

Minutes
DEFIANCE TOWNSHIP TRUSTEES
MARCH 23rd, 2010 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 23rd, 2010 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 present.

Township employees present were: James Schlegel (equipment operator and zoning inspector) – 220 Pinewood Ave., Ed Young - 23013 Watson Rd., & Jason Shaffer -13386 St Rte 15.

Visitors present: Ruth Ann Schofield 15968 Campbell Rd, Roy & Linda Perez 812 Indian Bridge Lane, Don Brown 20472 Kiser Rd, Larry Cape 918 Indian Bridge Lane, Mr. & Mrs. Tom Taylor 926 Indian Bridge Lane, Jim & Wanda Taylor 917 Indian Bridge Lane, Charles & Joann Sisco 66 Charnell, Anna Marchant 838 Indian Bridge Lane, Ronald Burns 826 Indian Bridge Lane, Susan & Elizabeth McNeely 806 Indian Bridge Lane, Isabel Laland 805 Indian Bridge Lane, & Richard Ankney 19133 Hammersmith Rd., Defiance, Ohio.

ORDER OF BUSINESS NO. 1

Review and approval of minutes of the previous session.

Chairman Bakle requested a motion for the approval of minutes from the February 23rd, 2010 session.

1. Peck was recognized and noted that the February minutes noted under equipment (item 5) on the agenda that the Township was trading in a John Deere tractor and the tractor is a Ford.
2. Mayer was recognized and noted that the February minutes failed to note that the Trustees had approved by motion that a “news release” would be prepared and submitted to the local newspaper as soon as possible after each Township monthly session.
3. With the noted correction and addition:

Mayer moved to approve.
Peck seconded.

The vote being 3 Yea(s) 0 Nea(s)
The MINUTE'S for the February 23rd, session were approved as amended.

1. Trustees then reviewed minutes of a Special session held February 9th, 2010. The session dealt with the issue of whether or not to place on the May primary ballot a “Governmental electricity aggregation program”.

Chairman Bakle requested a motion for the approval of minutes from the February 9th, 2010, Special session.

Mayer moved to approve.
Peck seconded.

The vote being 3 Yea(s) 0 Nea(s)
The MINUTE'S for the February 9th, session were approved.

ORDER OF BUSINESS NO. 2 - Citizen concerns:

- a) Richard Ankney 19133 Hammersmith Rd, was recognized and stated that culverts on Hammersmith road were in need of replacing at several locations.
 - i) West of 20272 Hammersmith
 - ii) East of 21389 Hammersmith
 - iii) On Bowman Rd, west of Powell creek bridge by the woods on the northeast side of the road.
 - iv) Ankney noted the berm is bad and the road(s) are breaking up.
 - v) He asked the Trustees to approve replacement and berming.
- b) Trustees agreed the road(s) were in need of berming and the culverts were to be replaced.

Peck moved to have the culverts replaced and the road bermed where necessary – the culverts are to be replaced by Don Benedele construction of Defiance.

Bakle was to contact Ohio Utilities Protection Service O.U.P.S. to have any underground utilities marked before the work was to begin.

Mayer seconded – the motion

The roll was called:

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

The work was approved.

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 \$69,389.01 balance is minus the outstanding checks and Township investment funds.
- b) Receipt & Payment reports
 - i) Receipts for March 2010 were \$85,196.09. Payments for March (bills & payroll) totaled \$20,691.21.
- c) The Cash fund summary through March 31st, 2010, showed an “ending cash balance” of \$834,017.87.
- d) The unencumbered cash balance “cash available” was \$468,549.39 which is the balance after encumbrances are subtracted from the cash balance.
- e) Appropriation Status showed that through March 31st, 2010, 4.7% 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 03-31-10 was \$701,606.09.
- g) Trustees reviewed and signed the March bills without comment.
- h) Trustees reviewed and signed the March payroll without comment.

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

MOTION by: Diana Mayer

SECOND by: Dan Peck

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. Jim Schlegel provided the following electronic copy of this report.
 - i) March 2010
 - (1) Met with Jason Roehrig of Soil & Water. Defiance Township Zoning Map changes were discussed. I later picked up proposed changes on a DRAFT Map which was presented to the Zoning Commission at the session held tonight just prior to the Trustee meeting. The Commission will study and edit and or adopt the revised zoning map along with the Twp Zoning Plan over the next three months. Public sessions are scheduled for 3-30, 4-27 and 5-25. The Twp’s “Zoning Plan” (text, zoning map and land use map) will then be presented to the Trustees for final approval.
 - (2) Site Review David Hunt Power Dam Rd. All information was turned into clerk for a Variance request for set back of out building.

- (3) Out Building request on Campbell Rd. this should not be a problem. Sent to Soil & Water for approval.
- (4) Still receiving calls ref vacant building on Hammersmith Rd. This is not a complaint just interested parties wanting to purchase this property.
- b) The fiscal officer reported that the Zoning Commission met just prior to the regular Trustee session. The Commission is reviewing and updating the Twp Zoning Map, the Twp land use(planning) map, and several requests for modifications to the current Twp zoning codes from the Twp Zoning Inspector.
 - i) This process requires three consecutive monthly sessions. The final edits will be presented to the Trustees for review and approval during the June 2010 Trustee session.
- c) The fiscal officer also reported that the Twp Zoning Appeals Bd met on March 30th just prior to the Trustee session to hear a variance request from Dave Hunt:
 - i) A request for a "variance" relative to set back requirements for an outbuilding had been made by Dave Hunt of 15928 Power Dam Road, Defiance, Ohio, 43512. The parcel is located just north of the County Line on the west side of Power Dam Road in Southwest Quarter of section 17, Township 3 North, Range 4 East, Defiance Township, Defiance, County, Ohio. The parcel ID is B1100-17D00-400.
 - ii) The Appeals Bd approved the request.
- d) 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) Trustees discussed the purchase of a replacement mower and tractor for the Twp.
 - (1) Trustees approved the purchase of a used John Deere tractor and a new mower via the DAS (state purchasing program) from Homier & Sons of Continental, Ohio during the February 2010 Trustee meeting.
 - (a) See agenda's from July 09 through Feb 10 for details.
 - (2) The Twp awaits documentation from the vendor (Homier & Sons of Continental) of the state purchase. Once the documentation is provided and the equipment is delivered the invoice will be processed.
 - (3) Cost for both the used 1996 5400 John Deere tractor and the new New Holland mower is \$21,188
 - (4) Peck stated he discussed a trade in of the current Twp eq – a used Ford Tractor and pull behind mower. Homier's offered a total of \$4,000 for both the tractor and the mower. If acceptable this will be shown as a trade-in on the invoice for the purchase of the used John Deere and the new New Holland mower.

The chair asked for the wishes of the Board.

Mayer moved to trade in the current Twp eq for the \$4,000 as offered by Homier & Sons.

Peck seconded; and the roll was called.

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

The proposal to trade in the twp's eq for \$4,000 was approved.

- b) Trustees were then up-dated on effort by Twp staff to purchased tools as approved by the Trustees in the Jan 2010 session. Total approved expenditure was \$750.
 - i) The amount spent though this session is \$655.
 - ii) Jason Shaffer – Twp Operator stated that the crew still needs to buy the torch and some other assorted hand tools. Shaffer noted the torch will cost several hundred dollars.
 - iii) Trustees instructed the crew to finish buying the assorted hand tools, staying within the approved limits, and to review the torch purchase with the Trustees at the next Trustee session. Trustees are concerned with the expenditures of Twp funds for the multiple projects that are now being discussed and wish to have time to determine budget impact.
- c) The Chair asked if there was any other equipment discussion....

- i) Shaffer noted that the Boy Scouts were not yet able to get their bucket truck to the Defiance Camp. This truck was to be used by Scout personnel to trim some over hanging trees on McCollister rd.
- ii) Discussion ensued and it was noted that possibly a used bucket truck could be purchased by the Township.
 - (1) Don Brown 20472 Kiser Rd – was recognized and stated he was aware of a used bucket truck for approximately \$1,500. Trustees asked that Brown get more details and if he is willing to provide this information to the Chair who will then review this with the Trustees.
- iii) There was no other equipment discussion at this time.

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) Trustees instructed the Twp crew to address the work noted on the inspection report.
 - ii) Peck noted several issues in particular:
 - (1) May Rd needs #6 berm stone to the circular turnaround.
 - (2) Ashwood north of US 24 needs berm.
 - (3) The report notes several areas in need of cold patch. The Twp crew was instructed to get this material from the Stone-co quarry in Paulding Co or if that is unavailable at present to get the material from the Gerken plant in Archbold, Ohio..
 - (4) Bakle stated that some work also needs to be done to Parkview.
 - (5) Trustees also directed the crew to place the grindings stockpiled at the maintenance building as needed on Brand & Lowell roads.
 - iii) Twp employees present were provided a copy of the report and instructed to work on the items noted.
 - iv) The April - Rd review is to be done by Trustee Mayer.

- b) Twp Project(s) were then reviewed: –
 - i) Trustees continued to review and modify the road repair-rebuild-maintenance plan as proposed by the County Engineer's Office. In November 09 the Co Engineer presented a priority (exhibit 6-b of that session) list of road projects as requested by the Trustees. (see agendas from Feb 09 through Nov 09 for details)
 - (i) The 2010 Co Engineer road project list was revised in Jan (exhibit 6-b), and again at the Feb Twp session and a 3rd time following the Feb session.
 - 1. The revisions were noted by the fiscal officer/clerk and were as follows:
 - a. Dec 09 - \$194,000
 - b. Jan 10 - \$197, 141
 - c. Feb 10 - \$186,751
 - d. And a final revision - \$136,751 (this reduction notes the elimination of the Lakeview project (\$70,000) and an increase estimated at (\$20,000) to the Hammersmith road project as discussed in the Feb Twp session.
 - i. Bakle noted that the chip & seal portion of the project was removed there by creating a price reduction of \$10,000 from the \$136,751.
 - ii. The new estimated total expense for 2010 work by the Co Engineer's office is \$126,751 as of this session.
 - iii. This amount does not take into account the Indian Bridge lane project should that be addressed in 2010.
- 2. The fiscal officer also noted that the Twp's normal road maintenance expenses average between \$70,000 and \$100,000. This amount includes eq maintenance and purchases/payments on eq debt and work crew salary & benefits.
- 3. Estimated rd revenues for 2010 are approx \$235,000.
- 4. Estimated expenses for work & equipment posted to road accounts in 2010 area:
 - a. \$126,751 for work by the Co Engineer noted in exhibit 6 of the Feb session (as revised)
 - b. \$100,000 maximum estimate for normal road work perform by Twp crew and assigned to local contractors
 - c. \$??? For the cost for Indian Bridge Lane – should this project take place in 2010

- d. \$17,188 for purchase of used tractor and new mower.
- e. Total estimated 2010 expenses = \$243,939 + Indian Bridge lane expense

(ii) The Chair asked for any additional comments.....

ii) Twp crew reported on the tree trimming project along McCollister rd. This item was also discussed under equipment.

(1) Noted in the Sept 09 Trustee session – trimming of overhanging tree branches along McCollister rd. This project was to be completed by the Boy Scout Camp Lakota maintenance dept on a volunteer basis.

- 1. No activity since the last Twp session.
- 2. Mayer asked if it was practical to hire the work out.
- 3. It was suggested that the cost for this work is very high estimated at thousands of dollars.
- 4. Trustees determined to take no action at this time.

iii) Mayer is working on Twp long range planning with Dr. Philip Russo, PhD of the Department of Political Science Miami University, Oxford, Ohio, as approved by the Twp Trustees in the Feb 2010 session:

(i) The Chair asked for an update:

- 1. Mayer noted the long range plan will be based on the Twp books that were ordered from the Ohio Twp Association (OTA). Once these arrive she will meet with Dr. Russo and determine how best to proceed under the guidelines set by the Trustees approving the effort in the Feb session.

c) Other possible projects???

i) Mr. Bakle is pursuing a CDBG grant through Maumee Valley Planning for road work to Indian bridge Lane – this could be a 2010 project.....

(1) A public hearing on the project scheduled during this Twp session was opened by Chairman Bakle. All residents of Indian Bridge Lane and Charnell were sent letters notify them of this session and a public notice was run in the Crescent news. Maumee Valley Planning provided the Township with the 2010 grant application which was provided to Bakle. The application must be submitted to Maumee Valley Planning's Niki Warncke no later than May 12th, 2010. Chairman Bakle offered the floor to Co Engineer Warren Schlatter who presented his proposals to address this project. The primary issue at this time is the flooding of properties along east side of Indian Bridge lane when there is a significant rain event.

(a) Bakle noted that the drainage issue would be addressed in 2010 and a repaving of the road would take place in 2011. Funding for these projects is to come in part from CDBG grants, from future Defiance Twp Ohio Public Works Grants which pass through the Co engineer's office and from the Twp road accounts. (cdbg is a 50% match grant)

(2) Schlatter noted that the principle cause of the flooding is in adequately maintained drive pipes. At the Trustees request the engineer's department has drafted a plan which calls for the installation of approximately nine (9) crossover pipes which will divert storm water from the residential property side road ditches to the ditch in the center of the boulevard. Schlatter stated that no additional right of way would be required from the residents. Schlatter posted an aerial drawing on the wall and invited residents to review the proposed crossover sites and comment.

(3) Residents Taylor and Perez noted this has been a 30 year problem and with the recent work by the Ohio Department of Transportation there is now a flooding problem on the south west side of Indian Bridge lane.

(a) Storm water which previously (per the residents) drained to Baltimore Ave (St Rte 424) which came from a trailer court to the west of Indian Bridge Lane (Bohlman's Trailer Court) now collects in the west drainage ditch of Indian Bridge and floods the front yards of the first two homes on the west side of Indian Bridge from Baltimore north (Coopers & Taylors).

(i) Schlatter stated that placing two additional crossovers at the appropriate location on the west side will address this issue.

(a) Trustees will also review this problem with the City of Defiance as the city has responsibility for the storm water since it comes from parcels within the city limits.

(4) The CDBG grant project portion of this hearing concluded.

ii) One resident (unidentified) said he wanted the State (ODOT) to replace the speed zone and Caution

Children @ Play signs which were taken down when the State worked on St Rte 424 (Baltimore Ave) at the Indian Bridge lane intersection. He noted he had contacted the City of Defiance but has not received a response.

- (1) Trustees stated as this was an ODOT project he should contact Robert Steffel – Defiance ODOT superintendent.
- iii) Mr. Sisco inquired as to the cost to the Twp for rescue runs.
 - (1) Trustees explained the city required a new contract and runs now cost the Twp \$650 with a limit of two transfers per run. (additional transports and the charge is another \$650).
 - (a) Costs are lower if citizens refuse transfer or treatment at the scene.
 - (2) Sisco said the city still charges a victim's insurance for a run.
 - (3) Trustees noted that the charging of the residents insurance is allowed by state law and is normal protocol. Under the present contract the Twp will receive any money paid by the insurance company for services rendered.
- iv) There was general discussion on the charges for services including water and sewer.
 - (1) Chairman Bakle said he intends to discuss with the city a possible "special agreement" that would allow the citizens of Indian Bridge lane to pay city taxes and receive in side city rates.
 - (a) Indian bridge lane is twp and surrounded by the city. However, Indian Bridge lane is not built to city specifications. The city has declined to annex Indian Bridge lane and residents of Indian Bridge lane, being outside the city, pay outside city rates for sewer and water which is 2.5 times the inside rate.
 - (2) Indian Bridge lane residents present did not object to Bakle's proposal. Bakle will address this issue with the city administration.
 - (a) There was no other discussion on this item.
- v) Maintenance building clean up and repair efforts as directed by the Trustees were then reviewed:
 - (1) Mr. Bakle presented the following items:
 - (a) clean up areas:
 - (i) above the copier
 1. trustees and staff discussed the copier and determined to donate it to Habitat for Humanity.

The chair asked for a motion to dispose of the copier "a Ricoh FT3713" by donating it to the Defiance Chapter of Habitat for Humanity.

Peck moved

Mayer seconded:

The roll was called:

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

The motion to dispose of this old unit was approved. The copier will be made available to the Defiance Chapter of Habitat for Humanity.

- (ii) The discussion returned to areas of clean up in the maintenance building.
 1. The walkway to the door
 2. above the grader
- (b) the crew was instructed to paint
 - (i) rusted equipment and;
 - (ii) door frames
- (c) the crew stated the Dodge 1 ton dump truck needed a tune up. Trustees approved the work by the Twp staff. Trustees also directed that the truck needs:
 - (i) Clean and grease fittings
 - (ii) Replace rubber line
 - (iii) Clean augers
 - (iv) Trustees stated that all trucks are to be washed after each use with salt
- (d) The Twp staff was instructed to address storm water which is pooling up around the building.

The staff was directed to divert the storm water from the building's roof out into the field to ensure storm water is moved away from the building foundation.

- (e) The disposal of used oil was discussed. Initially it was suggested that Peck's business could/would take the oil for reuse (burn to heat). Then it was determined this may be a conflict and that a recycler should be contacted to take the used oil. Staff will contact potential recyclers.
- vi) **Additional projects** were directed which included:
 - (1) Affix road reflectors to catch basins on all Twp roads
 - (2) Purchase OSHA approved easels for road signs such as work ahead etc.
 - (a) The chair stated he would get with the fiscal officer to prepare an order of safety items per OSHA requirements.
 - (3) Crew to purchase 2 flat end shovels
 - (4) The Chair stated he would meet with the County Engineer to discuss the crown on Kiser rd. This issue is believed to require some repairs and is on that portion of the road which was rebuilt in 2009.
 - (5) The Chair asked if there was any other discussion on possible projects.
 - (a) The staff stated that the old "hang on salt spreader" did not work and should be sold. They also suggested the old Boss V plow which was used on the dodge did not work properly and should also be sold or scrapped.
 - (b) Trustees concurred and suggested that the items be placed on Govdeals.com
 - (i) the fiscal officer was instructed to take pictures of the eq and post the items to govdeals.com. trustees will review results of the bid and determine whether to accept or reject.
 - (c) The Staff then suggested that the belly plow that was removed from the 2004 International dump truck was bent, and the hook up was severely damaged so much so as to render re attachment impossible and thusly the plow is not usable.
 - (i) Staff suggested the belly plow be recycled.
 - (ii) Trustees debated:

Peck moved to place the belly plow on govdeals.com to sell.

Mayer seconded; and

The roll was called:

Peck: YEA(s) Mayer YEA Bakle NAY

The vote being 2 yeas(s) 1 Nay

The motion to dispose of the belly plow by sale was approved.

- d) Twp cemeteries –
 - i) The chair asked for discussion. There was none.

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

- a) Monthly (March 10) GrassRoots clippings was distributed as exhibit 7a
- b) **Exhibit 7-b** - the 2010 Township's revised directory – was distributed without comment.

ORDER OF BUSINESS NO. 8 – Old Business

- a) Mr. Bakle asked if there is any old business?
 - i) Peck noted that Hammersmith road has been signed by the County Engineer's per the Twp discussions of the February session. Signs readings "No Through Trucks" are up.
 - ii) Peck stated that the signage means that any unit requiring a CDL and is over 80,000 lbs is in violation and

can be ticketed.

- iii) Peck informed the Board that the Sherriff's department is aware of the recent posting and will be patrolling the road.

ORDER OF BUSINESS NO. 9 -- New Business.

- a) The Chair asked if there is any new business to come before the board?
 - i) The fiscal officer was recognized and stated he had been contacted by the Defiance county juvenile probation court. The court has a work program designed to teach young offenders that there are consequences for illegal transgressions. Part of that effort is to provide public service work. The court's juvenile probation work crew supervisor is Jay Turnbull. He has asked Def Twp if there are any projects such as cleaning equipment, (twp maintenance building), or litter pick up on Twp roads that this group could do for the Twp. They would work under Mr. Turnbull who would take instruction from any of the Twp's road crew or Trustees. There is no charge to the Twp for participating in this program and liability insurance is covered by the probate court
 - ii) Mr. Bakle asked for comments
 - (1) Trustees agreed to utilize the work program and the fiscal officer was to relay the decision to the Court and provide contact information to all concerned: (the Twp staff and the Court program supervisor).
- b) There was no other new business brought forth.

ORDER OF BUSINESS NO. 10 - NEXT MEETING:

Date: Tuesday, April 27th, 2010
Time: 7:30 p.m.
Place: 2nd floor of the Defiance County Commissioners building – conf room EMOC
500 Court Street - Defiance, Ohio

Mr. Bakle then requested a motion to adjourn the meeting of March 23rd, 2010.

It was moved by: Mayer

SECOND by: Peck

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