

*Minutes*  
***DEFIANCE TOWNSHIP TRUSTEES***  
***March 22<sup>nd</sup>, 2018 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 Thursday, March 22<sup>nd</sup>, 2018 at 6:30 p.m. The meeting was moved from the regular scheduled 4<sup>th</sup> Tuesday of each month due scheduling conflicts with the Easter Holiday period. The change of date was posted per policy on the Township’s web page.

Answering as present were Diana Mayer, Dan Peck & Jason Shaffer, with three 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 10, - Defiance, Ohio.

Visitors present: Patti Diemer 23361 Defiance-Paulding Co. Line Rd 10, Rhonda Shaffer 13386 State Rt. 15, Denny Batt 14854 Power Dam Rd. & JoEllen Houck 8 Deville Dr., Defiance, Ohio.

**ORDER OF BUSINESS NO. 1**

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

Mr. Shaffer requested a motion for the approval of minutes from the February 27<sup>th</sup>, 2018, regular session.

Mrs. Mayer moved to approve the minutes as presented.

Mr. Peck 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 \$170,181.56-- 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 \$122,343.74.
- c) Payment reports:
  - i) Payments for March (UAN software-) were \$25,414.06.
- d) The Cash fund summary through March 21<sup>st</sup>, 2018, (UAN software) showed an “ending fund balance” of \$936,095.98.
  - i) The “cash available” for encumbrances (unencumbered fund balance- UAN software) was \$416,378.81.
- e) Appropriation Status showed that through March 21<sup>st</sup>, 2018 (UAN software), 6% 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 03-21-18 was \$707,437.50.
- g) The fiscal officer updated Trustees on the Bank Depository for township funds:
  - i) As of this session the Township’s funds are on deposit at the State Bank and Trust.
  - ii) See mins from Nov. 2017 forward for details.
  - iii) Agreement is renewed.
  - iv) the fiscal officer has contacted the bank several times via phone and continues to await new paper work from the bank.
    - (1) Bank Kristen Nusbaum stated the Twp funds over the FDIC protection limit are protected and collateralized with the State of Ohio as required.

- h) March bills through the 20<sup>th</sup>, were then reviewed by Trustees and Signed.
- i) Payroll & March time cards (time cards provided trustees prior to session) – Trustees Reviewed & Signed.

Mr. Shaffer requested a motion to accept the March financial reports.

MOTION by: Peck  
 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 report
  - i) No Permits issued
    - (1) Ed Wisda waiting on site review for home on St RT 111
  - ii) No Site reviews:
    - (1) Talk to Aaron Adelman about cell tower upgrade at boy scout camp
  - iii) Nuisance issues
    - (1) Complaints on Parkview for trash
    - (2) Talked to Don Varner about zoning rules

Respectfully submitted  
 John Diemer, Twp Zoning Inspector

- b) Mr. Shaffer asks if there are any other zoning/nuisance issues to come before the Board?
  - i) The fiscal officer – also serving as zoning sec't – reminds the Bd of vacancies on both the Appeals Bd and Bd of Commission.
    - (1) that the alternate seat on the Appeals Bd – previously held by Robert Williamson, who had passed away, remains vacant.
  - ii) The fiscal officer also noted that the Zoning Commission vacancies remain.
    - (1) Open seat on the Commission - via resignation
      - (a) Wayne Shaffer resigned as of 1-1-18 –
      - (b) Replacement - new term commencing 1-01-18 through 12-31-2020.
    - (2) Alternate seat open-
      - (a) Open seat via resignation:
        - (i) John Marcellus resigned as of 1-1-18
        - (b) Replacement - new term commencing 1-01-18 through 12-31-2020.
  - ii) Trustee Mayer emailed the fiscal officer – see **exhibit 4-b** of replacements.
  - iii) Appeals members appointed to unexpired or resigned seats are;

Name Address Phone email Term Expires  
 Appeals Board Alternate(s) with new term end dates are:

ALTERNATE				
Tom Webb- unexpired term of robt Williamson	15370 St. Rt. 111, Defiance, Ohio 43512	419-393-2242 ho 419-576-2861	Webster1113@hotmail.com	12-31-18

iv) Zoning Board of Commission members to be appointed with new term end dates are:

Denny Batt – replaces wayne Shaffer- resigned.	14854 Power Dam Rd., Defiance, Ohio 43512	419-393-2202 ho 419-789-2933 cell	Batt401@gmail.com	12-31-20
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v) Commission Board Alternate(s) with new term end dates are:

ALTERNATE				
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Ed Steffel – replaces John Marcellus resigned	15829 State Rt. 111 - Defiance, Ohio 43512	419-393-2357 ho		12-31-20
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- (1) **Resolution 11-2018** to appoint Zoning Appeals and Commission members was review and discussed.
- (2) The Bd approved the resolution as written.
- (3) The fiscal officer will send notice of the appointments to those appointed.

- c) 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) None were presented.

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

- a) Trustee Report (exhibit 6-a) – Monthly Twp Rd inspection by Trustee Peck.
  - i) Trustee Peck stated the roads looked good following the winter.
  - ii) Berming and pothole repair needs were noted. These are to be addressed weather permitting in April.
  - iii) The April Rd review is to be by Trustee Mayer.

**b) 2017 Road projects:**

- i) At the February session Trustees approved the County Engineer’s proposed 2018 project list.
- ii) The proposed listing of projects was attached as **exhibit 6-b-** dated 2-6-2018.

	<b>cost estimates</b>
<b>(1) Chipseal</b>	
(a) Link Rd – Powerdam to Powerdam – 1,126’	\$1,732.94
(b) Ball rd – Krouse to Canal – 5,338’	\$9,221.97
<b>(2) Crackseal</b>	
(a) Hammersmith rd – krouse to singer – 5,217’	\$2,500.00
(b) Hammersmith rd – singer to krouse – 4,224’	\$2,500.00
(c) Kiser rd – krouse to keller – 5,346’	\$2,500.00
(d) Kiser rd – keller to canal – 5,317’	\$2,500.00
(e) Ball rd – krouse to canal – 5,338’	\$2,500.00
<b>(3) Hot Mix Patching</b>	
(a) Ball rd – over replaced culvert – 200’	\$2,325.43
(b) Bowman rd – Campbell to Williams – 200’ 1 patch	\$2,462.22
(c) Bowman rd – campbell to Williams – 200’ 1 patch	\$2,462.00
(d) Bowman rd - Karnes to st rt 66 – 1 patch	\$2,462.22
(e) Bowman rd – st rt 66 totwp line – 1 patch	\$2,462.22
(f) Cromley rd – st rt 111 to dead end – 2 patches – 1	\$2,188.64
(i) 2 <sup>nd</sup> patch	\$2,188.64
(g) Karnes rd – Bowman to Watson – 2 patches – 1 <sup>st</sup>	\$2,188.64
(i) 2 <sup>nd</sup> patch	\$2,188.64
(h) Keller rd – kiser to powers – 1 patch	\$1,709.88
(i) Kiser rd – krouse to keller 3 patches – 1 <sup>st</sup>	\$1,551.20
(i) 2 <sup>nd</sup> patch	\$1,846.67
(ii) 3 <sup>rd</sup> patch	\$2,462.22
(j) Kiser rd – keller to canal – 3 patches – 1 <sup>st</sup>	\$1,846.67
(i) 2 <sup>nd</sup> patch	\$2,462.22
(ii) 3 <sup>rd</sup> patch	\$2,462.22
<b>(4) Paving</b>	
(a) Lakeview drive – 2,645.28’	\$29,273.21
<b>(5) Total estimated expenses for co work on twp behalf in 2018</b>	<b>\$87,998.07</b>

- (6) The chair asked for discussion.
  - (a) There was no further comment on the Engineer’s 2018 project list.

**c) Twp projects by Twp staff or other contractors for 2018:**

- i) twp projects for 2018 :
  - (1) Trustees at the Feb. session determined to ask the County Engineer to assess the continued flooding issues after heavy rain events along Hammersmith Rd.
    - (a) Storm water is also collecting around the Twp maintenance building on Hammersmith rd.
  - (2) Mr. Peck reported that storm is draining and until resident's with elevated drive way pipes lower those pipes drainage will be slower. However, storm water is draining.
  - (3) Mr. Peck also noted there does not appear to be any storm water draining east from the Twp's Hammersmith rd building.
  - (4) This item is to be removed from future agenda's until the issue(s) are raised again.
    - (i) There was no further discussion on this issue....
  - (5) Placement of high water signs where flooding occurs during heavy rain events.
    - (a) Trustees at their Feb 18 session approved the placement of high water signs at 6 locations – the fiscal officer was asked to submit the list to the Co. Engineer.
      - (i) Refer to **exhibit 6-c** an email to the co eng noting the locations.
      - (ii) Trustee Peck reported that signs have been erected and this item is to be removed from future agendas.
      - (iii) There was no further discussion on this issue....

**d) Future major Twp road projects – first discussed at the Feb. 2018 session.**

- i) Due to expenses, these projects will be implemented over several years, which will allow the Twp to save toward funding for such major projects.
- ii) During March Trustees contacted and reviewed with the Co. Engineer the following projects:
  - (1) 2019 – 2020/21 (depending on cost estimate and available funds) - re-pave Bowman Rd.
    - (a) Trustee Peck is to contact the Co. Engineer and discuss moving this project to the fore – beginning in 2019.
      - (i) Trustee Peck is to acquire a cost estimate and review at the April Twp session.
  - (2) 2021 or ?? repave & widen if determined necessary of Carter Road:
    - (a) Trustees estimated \$45k for preparation and purchase of right of way and 150k for the project.
    - (b) This will be a two year project – 2019 and 2020.
    - (c) Trustees determined at the March session to move this project behind the Bowman Rd project noted above.
  - (3) Kiser rd – repairs-
    - (a) Trustees noted this road may become a high priority. Trustees are to review with the Co. Engineer.

**e) A 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	<b>\$62,780.82</b>
(2) Total road fund expenses year to date are	<b>\$18,021.76</b>

- ii) Anticipated revenue for 2018 – based on the January 2<sup>nd</sup>, Twp amended certificate was:

- (1) \$171,715.00 more or less

- iii) Anticipated expenses for 2018 – 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 except for the major road project list:
- (2) \$87,998.07 for Co Eng work- see co eng. est cost for twp wrk in 2018 dated 2-6-18 by Co Eng proj list.
- (3) Total anticipated expenses base on the above:
  - (a) from \$150,000 to 190,000k if there are no major Twp projects undertaken.

- 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 1-16-2018 and is presented as exhibit 6-e of this session. That update includes the posting of the 2018 OPWC grant funds of Def Twp.

- i) Current status – the OPWC report from the County Engineer's office as of 1-16-2018 indicates that:
  - (1) The Def Twp has posted to its grant line for 2018 \$43,455. (money is with the Co Eng – any used in 2018 will be posted to Twp fund lines as pass through money and an amended certificate will be required to account for the expenditure of these funds on behalf of the Twp. Said amended

certificate is generally applied for in November of each year that grant funds are used by the co eng on the Twp's behalf.

(2) the Twp has \$10,924.32 of current grant dollars available for use.

(3) There are no future grant dollars used as of this session.

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 7 years or a total of \$175k remaining give or take.

g) The Chair ask if there was any other discussion regarding the fiscal impact report.

i) None was offered.

h) The Chair ask if there are were any cemetery issues for discussion...

i) Trustees noted that sticks need to be picked up in April by Twp staff.

ii) The Chair asked if there are were any other cemetery issues for discussion...

(1) There was none.

#### **ORDER OF BUSINESS NO. 7 Personnel**

a) Dennis Batt of 14854 Power Dam Rd., Defiance, Ohio was introduced. Mr. Batt has agreed to serve on the Township's Zoning Commission replacing Mr. Wayne Shaffer who had resigned.

i) Trustees thanked Mr. Batt for agreeing to take this position.

b) The Chair asked if there were any other personnel issues to be discussed.

i) There were none.

#### **ORDER OF BUSINESS NO. 8 Handouts were distributed as noted below:**

a) Monthly (March17) GrassRoots clippings – **exhibit 7a** – was distributed.

b) **Exhibit 7-b** was a notice of Defiance County township Association of their 2<sup>nd</sup> quarter session.

i) To be held April 19<sup>th</sup>, 6p – cost is \$10 – meeting will be at the Tiffin Twp Fire Dept in Evansport.

ii) Rsvp Anne Rethmel tiffintwp@hotmail.com or 419 428 2732.

c) **Exhibit 7-c** – was from the Def. Co. EMA – safety program.

(1) Noting there will be a defensive driving course on April 12<sup>th</sup> from 8a to 12p at the Def. Co. Senior Center.

(a) If trustees wish to send any operators – call ema or email 419-782-1130 or [ema@defiance-county.com](mailto:ema@defiance-county.com)

#### **ORDER OF BUSINESS NO. 9- Old Business**

a) The Chair asked if there was any old business to come before the Board?

i) from the November 2017 session – Trustees had reviewed a notice of from the Ohio Plan (Twp ins carrier) – of proposed safety – operational items from the Ohio Plan annual review of Twp procedures which may impact insurance rates etc..

(1) Proposals are:

(a) Review annually the driving records of twp employees. &;

(b) Adopt a public records plan...

(i) Currently the twp has a policy in place to facilitate public access to twp records (see policy #08). The Twp does not have a records destruction policy all records are stored at the Twp storage building at Hammersmith rd.

(c) Trustees asked the fiscal officer to contact the Co. to acquire information on how to implement an annual driver's license check of Twp operators.

(d) Update:

(i) The fiscal officer reported he is continuing to work to acquire this information.

b) Dead Tree issue – Hammersmith Twp building from August 2017:

i) At the Jan 9<sup>th</sup> 2018- budget session Trustee Peck stated that Mary Mick owner of property abutting Co. property, which abuts Twp, leased ground from the Co. where the Twp maintenance building is

- located on Hammersmith rd., has again contacted him with a request for reparations for dead trees.
- ii) Mick believes that at least some of the dead trees are on her property and that the trees are dead due to salt-water runoff from the Twp's salt bins.
  - iii) At the Jan 23, 2018, session Trustees turned the issue over to the Ohio Plan.
  - iv) During Feb -, the Ohio Plan determined the ins does not cover this incident as the issue is caused via storm water run-off which was in contact with salt-stone mix for twp roads.
    - (1) Trustees noted there concern that the Insurance company considers road salt a pollutant – given all the salt that is placed on State and County Roads statewide.
  - v) Trustees have referred the issue to the County Prosecutor's Office.
- c) At the Feb. session Trustees discussed two incidents regarding Twp operators entangling equipment with cable tv lines and phone lines.
- i) It was noted that Harry Railing was involved in an incident on Dec. 28<sup>th</sup>, 2017 in the Lakeview addition.
  - ii) Steve Buchholz was involved in an incident on Jan.8<sup>th</sup>, 2018, on Power Dam road.
  - iii) The Sherriff's Office had been called to both incidents and had investigated.
  - iv) The fiscal officer is to acquire copies of the S.O.'s reports for forward those to the Twp Insurance carrier – Ohio Plan representative Conrad Beck.
    - (1) Reports were acquired from the S.O. and forwarded to the Ohio Plan rep. on 2-28-18.
    - (2) The fiscal officer has not be contacted regarding these incidents.
    - (3) This item will removed from future agenda's unless it becomes active again.
- d) The Chair asked if there was any other old business to be discussed....
- i) There was none.

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

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

**ORDER OF BUSINESS NO. 11 - NEXT MEETING:**

- a) The next regular session.

**Date:** Tuesday – April 24<sup>th</sup>, 2018 regular session.  
**Time:** 6:30 p.m.  
**Place:** Northwest Ohio Real Estate Services - 618 S Clinton St, Defiance, OH 43512

**ORDER OF BUSINESS NO. 12 – Adjournment:**

Mr. Shaffer requested a motion to adjourn the meeting of March 22<sup>nd</sup>, 2018.

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