of \$917,490.05.
 - i) The unencumbered cash balance “cash available” was \$509,439.41 which is the balance after encumbrances are subtracted from the cash balance.
- e) Appropriation Status showed that through March 31st, 2012, 4.4% 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 03-31-12 was \$703,533.17.
- g) Trustees reviewed and signed the March 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 March 2012 payroll without debate.
- i) Mr. Peck requested a motion to accept the March financial reports.

MOTION by: Bakle

SECOND by: Mayer

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

The March 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 March 2012.
 - (1) I spoke with David Glick, reference his property on Hammersmith Rd. I advised Mr. Glick that the property/structure will have to be maintained, or removed. Mr. Glick stated that he has had Vandals on his property, and they were arrested. The condition of the property has not changed in over a year. It is a Fire Hazard, and has not been kept up. I am at this time writing a letter to Mr. Glick, giving him time get the property up the code or I will seek Legal actions. He stated that he will contact his Attorney for his Rights.
 - (2) Several Appraisal Companies have called to get Zoning on properties.
 - (3) A Kerri from Shoemaker Homes, called reference a Certificate of Occupancy, on a property on Def-Williams Co, Rd. this location is not in Defiance Twp; I gave her a web site to go to, to get the Zoning Inspector in Ney/Washington Twp.
 - (4) I have not talked to Prosecutor's Office yet in reference the issue of semi trailers being used as storage sheds.
 - (5) A representative from Schrader Auctions called, and asked about the Properties that is to be Auctioned off on 03/12/2012. I advised him that parts of the property are in the Flood Plain, and cannot be built on. I explained the situation, and he became upset. I advised him that Maumee Valley Planning stated the same. I will not sign any paperwork to build on these Properties east of SR 111 that are in the flood plain.
- b) 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) Operators Joe Kolb and Ed Young said that motor oil was needed at the Maintenance building for several of the Twp units.
 - (1) Trustee Bakle said he had just purchased 5 gallons today.
 - (2) Operators said they couldn't find any. They also said some windshield fluids were needed.
 - (3) Trustees directed that services on the Twp's small trucks (oil changes etc) be taken to Defiance Truck Sales.
 - (4) Trustees then approved the Operators to maintain a small amount of vehicle fluids on site.
 - ii) Operators Kolb and Young then suggested that the Trustees remove the Sears garden tractor/mower from inventory. It is old and breaks down all the time.
 - (1) The Twp had purchased a replacement mower in 2010.
 - (2) Trustees approved the request and directed Operators to place a for sale sign on the unit asking for \$175. If there is an interest Operators are to contact Mr. Peck before consummating the sale.
 - iii) Trustee Bakle stated that Mike Daniels was continuing to work on repairs to the grader and servicing the International.
 - (1) Trustees Mayer and Peck said that work on the grader should be halted and that the priority was to ensure that the John Deere tractor and mower were ready for the upcoming mowing season. (we have experienced unusually warm weather and grass is already growing).
- 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

1. Trustees reviewed exhibit 6-a monthly Twp Rd inspection by Trustee Peck.
 - i) Trustees instructed operators to use this report as the road work priority.
 - ii) The Chair asked if there were any questions.
 - iii) Ed Young asked if they could purchase some stone for stockpiling at the maintenance building for small projects such as berm work etc.
 - (1) Trustees agreed and told the operators to get some 8/9's and berm stone to be stocked at the maintenance building.
 - iv) Operators then noted that there was a rut and wash out along Parkview Drive where the road circles back to reconnect at the entrance to this subdivision. Operator's asked for direction noting they have filled this in with stone in the past.
 - (1) Trustees ordered more stone be put in this problem area.
 - v) April's Rd review by Trustee Mayer.

2. Trustee review and status of the proposed 2012 projects as of this session.
 - i) Trustees are now discussing the project list for 2012 with the County Engineer's office.
 - ii) As of 03-20-2012 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.
 - (c) The Co Engineer has stated this project will be done in spring of 2012 or just before this section of the road is rebuilt.
 - (i) It was noted that this project was now underway as of this session.
 - (2) 2nd Hammersmith ditch proj between St Rt 111 and Twp maintenance building – not scheduled for 2012 – estimate unofficial by Co Eng office in August 2011 – if work is performed by Co Eng crew \$10k
 - (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.
 - (i) This project remains on hold.
 - (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) Project funding includes future opwc grant dollars.
 - (c) See minutes of sessions from January 2012 for expense details.
 - (i) Co Engineering is preparing work specifications for public bid.
 - (4) Turing over to or trading Hammersmith rd (current twp road) with Co Engineer. The possibility first reviewed by Trustees in the January 2012 session.
 - (i) Mr. Peck stated he had spoken with the County Engineer and the engineer did not have an interest in doing this at this time.
 - (ii) This item will be removed from future agendas until or unless there is a change in status.
 - (5) Indian Bridge lane: - paving project for 2012 with CDBG grant and OPWC grant - \$5,200 – see agendas of 2011 for details to date.
 - (a) Additional planned upgrades to Indian Bridge lane planned for 2012 are:
 - (i) Paving the west portion of the boulevard.
 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 east side of the boulevard. Those grant dollars if acquired would be used in a 2013 project.
 - (a) In the February 2012 twp session, 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.

- (i) Mr. Peck said he had not yet spoken with the Engineer regarding this project but will do so soon.

(6) 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.
 - (i) The Trustees indicated they will continue monitor the culvert and to remove the culvert concern from the agenda.

(7) 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) In the Feb Twp session Trustees committed to adding stone to this road to its official terminus which is several hundred feet beyond the payment end point at the roads west end.
 - (i) Trustees were to discuss the possibility of a cement stabilization of this section of the road with the County Engineer.
- (d) Trustees were also to discuss with the Engineer the current plan to chip seal and widen the road in 2012.
- (e) Trustees noted the stone was placed per the Feb assignment.
- (f) Trustees indicated they will not widen the road or chip seal the eastern portion in 2012 but will do this when the newly stoned portion of the road is upgraded via cement stabilization possibly in 2013.

(8) Kiser rd – new from past discussions – on the engineer's list –

- (a) A hot-mix patching - \$6,032 in 2012.

3. Trustees then reviewed the fiscal officer's report on the road work's financial impact on the road funds.

- i) The total known 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.

- (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.

(2) The 2012 grant report update includes carryover funds from previous OPWC grants–

- (a) Trustees should refer to the hand out from the Jan 12 session:
- (b) The opwc grants in 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.

(3) The Chair asked if there was any discussion? There was none.

4. Other projects/issues.

- i) The March work assignments for the Twp crew on Twp form was to be handed out. Trustees instructed the

staff to follow the Feb handout revised with the monthly road review form handed out as exhibit 6-a of this session.

5. Twp cemeteries –

- i) Trustees then reviewed an email from the fiscal officer sent earlier this month dated 3-18-2012. The email was listed as exhibit 6-f
- ii) Issue started with a request from a citizen to allow a burial of 1 body on top of another in the same grave. The top burial is to be a cremation urn. The email included a reference by the fiscal officer of a verbal recommendation from the Prosecutor's office and noted ORC sections regarding this issue.
 - (1) The fiscal officer conducted research of the Twp records for rules and found little information regarding the cemeteries and no rules.
 - (a) The fiscal officer provided Trustees with copies of the maps of the cemeteries. These were presented as exhibit 6-f-iv.
 - (2) Trustees noted that their check with other cemeteries and local funeral homes (Mast and Mock) found that many local cemeteries allows this practice.

Mrs. Mayer then moved to adopt the ORC section noted in the email as the standard for Defiance Twp Cemeteries, and to allow for this practice.

Mr. Bakle seconded

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

The motion was adopted.

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

1. The monthly Ohio Twp Association newsletter (March 12) GrassRoots clippings was distributed as exhibit 7a
2. Exhibit 7-b, a notice to the Trustees concerning a debt owed the Twp by a Charles Sweezer for services rendered in 8-29-1999 (possibly a rescue run); the notice stated the debt will no longer be pursued by the Credit company on the Twp's behalf as the debtor has passed away.

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. Mr. Peck reported that no new meetings had taken place.
- b) Mr. Peck stated that the revised new 2012 rescue contract with the City was ready for adoption. This item was presented to the Trustees as exhibit 8-a.
- i) The contract increases the charges to the Twp for this service and is retroactive to November 2011.
 - (1) The contract now calls for a \$30,000 annual readiness fee and denotes increases in the per run charges.
 - (2) The City will pursue the expense per run from the citizen or the citizen's insurance company. Money collected will be sent to the Twp and deposited in the Twp accounts. The City will then bill the Twp for these funds. This practice per the City Attorney and the Co Prosecutor's office is required per the ORC in order for the City to acquire the insurance payments.
 - (3) New charges in this contract are as follows:
 - (a) \$110 for a call out that does not result in transportation of a patient,
 - (b) \$400 for services that does not require basic or advanced life support but is certified by a physician to require transportation by ambulance,
 - (c) \$500 for basic life support,
 - (d) \$700 for advanced life support at level 1 capabilities
 - (e) and \$800 for advanced life support at level 2 capabilities.
 - (f) All transport classifications include an additional \$.14 per mile charge. The contract also charges \$500 for extraction when pneumatic, hydraulic or cutting equipment is used.
 - (4) This contract had been reviewed by the Prosecutor's office and was approved as to form.

The Chair asked for discussion.

- (5) Trustees noted that at this time there were no other options, which Trustees would continue to monitor and study the issue but felt compelled to adopt the contract to provide this service to the Twp residents in the rural sections of the Twp (precincts A and B).
- (6) Mr. Bakle suggested that the Twps (Defiance, Tiffin, Noble and possibly others) get together without the City to discuss possible options.

Mrs. Mayer then moved to adopt resolution 2012-10 approving the rescue services contract with the City of Defiance.

Mr. Peck seconded.

The roll was called.

Mrs. Mayer yea Mr. Bakle objected to the contract and did not vote Mr. Peck yea

The vote being 2 yeas - and no nays – the resolution to approve the contract as submitted by the City of Defiance for rescue services to Def Twp precincts A & B was adopted.

- c) The Trustees next considered the issue of proper disposal of the used oil from Twp equipment. This issue was first discussed in the Feb 2012 session.
 - i) Trustees had asked the fiscal office for contact information – this was provided in an email dated 3-6 subject used oil recycling
 - (1) Trustees instructed the operators to contact a Trustee when the storage containers needed to be emptied. They would call the oil recycler.
 - (a) D.I.S.C. Environmental
151 East Andreus Road
Norwood, Ohio
419-691-3451
 - d) 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 2012 CDBG application process and application was provided to the Twp by Maumee Valley Planning as exhibit 9
 - i) Mr. Bakle will coordinate this effort.
- 2) The Chair asks if there is any new business to come before the board?
 - a) There was none

ORDER OF BUSINESS NO. 10 - NEXT MEETING:

Date: **Tuesday – April 24th, 2012.**
Time: 7:00 p.m.
Place: 2nd 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 March 20th, 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