

Minutes
DEFIANCE TOWNSHIP TRUSTEES
March 22nd, 2011 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 22nd, 2011 at 7:30 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: Ruth Ann Schofield 15968 Campbell Rd Zoning Appeals Bd – chairman; Jason Shaffer (equipment operator and zoning inspector) – 13386 St Rte 15, & Joe Kolb 16492 Cullen rd. eq operator.

Visitors present: Thomas & Teresa Chenhalls 180 Lakeview Drive & JoEllen Houck 8 Deville Drive – all of 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 February 22nd, 2011, regular session.

Mayer moved to approve.

Peck seconded.

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

The MINUTE'S for the February 22nd, session were approved.

ORDER OF BUSINESS NO. 2 - Citizen concerns:

- a) The chair asked for citizen concerns from the floor.
 - i) Mr. Chenhall stated they are concerned with the continued deterioration of Lakeview road. He said that there were very many pot holes, some very severe and can cause major damage to vehicles. He continued that the road is in and has been in general disrepair. Such conditions, he noted, is causing property devaluation. He stated he is asking the Trustees to make repairs to Lakeview a high priority.
 - ii) Trustee Peck responded:
 - (1) The Trustees have already determined to rebuild Lakeview. Trustees agreed that Lakeview was to be rebuilt last year, however, repair work to Hammersmith road was deemed a higher priority in 2010 due to the fact that Hammersmith was terribly damaged as it was a designated haul road for the ODOT US 24 project. That repair work delayed the Lakeview project to 2011.
 - iii) Trustees also noted that they will assign the road crew to address the pot holes as soon as weather conditions permit to get the road to the scheduled rebuild time.
 - (1) Trustees noted that for cold patch to be effective temps must in the 40 to 50 degree range.
 - iv) Trustee Mayer stated- there is no doubt this needs addressed, We must coordinate this project with the to be constructed Defiance-Paulding Co sewer project. It would be improper to have Lakeview rebuilt then tear it up to install the sewer.
 - v) Trustees assured the Chenhalls that Lakeview will be rebuilt as soon as practical.
 - vi) The Chair asked if there were any more public concerns.
 - (1) 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 \$88,190.28 balance is minus the outstanding checks and Township investment funds.
- b) Receipt & Payment reports
 - i) Receipts for March 2011 were \$95,078.38. Payments for March (bills & payroll) totaled \$23,222.35.

- c) The Cash fund summary through March 31st, 2011, showed an “ending cash balance” of \$861,002.62.
- d) The unencumbered cash balance “cash available” was \$481,964.45 which is the balance after encumbrances are subtracted from the cash balance.
- e) Appropriation Status showed that through March 31st, 2011, 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 showed:
 - i) The money market investment fund balance as of 03-31-11 was \$702,626.56.
- g) Trustees reviewed and signed the March bills without comment.
- h) Trustees reviewed and signed the March payroll without comment.
- i) Trustees then reviewed exhibit i -- a transfer of funds within fund account lines:
 - i) Fund lines - 2011, 2021 and 2031.
 - (1) are road account funds.
 - (2) The operating supply lines in all three were near or were depleted due to an unusually high volume of salt purchases due to the frequent snow and ice events in Jan through Feb 2011.
 - (3) The transfer amounts (\$3,000 in 2011, \$8,000 in 2021 & \$2,000 in the 2031 line). These transfers anticipates future 2011 salt purchases and the normal operating supply budget that typically supports the annual expenses posted to these lines.
 - (4) Trustees viewed and signed the transfer report for the Twp records.
- j) Exhibit J was then reviewed. This was a notice from the Def County Treasurer of a future “estate tax” distribution to the Township. The anticipated amount is \$.99
- k) The ongoing regular bi-annual audit of Township accounts was reviewed:
 - i) The fiscal officer stated he continues to work with the State Auditor on this project. This is a regular scheduled audit of the Twp accounts and covers 2009 and 2010.
 - ii) The Twp has been deemed eligible for an “Agreed Upon Procedure” (AUP) audit which the Trustees approved in the January session.
 - iii) There are no known issues at this time.
 - (a) Est cost \$2,400.

l) Mr. Bakle requested a motion to accept the March financial reports.

MOTION by: Dan Peck

SECOND by: Diana 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) March 2011
 - (1) I have not heard any word on the Clemens issue on Co RD #10 and I believe this issue is closed.
 - (2) Checked on zoning for Brett Joost, at a property at 14467 Power Dam Rd. The property is in a flood zone. Contacted Maumee Planning. Talked to Marsha. She stated that the property is in the 100 yr flood plain, and cannot be built on.
 - (3) Talked to Dean Wiles on Watson Rd. Reference a fence on his property line. Informed him of the boundaries.
 - (4) Also, looked at the residence beside Dean Wiles on Watson Rd. Semi trailers are being used as storage containers, and has misc. junk around two (2) buildings.
- b) Mr. Bakle 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) There were no report equipment issues.
- b) The fiscal officer referred the Trustees to the electric bill for the Twp maintenance building on Hammersmith rd. noting it is unusually high.
 - i) The Township's "salamander" was/is used to heat the Twp maintenance building during extreme cold conditions. Twp employee Ed Young reported on this possibility at last month's session. He noted that the unit uses more electricity then it produces heat.
 - ii) The electric bill for the maintenance building was \$358+. This is over 40% of the electric budget for the year.
 - (1) The typical electric monthly bill is \$54 more or less.
 - (2) Mr. Young's concern has been documented.
 - (3) Trustees decided that as the most severe portion of the winter is over to wait and compare the next month's bill to the bill presented in the March session. This will ensure that the "salamander" is the issue if the bill drops back to it typical amount.
- c) 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 Peck was reviewed.
 - i) Twp employees present were provided a copy of the monthly road report and instructed to use as a work order. When possible there were a number of potholes and berming areas to be addressed.
 - ii) Mrs. Mayer stated that Lester Sanders, the lone resident on May road, has requested that grindings be placed on the turn- around at the roads' terminus. (May road is a dead end road).
 - iii) Trustees noted a concern with the surface of Krouse road over the section of road that was rebuilt in 2010 with the "cement stabilization process".
 - (1) Trustees will discuss with the Co engineer.
 - iv) Trustees discussed the need to post a road closed to through traffic sign on Lowell and Brandt roads. There had been a house fire and the State Fire Marshall is investigating. There was a report that traffic was heavy after the fire event.

Mrs. Mayer moved to have the Township road crew post "road closed to through traffic" signs on Lowell and Brandt road.

Mr. Peck seconded

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

Trustees instructed Zoning – nuisance officer Jason Shaffer to contact the Sheriff's office to notify the S.O. of this action..

- v) The April - Rd review is to be done by Trustee Mayer.
- b) Exhibit 6-b a notice from Maumee Valley Planning of the Fiscal Year 2011 CDBG formula application program was reviewed.
 - i) Trustees had in previous sessions agreed to submit a grant for the Indian Bridge Lane drainage project.
 - (1) Mr. Bakle will coordinate this grant writing with the Co Engineer's office. Trustees agreed to submit a grant for the drainage project as was done in 2010. The project cost per engineer estimate is \$18,000. The Twp would be responsible for 50% or \$9,000.
- c) Trustees reviewed the Up-date on existing projects:
 - i) The 2011 Project list of work proposed by the Co Engineer's office(revised version distributed at 1-20-11 Twp Association meeting w Co Eng) was revised by the Trustees in February's session. The Co Engineer's had proposed projects estimated to cost approximately \$121,926.
 - (1) the list of projects the Twp provided the Co Engineer as of the Twp 2-22-11 session is:
 - (a) The list:
 - (i) Hammersmith road – ditch work – estimated cost \$20k

(ii) Lakeview Drive – with micro surfacing – \$29,284

(iii) Indian Bridge lane:

1. Either:

- a. Full drainage portion estimated at \$18,000 – Twp pays half with CDBG or \$9k or;
- b. A 2/3rd drainage project on east side of road – full cost borne by Twp or \$9k

(b) Total for agreed upon projects by Co Engineer as of 3-22-11 was estimated to be \$58,284 more or less plus regular Twp road work expenses.

(c) Regular twp expenses are estimated – base on historical review at between \$70,000 and \$100,000

(2) Anticipated total projected rd work expense in 2011 now stands at \$158,284 more or less.

(3) Anticipated revenues as noted in the 2011 amended certificate from the County Auditor for road work is \$159,345.00

d) - Other possible projects???

i) The Chair asked if there are any questions or concerns...

(1) There were none.

e) Twp cemeteries – issues if any were noted in the Trustee road report.

f) The chair asked if there were any other projects to be discussed.

i) There were none..

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

a) Monthly (March 11) GrassRoots clippings – exhibit 7a

b) Exhibit 7-b was a notice from the Ohio Department of Commerce – division of liquor control.

i) All liquor licenses in our Township expire on June 1, 2011. If Trustees have issues with any licensee in the Township – Trustees should meet with the Prosecutor who must present their concerns to the Division by May 2.

(1) There were no comments..

c) Exhibit 7-c was a notice from the Ohio Dept of Transportation. ODOT is developing a State Fiscal Year 2012 to 2015 statewide transportation improvement program (STIP). Trustees are invited to review this plan at an Open House on April 5, in Lima. Ohio, at the Lima-Allen Co Regional Planning commission – 130 west north street.

i) There were no comments..

d) Exhibit 7-d was a pamphlet on requirements necessary to hold an “Executive session” per the Open Meetings Act. The pamphlet was provided by the Co Commissioners Association, Ohio Coalition for Open gov’t & the Ohio Newspaper Association.

i) There were no comments..

e) Exhibit 7-e was a notice from the Defiance Township Association of their 2nd quarterly meeting. This session will be held april 14 at the Delaware Twp house.

i) Rsvp’s are requested

ii) The fiscal officer will make reservations for Trustees Mayer and Bakle.....

f) Twp policy #010 use of pre-trip and pre-use eq forms was distributed. This policy was adopted by the Trustees during the Feb 22nd, session.

g) Proposed Twp policy #011 was then reviewed by Trustees. It is a proposed policy establishing a 120 day probationary period for non elected appointed Twp employees.

Mr. Peck moved to adopt policy #011 establishing a 120 day probationary period for non elected appointed Twp employees.

Mrs. Mayer seconded

YEA(s) 3 NAY(s) 0 Passed X Failed
The policy was adopted.

ORDER OF BUSINESS NO. 8 – Old Business

- a) The effort to acquire a new storage facility for Twp records was discussed.
 - i) The Twp Trustees approved this purchase in their Jan 2011 session. We await weather conditions to improve to have the unit built and placed at the Twp's Hammersmith rd maintenance building property. Trustees to direct location of structure at that time.
 - ii) The purchase was awarded to Dave's Lawn Barns of Oakwood, Ohio, for \$3,575 to include set up. The building would be 12 x 16
 - iii) Mr. Peck is coordinating purchase and placement near the Twp Hammersmith road maintenance building.
 - (1) Mr. Peck said that it should be completed by the end of April or May – depending on weather.
- b) Trustee Peck then was called upon to up-date the Board on the "Fire-Rescue" regionalization discussion by Twp's and the City of Defiance. Mr. Peck represents Defiance Twp.
 - i) Mr. Peck stated there was no update at this time.
 - (1) Mr. Peck reported in Feb that the City and their fire department had reached agreement on a new contract and Mr. Peck continues to feel this probably has an impact on this issue.
- c) Unemployment compensation liability by the Twp for former employee James Schlegel was reviewed.
 - i) The fiscal officer reported that the Township was notified earlier this month by the Ohio Dept of Jobs and Family Services that ODJFS was rescinding its first redetermination which was in favor of the Twp's appeal of unemployment compensation liability for former twp zoning inspector and employee – James Schlegel. (resigned sept 2010)
 - (1) The latest redetermination dated 3-3-2011 finds the Twp responsible for a possible \$1,326.
 - (2) Exhibit 8-c was reviewed. This exhibit documented the correspondence between the Twp and ODFJS regarding this issue. It contains the 3-3-11 redetermination. A copy of this packet had been previously emailed by the fiscal officer to the Trustees.
 - ii) There was no further discussion.....
- d) The Chair asked if there was any other old business
- i) There were none.

ORDER OF BUSINESS NO. 9 New Business.

- a) The fiscal officer noted that the annual Auditor of State's Local government Officials conf. meeting is April 6th & 7th.
 - i) This is an annual training conf for local gov't officials focusing on fiscal management and associated rules. This conference will also include an in-depth review of the completely revised UAN accounting software. All Twp's will receive this update by year's end.
 - ii) The fiscal officer requests permission to attend.
 - iii) Mr. Bakle asks if there is a motion to send the fiscal officer to this annual conf.

MOTION by: Diana Mayer

SECOND by: Dan Peck

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

The motion to approve travel and attendance by the fiscal officer of the 2011 annual Auditor of State's Local government Officials conf. was approved.

- b) The Chair asked if there was any other new business to come before the board?
 - i) There was none.

ORDER OF BUSINESS NO. 10 - NEXT MEETING:

Date: Tuesday – April 26th, 2011.
Time: 7:30 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. Bakle requested a motion to adjourn the meeting of March 22nd, 2011

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