

*Minutes*  
**DEFIANCE TOWNSHIP TRUSTEES**  
**April 23<sup>rd</sup>, 2013 MEETING**

The Defiance Township Trustees met in regular session at the Defiance County Commissioners building – 2<sup>nd</sup> Floor conference room, 500 Court Street, in Defiance Township, Defiance, Ohio, on Tuesday, April 23<sup>rd</sup>, 2013 at 7:00 p.m. Following the Pledge of Allegiance the Chair instructed the clerk to call the roll. Answering as present were Diana Mayer, Daniel Peck, & Charles A. Bakle Jr., also present was Tim Houck, Township fiscal officer. 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, & Brian Grant 15168 Williams Rd, - Defiance, Ohio.

Visitors present: Dawn Grant 15168 Williams Rd., & JoEllen Houck 8 Deville Drive, - 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 March 26<sup>th</sup>, regular Township 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 March 26<sup>th</sup> regular 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 \$355,442.74-- 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 \$28,377.55.
- c) Payment reports:
  - i) Payments for April (UAN software) 2013 were \$26,047.19.
- d) The Cash fund summary through April 21<sup>st</sup>, 2013, (UAN software) showed an "ending fund balance" of \$1,032,551.14.
  - i) The "cash available" for encumbrances (current reserve- UAN software) was \$549,703.96.
- e) Appropriation Status showed that through April 21<sup>st</sup>, 2013 (UAN software), 8% 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 04-21-13 was \$704,208.65.
- g) Trustees reviewed and signed the April bills.
- h) Payroll & April's time cards (time cards provided trustees prior to session) were reviewed without comment and signed .

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

MOTION by: Peck  
SECOND by: Mayer

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

The April 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 April 2013.
    - (1) Was contacted by Brent Keller reference his bank refinance issues. Waiting on attorney to send paperwork to sign and return.
    - (2) Sent letters to the following:
      - (a) Floyd Hammon on his property on Bland Rd. Needs cleaned up.
      - (b) John Jacques on his property on South Jackson. Only residence in township that is in City limits. Unknown as to why.
    - (3) Charges was filed on the following:
      - (a) Juanita Fisher on Parkview Dr. for junk unlicensed vehicles, along with trash in a trailer.
      - (b) Gains residence for the burned garage, junk unlicensed vehicle/ camper.
    - (4) Meeting set up for Variances/conditional use permits for the following for new homes.
      - (a) Matt/Sheana Behringer on SR 111
      - (b) John Engle on SR 66
    - (5) Butch Melia has not gotten back to me reference his removal of the home on Parkview, unknown as to if he will.
    - (6) I have 2 meetings set up with residences for additions, and a new pole building.

Jason A. Shaffer  
Zoning Inspector  
Defiance Township  
Defiance, Ohio 43512

- b) The Trustees were informed that the Twp's Zoning Bd of Appeals will meet April 30th at 7p.m. in Defiance County Commissioners Building – 2nd Floor Conference Room, 500 Court Street - Defiance, Ohio. There are two items:
  - i) A request for a "conditional use" permit for the construction of a home has been made by John Engel 15547 State Rte 66, Defiance, Ohio, 43512. The parcel at 15547 State Rte 66, Defiance, Ohio, 43512, is located on the east side of St Rte 66 south of Bowman Rd, part of the northwest corner of the southwest ¼ of section 13, of Defiance Township, Defiance, County, Ohio. The parcel ID is B1100-13-000-603.
  - ii) A request for a "conditional use" permit for the construction of a home has been made by Matt Behringer 246 Blanchard Drive, Defiance, Ohio, 43512. The parcel of 7.362 acres is located on the east side of St Rte 111 south of Defiance, Ohio, being a part of the northwest quarter of Section 3 and a part of the east half of section 4, Defiance 3 north, range 4 east, of Defiance Township, Defiance, County, Ohio. The parcel ID is B1100-03-001-301.
- c) Chairman Bakle asked if there were 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) Mr. Bakle stated that the Trustees purchased a new tool box and the Trustees expect all the tools to be properly kept in the tool box.
  - ii) Jason Shaffer requested the Trustees to approve his proposal to get the International dump truck repaired. He noted a need to fix the hood and fender damaged from a deer strike.
  - iii) Trustees requested the operators acquire two estimates. Trustees will review and sign the one they wish to award the repair work.
- b) The fiscal officer reported that in March the Twp purchased a 2003 Dodge half ton pick up from Bruce Kunesh Auto Sales of Defiance.

- i) The fiscal officer has sent in a request to odot for gratis plates.
  - ii) The unit should not be used without either the gratis plates or a 30 day tag.
- c) There were no other equipment issues noted.

#### **ORDER OF BUSINESS NO. 6 - Trustee Report – Monthly Twp Rd inspection**

- a) Trustees reviewed (exhibit 6-a) the monthly Twp Rd inspection by Trustee Mayer.
  - i) Trustee Mayer reported several roads had pot holes that needed addressed.
  - ii) The form also included assignments for each road to specific Twp employees.
    - (1) Mowing, berming, etc.
    - (2) The road review report was distributed to Twp operators to be used as a work order.
  - iii) It was noted that the May road review is assigned to Trustee Bakle.
  
- b) Trustees reviewed of the proposed 2013 projects as of this session.
  - i) The Trustees approved the Co Engineer's list edited and distributed as exhibit 6-b during the March Twp meeting. This new list of projects excludes several additional projects approved during the March session. All projects are listed below.
    - ii) purchase orders of 2013 that will fund the projects listed are:
      - (a) P.O.'s 8-2013, 9-2013, &
      - (b) B.C.'s 36-2013, 45-2013
      - (c) P.o.s total \$179,500
      - (d) Expenses exceeding this amount with the Co Eng will require transfers and new p.o.s
      - (e) The new (March exhibit 6-b) engineer's project list and estimated prices for all projects listed was reduced to \$82,910 from the original.
    - iii) As of 04-23-13 this list and the additional projects approved in March are as follows:
      - (1)The remaining .7 mile of Hammersmith from Singer to State Route 111- Trustees were reminded to review the minutes from 2011 forward for history:
        - (a) County Engineer Warren Schlatter and the Trustees determined in the November 12 session to address this .7 mile rebuild project over the next three year period starting in 2013.
          - (i) The entire .7 miles will be widen in 2013 and the drainage ditch is to be constructed. Property acquisition for right of way to widen the road and construct the ditch will also take place in 2013 and be done by the County engineer. The engineer's office will also contract or construct the ditch in 2013.
          - (ii) This .7 mile section will be initially constructed (widened) and rough paved in 2013
            - 1. Widening with rough paving - \$22,327.50
            - 2. Right of way acquisition – \$10,000
            - 3. Drainage ditch construction - \$10,000
              - a. Total 2013 exp on this proj \$42,327.50 more or less.
          - (iii) A smooth paving will be applied in 2014.
          - (iv) And a final smooth paving will be done in 2015.
  
- (2) Indian Bridge lane: -
  - (a) A proposed future effort - on Indian Bridge lane:
    - (i) Pavement of the west side of the boulevard.
    - (ii) Trustees have submitted to the Commissioners a 2013 CDBG grant for construction in 2014. (April 15<sup>th</sup>)
    - (iii) Copy of the grant is available from the fiscal officer.
  
- (3) Cromley Road
  - (a) Engineering will do cement stabilization in 2013 from the end of pavement to the west end of the road just past the Webb residence. This is approximately 3,200 feet more or less.
    - (i) In the February session Trustees agreed to place #2 stone on the dirt portion of this Twp road.
    - (ii) Stoned was added week of April 1.
    - (iii) The cement stabilization project was approved in March and is not on the Engineer's list. The Engineer estimated the project cost at \$85,000.
    - (iv) During this session – Trustees ordered operators to acquire grindings –if available- from

Werlor's at \$10 per ton and place on Cromley road prior to the cement stabilization project.

- (4) Defiance-Paulding Co line road #10 – Twp portion.
    - (a) 3 patches per exhibit 6-b - estimated cost \$2,320.86.
  - (5) Defiance-Paulding Co line rd 8: From the Sept 2012 session, Trustees noted a section of the road was failing probably due to the summer's drought. Engineer's plan to apply hot mix patching.
    - (a) 5 patches per exhibit 6-b – estimated cost \$8,472.
  - (6) Bowman rd – 15 hot-mix patches
    - (a) Exhibit 6-b estimates repairs to cost \$27,860.
    - (b) Trustees believe a chip seal will be done in 2014 at an estimated cost of \$37,566
  - (7) Lakeview – repairs to surface and drainage. – not listed on 6-b for 2013.
    - (a) There is no cost estimate as of this session.
    - (b) Based on past discussions the fiscal officer has assigned \$5k for this project.
    - (c) Mr. Bakle proposed to move this project to 2014.
      - (i) There were no objections raised.
  - (8) Singer Rd-Hammersmith intersection – drainage project. Not listed on the engineer's list - 6-b of Jan 2013.
    - (a) See minutes of Twp sessions from November 2012 through March 2013.
    - (b) At the March session the Trustees approved this project:
    - (c) The Co engineer detailed the project in March. The Twp will provide \$11k to fund the project as outlined in the Engineer's handout of the March session.
      - (i) in addition the Twp will fund the 30" pipe to be placed under Singer rd. (there was no est. cost)
      - (ii) In the March session the Co Engineer presented the project with a list of expenses covering the \$11,000 Twp commitment.
        1. Grading and shaping, brush and tree removal, remove concrete headwall, tile destruction and clean up, 6' tile on north side crossing Hammersmith.
        2. The list also indicated that property owners that had land bordering Hammersmith would donate the right of way for the Hammersmith project.
  - (9) 2013 hot mix patching work on Singer per exhibit 6-b
    - (a) 2 patches – cost \$1,928.10
  - (10) Krouse rd was reported to have been damaged by traffic. This report was noted by a citizen during the March meeting.
    - (a) Trustees were to reviewed the road and determine what if any action was to be taken:
      - (i) Discussion.
- iv) As of this session total anticipated cost of all projects for 2013 per exhibit 6-b as noted in the March Engineer's project estimate is now \$82,910.
- (1) Also to be funded in 2013 but not included on the engineer's list are:
    - (a) the Singer rd drainage project (\$11k) plus unknown cost of 30" tile and a cement stabilization of Cromely (\$85k).
    - (2) A total estimated cost of non listed items is \$96,000.
- c) A financial impact review by the fiscal officer:
- i) The total amount of expenditures proposed for 2013 special projects by the County Engineer's office as provided in the 3-20 engineer's letter is \$82,910 plus additional major projects of \$96,000.00. All major projects now planned total \$178,990.
    - (1) The fiscal officer is planning on these expenses to be posted to our cash road fund lines, given that OPWC future grant funds have been used per the Co Engineer in the amount of \$68k more or less. See section below for details.
    - (2) Trustees are reminded that:
      - (a) Regular twp expenses are estimated – base on historical review, at between \$70,000 and \$100,000

(b) Total expenses for 2013 are anticipated to be \$278,990.

(c) Anticipated 2013 revenues as noted in the 2013 amended certificate from the County Auditor for road work was \$155,845.

(i) The remainder will be posted to the Twp road carry over funds.

(3) A recap of the OPWC grants - this report update came from the Co Engineer's Office –updated 11-30-12. There was no change since our last session. The update includes expenditures from future OPWC grants that the Twp might receive. If the Twp fails to receive such grants the twp road funds will be accountable. (see minutes from 2011 forward thru October 2012 for history).

(a) 2012 OPWC postings:

(i) Indian Bridge Lane – culverts	\$11,057.52
(ii) Hammersmith rd – widening contractor work	\$81,275.00
(iii) Hammersmith rd – widening (by county)	\$ 7,679.68
(iv) Hammersmith rd – (ditch contractor & pipe)	\$44,497.50
(v) Total OPWC grant posting in 2012	\$144,509.70

(b) Current status – the OPWC has utilized future grants in the amount of \$(68,460.26)

(i) See letter from Co Engineer dated 11-30-12 in amended certificate packet

(c) The current assessment is that the Twp rd projects for 2013 will exceed revenue.

d) The Chair asked if there were any other projects/issues for 2013.

(1) New projects from this session:

(a) Re-claim stone & grade May road.

(b) The Chair noted that the County Engineer will re-claim stone & grade May road. The estimated cost is \$300.

Mrs. Mayer moved to accept the project as presented.

Mr. Peck seconded:

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

The motion was approved.

(2) Trustees instructed employees to assess and repair a pipe discharge (left pipe) at Ginter and Carter roads. There is a septic odor.

(a) No cost estimate.

(3) Jason Shaffer noted there appears to be a collapsed tile on Hammersmith rd.

(a) Trustees directed he contact OUPS and Twp operators will repair/replace.

(i) No cost estimated given.

(4) Trustee Mayer moved to add floors to the salt bins.

(a) Trustees instructed the crew to place remaining salt on one side and add the floor then move that salt back and add the floor to the other side.

(b) The floor is to be cold – patch.

Mr. Bakle seconded

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

The motion was approved.

e) Trustees reported that trees again are blocking the view of the corner of Canal and Ball roads making a possible road hazard.

i) Trustees will discuss with the County Engineer to have the Engineer trim back the tree branches.

f) The May work assignments for the Twp crew were noted in the monthly road report.

- i) Twp operators were told to refer to the monthly road report.
- g) Twp cemeteries –
  - i) No issues were raised..

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

- a) Monthly (April 13) GrassRoots clippings – exhibit 7a

**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.....
  - i) Mr. Peck there has been on progress on the effort to establish a regionalized fire-rescue system.
  - ii) Mr. Peck also stated it was his opinion that soon the City will be asking to increase the charges for this service.
- b) Trustees then reviewed Twp letters of support for Steven Plummer business “Westside CDL Testing Center” that were to be sent to our legislators. Trustees signed the letters and the fiscal officer make PDF copies and e-mail to the legislators.
- c) The Chair asked if there is any other old business .....
  - i) There was none

**ORDER OF BUSINESS NO. 9 - New Business.**

- a) The Chair asked if there was any new business to come before the board?
  - i) Mr. Peck asked who will be the primary Twp road mower this year given the mowing season should begin in April.
    - (1) Trustees agreed that the road report which now assigns an employee to each road should be the guide. Each employee has a road of responsibility. If work requires more then one person that employee should confer with the Trustees.
    - (2) Mr. Peck asked if the road side mower and all Twp mowers are ready for the season.
      - (a) Mr. Bakle is to contact Mike Daniels and check on the status of this equipment.

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**ORDER OF BUSINESS NO. 10 - NEXT MEETING:**

**Date:** Tuesday – May 28<sup>th</sup>, 2013.  
**Time:** 7:00 p.m.  
**Place:** 2<sup>nd</sup> 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 April 26<sup>th</sup>, 2013

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