

Minutes
DEFIANCE TOWNSHIP TRUSTEES
April 28th, 2015 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, 2015 at 7:00 p.m. Following the Pledge of Allegiance the Chair instructed the clerk to call the roll. Answering as present were Dan Peck, Diana Mayer, & Charles A. Bakle Jr., also present was Tim Houck, Township fiscal officer. With all three (3) members of the BOARD OF TRUSTEES having answered the roll, a quorum was declared.

Township employees present were: Mike Daniels 21786 State Rte 637, John Diemer 23361 Def.-Paulding Co. Line Rd. from Defiance, Ohio.

Visitors present: Patti Diemer 23361 Def.-Paulding Co. Line Rd., Penny Bakle 1204 Wayne Ave., & JoEllen Houck, 8 Deville Drive, Defiance, Ohio.

ORDER OF BUSINESS NO. 1

Reviewed and approved the minutes of the previous session.

Mr. Bakle requested a motion for the approval of minutes from the March 24th, 2015, 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 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 \$288,909.00-- 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 \$23,424.57
- c) Payment reports:
 - i) Payments for April (UAN software-) were \$15,117.59.
- d) The Cash fund summary through April 26th, 2015, (UAN software) showed an "ending fund balance" of \$981,434.30.
 - i) The "cash available" for encumbrances (current reserve- UAN software) was \$473,776.95.
- e) Appropriation Status showed that through April 26th, 2015 (UAN software), 7.5% 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 04-26-15 was \$704,915.12.
- g) Trustees reviewed and signed the April bills.
- h) Audit of Twp records – regarding the audit of the Twp's accounts for 2013 and 2014 that is being done in 2015.
 - i) As of this session the audit is complete –
 - ii) Trustees did not desire an exit audit meeting with the Auditor.
 - iii) The Township awaits the Management Letter which will note the following:
 - (1) The twp should acquire in their monthly bank statement a copy of both sides of the checks that are

deposited into the County's account at the state bank.

(a) Trustees were informed by the Fiscal Officer that we have always acquired the monthly statement via the web site and the bank had not provided copies of both sides only the front. This has always been the custom. I do not know why this has not been an issue in past audits.

(2) The personnel files of the newest Twp employees (fisher, rivers and s mckibben) do not have the sign off form relative their having received a copy of HB 66 (fraud reporting procedure). State law requires all public employees to have this data. It is part of our personnel packet that is handed out. I didn't follow up to get the sign off form. These were provided to Trustee Bakle at the March session so he can get these employees to sign and return the sign off sheet to me.

(3) A mis-posting to the proper revenue line of the funds rec'd by the Twp for the sale of the Garmin rd property.

(a) These funds were posted to the general fund – misc income line. They should have been posted to the general fund – sale of capital assets – line.

(b) There is no required reposting or move of funds as the money was correctly posted to the general fund.

iv) There was no further discussion.

b) Payroll & April's time cards (time cards provided trustees prior to session) – Trustees Review – Discussion and Signature.

Mr. Bakle requests a motion to accept the **April** financial reports.

MOTION by: Mayer

SECOND by: Peck

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 report –

i) Building permit packets were given to the following:

(1) John Karnes SR 111 for a Garage. Pending Maumee Valley

(2) Nolan Killion Power Dam Rd for a Addition. Pending Maumee Valley

(3) Sheila Vincent on Hammersmith Rd for a Pole Barn.

ii) Received a complaint reference high grass at the DAV Hall. Started mowing the lot. Waiting to see if they finish.

(1) If they do not finish within a couple of days. Refer them to Defiance County Court.

iii) Setting up a meeting with the new County Court Law Office. Carson Slade in reference to how she would like to handle Twp issues.

Jason Shaffer

Defiance Township[Zoning Inspector

Defiance, Ohio 43512

b) Mr. Shaffer requested permission to place an ad in the Crescent News informing our Twp residents that the Twp is zoned and permits are required; the ad is also to include notice that there are nuisance rules which are enforced.

MOTION by: Mayer - to approve the placement of the advertisement

SECOND by: Peck

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

The motion was approved. The fiscal officer will prepare and place the advertisement.

c) The Chair asked if there were any Zoning issues to be discussed by the Trustees.

- i) There were none.

ORDER OF BUSINESS NO. 5 -- Equipment;

- a) The Chair asked if there were any comments or concerns on current or proposed new eq.
 - i) Mike Daniels noted he was working on the skid loader and backhoe both of which are down as of this session. Parts are on order and he will fix as soon as possible.
 - ii) There were no other eq issues noted.

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

- a) The monthly road inspection report –from Trustee Mayer was reviewed.
 - i) It was noted there were pot holes on various roads due to the winter conditions which need to be filled.
 - ii) The driveway at the Twp maintenance building needs 57's and 8's to fill in low areas.
 - (1) Crews are expected to address when conditions allow.
 - iii) The May Rd review will be by Trustee Bakle.
- b) 2015 Road projects: During the January 2015 session Trustees were provided a proposed list of projects for 2015 presented as exhibit 6-c – from the Engineer's office.
 - i) As of the 4-28-15 Trustee session the proposed work list is as follows with an anticipated expenditure totaling \$123,028 more or less.
 - ii) Proposed projects as of 04-28-15 are as follows- engineer's work is in bold – twp projects are not in bold:

(1) Bowman Road:

- (a) **Chipseal:** from Power Dam to Twp line - \$40,818
- (b) **Hot mix patch:** from Power Dam to Twp line - \$16,776
- (c) **Pavement markings:** from Power Dam to Twp line - \$3,051
- (d) Trustees noted a slight adjustment to this project at their March session:
 - (i) 1/3 of the road will have a fog sealant applied to the chip/seal, 1/3 a micro sealant, and 1/3 with just the chip/seal.
 - (ii) This is to test the longevity of the various applications related to the cost per lane mile to determine the most cost efficient process.
 - (iii) The additional project cost was estimated by Mr. Bakle at \$5,000.

(2) Karnes Road:

- (a) **Chipseal:** from Bowman to Watson- \$11,044
- (b) **Hot mix patch:** from Bowman to Watson - \$1,432
- (c) **Pavement markings:** from Bowman to Watson - \$342.00

(3) Keller:

- (a) **Chipseal:** from Powers to Kiser- \$4,252.00
- (b) **Hot mix patch:** from Powers to Kiser - \$767.00

(4) Singer:

- (a) **Chipseal:** from State Rte 111 to Hammersmith - \$4,806

(5) Sponseller:

- (a) **Chipseal:** from Paulding Co Line rd to Bowman – \$9,722.00

(6) Defiance – Paulding Co Line Rd #10

- (a) **Hot mix patch:** from State Rte 66 west to Twp line - \$4,910.00

(7) Defiance – Paulding Co Line Rd #8

- (a) **Hot mix patch:** from S. of Hammersmith for 2,025'- \$6,245.00

(8) Defiance – Paulding Co Line Rd #8

- (a) **Hot mix patch:** from Hammersmith to Powers - \$818.00

- (9) Trustees approved during their April 2013 session to add floors to the salt bins.
 - (a) see mins from April 2013 forward for details.
 - (b) the south side floor was completed Oct 25th, 2014.
 - (i) Trustees approved the Twp staff to do the north side in spring of 2015 due to winter weather.
 - (ii) No work was done in April.

- (10) In the March 2014 session Trustees approved the berming of Cromley Road to reduce or eliminate drop off.
 - (a) Trustees assigned this to staff as soon as possible.
 - (b) Not yet addressed as of the April 24th session.

- (11) In the March session Trustees instructed staff to complete the insulation of the maintenance building as directed in 2013.
 - (a) Trustees had previously directed staff to address in November, December etc with a not to exceed expense of \$3,000 for materials.
 - (i) There has been no progress due to winter conditions and required effort on snow – ice removal.
 - (ii) Not yet addressed as of the April 24th session.

- c) A financial impact review by the fiscal officer:
 - i) As of this session total anticipated cost of all proposed and approved projects for 2015 are estimated to be \$141,000 more or less (\$128,028 f eng report plus items 11, 12 and 13- estimated \$13,000 + estimated \$5k for various sealants on the Bowman rd project.

 - ii) Trustees are reminded that:
 - (1) Regular twp. expenses are estimated – based on historical review, at between \$70,000 and \$100,000 – would include projects 11,12, 13 – salaries, mowing, snow removal etc. which are not part of the engineer's projects list.

 - iii) Total road expenses anticipated for 2015 would be \$141,000 plus \$87,000 for an estimated total of \$226,000.
 - (1) Anticipated 2015 revenues as noted in the 2015 amended certificate from the County Auditor for road work was \$165,615.00.

 - (2) Total road expenses year to date are \$31,086.56**
 - (3) Total road fund revenues year date are \$68,267.94**

 - (4) A recap of the OPWC grants – see minutes of previous sessions for history. The last update from the **Co Engineer's Office is dated 11-18-2014** and was presented to Trustees at the November session. The update includes expenditures from future OPWC grants that the Twp. might receive.
 - (a) (See minutes from 2011 forward thru December 2013 for history).

 - (b) Current status – the OPWC has utilized future grants in the amount of \$61,483.00

 - (c) The Engineer has informed the Trustees that the grants are promised by law with the passage of issue 1 several years ago. The average annual grant for Def Twp is \$25k for the next 10 years or a total of \$250k give or take.

 - iv) The Chair asks if there are any new proposed 2015 projects that are not now on the above project list:
 - (1) None were presented.

 - v) Trustees again noted the May work assignments for the Twp. crew are noted in the monthly road report.

 - vi) Twp cemeteries –
 - (1) No issues no discussion.

ORDER OF BUSINESS NO. 7 – Personnel:

- a) Fraud reporting procedure forms for Twp employees – Rivers, Fisher and S. Mckibben were discussed. Trustees need to acquire signatures on the acknowledgement of receipt form and return to the fiscal officer

for filing.

i) These were provided to Mr. Bakle in the March 15 session...

(1) No yet completed.

b) Scott McKibben's and John River's probationary period ended April 30th. Per their hire in resolution (2015-11) Trustees are to approve or deny their probationary work effort and if deemed acceptable increase their pay from the probationary rate of \$11.60 to the standard operator's rate of \$13.00 per hour effective May 1st.

i) Resolution 2015-14 adopting the pay increase is attached for review as – **exhibit 7-b**.

ii) Trustees approved both employees as having successfully completed their probationary periods and are to receive the increase in hourly pay to \$13.00.

c) **Exhibit 7-c** was a notice from the County Safety Program that Twp operator's Steve Bucholtz and Mike McKibben have been randomly selected for a cdl safety test. The date time and location are noted in the exhibit. Trustees are to contact the employees and ensure their arrival at the scheduled time.

i) Mr. Bakle accepted this task.

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

a) Monthly (April 14) GrassRoots clippings – exhibit 8a was distributed.

b) **Exhibit 8-b** was reviewed. This was a request from State Treasurer Josh Mandel for the Twp to participate in a new initiative called "Ohio Checkbook" the state treasurer will without charge post the Twp's accounts online.

i) Trustees tabled the issue until the fiscal officer determines what types of reports would be submitted.

ORDER OF BUSINESS NO. 9 – Old Business

a) The Fire – Rescue service contract for Def. Twp with the City of Defiance was modified per the City and Trustees as required approved the modification during the Twp's July 2014 meeting. The cost for rescue services was increased by \$24k.

i) In response the Twp Trustees placed a ballot issue before the voters (November 2014) of Twp precincts A & B where that service is rendered.

ii) See minutes from January 2014 forward to review history of a 2014 proposed fire-rescue service levy to be placed on the November 2014 ballot to cover the proposed City increase.

iii) As of April 28th, 2015:

(1) The ballot issue was defeated in November 2014.

(a) 276 votes for – 318 against.

(2) Trustee's in November 2014 voted to place the issue before the voters again in the May 2015 primary.

(3) All required resolutions have been adopted and the required documents have been provided to the Defiance County Board of Election.

(4) The new contract with the City of Defiance does not have to be signed until the results of the primary are known.

(5) The chair asked for any discussion.

(a) Trustees agreed that each Trustee would call twenty (20) voters to inform the voters about the levy.

(b) Trustees asked the fiscal officer to draft a news release for Trustee review.

(c) Trsutees asked the fiscal officer to send to the State Fire Marshall's office their questions regarding the legal responsibilities of Township regarding the need to provide either fire or rescue services.

ORDER OF BUSINESS NO. 10 - New Business.

a) The Chair asked if there is any new business to come before the board?

i) The Chair stated that he learned while attending the Ohio Twp Association meetings that most inside millage for Twp's (est. in 1820 and noted in the Ohio Constitution) had been improperly reduced over time. He asked if the Trustees desire to check this issue with the Ohio Dept. of Taxation?

- (1) Trustees Mayer and Peck asked if the millage was re-acquired from what entity would it be taken.
- (2) Mr. Bakle stated it would probably be the school districts.

MOTION by: Mayer - to table the issue.
SECOND by: Peck
YEA(s) 2 NAY(s) 1 Passed X Failed

The motion was approved.

- (3) Trustees determined to table the issue.

- b) Mr. Bakle asked if there was any other new business –
 - i) There was none.

ORDER OF BUSINESS NO. 11 - NEXT MEETING:

- a) Regular scheduled session.

Date: Tuesday – May 26th, 2015.
Time: 7:00 p.m.
Place: 2nd floor of the Defiance County Commissioners building – conf room EMOC
500 Court Street - Defiance, Ohio

ORDER OF BUSINESS NO. 12 – Adjournment:

Mr. Bakle requested a motion to adjourn the meeting of April 28th, 2015

It was moved by: Peck

SECOND by: Mayer

The roll was called and the vote was:

YEA(s) 2 NAY(s) 0 The motion: Passed X Failed

MEETING ADJOURNED

Respectfully Submitted
Timothy J. Houck, Fiscal Officer-Clerk