

Minutes
DEFIANCE TOWNSHIP TRUSTEES
April 28th, 2020 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, April 28th, 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 March 31st, 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 March - noted a primary checking reconciliation balance of \$399,477.75-- balance is minus the outstanding checks and Township investment funds & is taken from the Bank's monthly statement.
- b) Receipt report:
 - i) Receipts for April (UAN software-) were \$6,967.60.
- c) Payment reports:
 - i) Payments for April (UAN software-) were \$11,123.08.
- d) The Cash fund summary through April 26th, 2020, (UAN software) showed an "ending fund balance" of \$1,123,993.48.
 - i) The "cash available" for encumbrances (unencumbered fund balance- UAN software) was \$490,281.40.
- e) Appropriation Status showed that through April 26th, 2020 (UAN software), 4.5% of the years' appropriations had been expended. All reports will be on file in the Fiscal Officer's office.
- f) The fund status report (money market) showed:
 - i) The money market investment fund balance as of 04-26-20 was \$739,047.68.
- g) Trustees had 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 April 24th, for review at April 28th Twp session:
 - (1) Exhibit 3-g-1 shows gas tax posted through April 2019.
 - (a) was \$23,899 more or less
 - (b) Exhibit 3-g-2 shows 2020 rev posted through April 2020- \$36,674. more or less –
 - (c) For the first four months of 2020 the increase is \$12,775 more or less- \$3,193 ave per month
- h) Exhibit 3-h is a packet regarding the updating of the interest rate on the Twp's money market investment funds. The State Bank wishes to adjust the interest payment process on the Twp's money market.
 - i) Per our existing agreement the interest paid to the Twp is the rate paid by Star Ohio (a State Treasury's investment vehicle. The State Bank applies that rate to the Defiance money market account managed by the State Bank in the following manner:

- (1) Rate for April is the star ohio rate ave for the month of Feb. (this is due to the posting by Star Ohio – see explanation in packet 3-h.
- (2) The St. Bank noted that the rates have fallen very quickly due to economic contractions due to covid 19 economy shut down by State and Fed gov.
- (3) The St. Bank proposes adjustment on the 1st and 15th of each month using that day's rate paid by Star Ohio.
- (4) Review of exhibit 3-h and discussion:
 - (a) Trustees agreed to the proposal with the understanding that the State Bank will continue this process when rates – as they will – begin to increase.
 - (b) Trustees then adopted Twp resolution 10-2020 approving the proposal from the “bank” in exhibit 3-h.
 - (i) Trustees then instructed the fiscal officer to email the Trustee approval (resolution 10-2020) and note the proviso that the twice a month update with email notice to the Twjp fiscal officer will continue as noted in 4a above.
- i) April bills through the 28th, – were then reviewed & signed by Trustees.
- j) Payroll & April time cards (time cards provided trustees prior to session) – were reviewed and signed by Trustees Review.
- k) Mr. Peck requested a motion to accept the April 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) April Monthly Zoning report - the report is to be emailed to the fiscal officer and will be included in the minutes of the April session. This is due to the corona virus lock down order by the Governor.
- b) Mr. Diemer emailed the April report on 5-14 report:
 - i) permits issued:
 - (1) No new permits in April.
 - ii) Zoning issues:
 - (1) No new issues in April.
 - iii) Nuisance violations:
 - (1) No new issues in April.
 - iv) Site reviews:
 - (1) None in April.

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 on current or proposed new eq &/or safety items.
 - 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 Peck.
 - i) Roads were reported to be in good shape for this time of year.
 - (1) Mowing should begin soon.
 - (2) The Taylor cemetery road needs trees trimmed at the entrance.
 - ii) The May road report is to be by Trustee Shaffer.
- 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 28th 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 28th. 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) Chipseal:	Est.	Actual cost
(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	\$18,425	
(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 -	\$33,270	
(c) Crack Seal-		
(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	\$7,943	
(d) Pavement Markings:		
(i) Karnes Rd – f Bowman to Waton – 5228'	<u>\$618.00</u>	
(e) Total est and final expenses for 2020-	\$60,257	

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) was

opened on March 30th.

2. The engineer's office provided the Twp with an updated projects list dated April 13th, 2020 – **exhibit 6-b-2** - which includes the addition of the estimated Bowman Road rebuild expense for 2020:

- a. **PAVING:**

- i. Power Dam to Powerdam N/S -
- ii. Power Dam to Sponseller –
- iii. Sponseller to Campbell
- iv. Est. cost \$81,750

- b. **Pavement Markings:**

- i. **\$2,105**

- c. **WIDENING:**

- i. \$29,920

(iv) TOTAL ESTIMATED ON BOWMAN PROJECT IN 2020 IS \$113,775

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

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

- (1) May Rd; maintenance from Feb. 25th session – see mins of Feb session for details

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

- (ii) April discussion:

1. Trustees determined to continue to monitor the road condition.
2. Trustees noted heavy vehicles (possibly farm eq) have already caused some rutting.

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 remain concerned that the road will be annexed after the improvements are made and that the Twjp's road funds might be better spent on Twp roads that will remain part of the Twp.

- (2) Trustees then moved to table this issue.

e) 2020 financial impact review by the fiscal officer:

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

(3) Total road fund revenues year date are **\$81,175**

(4) Total road fund expenses year to date are **\$16,556**

(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 in 6-c - & 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) 113,775 – as bid March 2020 - 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) \$270,000 + savings for Carter/Ginter – updated with bid of Bowman proj for 2020.

(ii) Deficit vs rev of 90k+.

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- refer to exhibit 6-f of that session.

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. 28th.

(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.

iii) There was no update from the Engineer's office in April.

iv) The Chair asked if there is any discussion?

(1) None was offered.

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 were any cemetery issues for discussion

i) During Feb. 2020 - 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. 18th.

(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) During the March 2020 session Trustees reviewed exhibit 7-ii which contained:

(i) An email from the fiscal officer to Trustees dated March 24th, 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) Trustees noted the draft contained references to Hinckley Twp cemeteries.

(iii) 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.

- (i) Trustees to sign approved policy at the April Twp. session.
- (j) **Exhibit 7-a** is the revised policy for Trustee signature.
- (k) Trustees reviewed and signed the policy.

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 (April 20) GrassRoots clippings – **exhibit 9a**

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....

(1) There was none.

ORDER OF BUSINESS NO. 12 - NEXT MEETING:

1) The next regular session.

a) The next session.

Date: **Tuesday, May 26th, 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 April 28th, 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