

Minutes
DEFIANCE TOWNSHIP TRUSTEES
April 29th, 2008 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 29th, 2008 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 Richard Ankney; 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: John Diemer – 23361 Defiance-Paulding Co Line Rd, and James Schlegel (zoning inspector) – 220 Pinewood.

Other(s) present were: Ruth Ann Schofield 15968 Campbell road, and JoEllen Houck of 8 Deville Drive, Defiance, Ohio.

ORDER OF BUSINESS NO. 1

Review and approval of minutes of the previous session.

- a) Chairman Ankney requested a motion for the approval of minutes from the March 25th regular session.

MOTION: Charles Bakle

SECOND: Dan Peck

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

The MINUTE'S for the March 25th session was approved.

ORDER OF BUSINESS NO. 2 - citizens concerns

- a) The chair asked for citizen concerns from the floor.
i) There were none.

ORDER OF BUSINESS NO. 3 - FINANCES –

The following financial reports provided to the Board were reviewed.

- a) The March monthly Reconciliation – noted a primary checking reconciliation balance of \$95,178.97 as of March 31st, 2008..... balance is minus the outstanding checks and Township investment funds.
b) Receipt & Payment reports
i) Receipts for April 2008 were \$14,801.80. Payments for April (bills & payroll) totaled \$8,529.77.
c) The Cash fund summary through April 30th, 2008, showed an “ending cash balance” of \$812,596.23.
d) The unencumbered cash balance “cash available” was \$679,488.32 which is the balance after encumbrances are subtracted from the cash balance.
e) Appropriation Status showed that through April 30th, 2008, 7.5% of the years' appropriations had been expended. The budget is in line with the goals set by the Trustees to put aside a cash reserve to be applied to the 2nd half of the Kiser Road re-build project which is scheduled for the 2008 construction season. 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 04-30-08 was \$711,145.23
g) The Trustees reviewed and signed the bills for the month.
h) payroll for April was then reviewed and checks signed by the Trustees.

Mr. Ankney requested a motion to accept the **April** financial reports.

MOTION: Charles Bakle

SECOND: Daniel Peck

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. Jim Schlegel
 - i) April 2008
 - (1) Met with Soil & Water & Church members at new Church site on Watson Rd.
 - (2) Received complaint of vehicles speeding on Indian Bridge Lane residents want a children present sign put up. Referred to trustees.
 - (a) Trustees determined to review the issue.
 - (3) Site review Power Dam Rd for home addition. Kilpatrick
 - (4) Site review Singer Rd for swimming pool. Permit Issued Galbraith
 - (5) Contacted by Paul Klima ref setbacks for parking & shelter houses at the new reservoir. I contacted Dave Williams City Attorney and was advised that this will fall under city guidelines however they will follow township zoning setbacks. This project was built under State Guidelines.
 - (6) Russ called about Merriman check – this was referred by tjh.
 - (a) Check is in response to a letter many months ago.
 - (b) Tjh is to contact prosecutor's office to get the check for deposit
 - (7) Site Review Bowman Rd New Home Permit Issued – Poling
 - (8) Site Review SR 111 New Garage Permit Issued – Hoover
 - (9) Complaint of semi trailers for storage on Watson Rd Sent Complaint Form
 - (10) Site Review Powers Rd For Land Split 44 plus acres. To split 20 -20 -4 Referred to Maumee Valley Planning
 - (11) Site review SR 111 new addition no permit as yet
- b) Chairman Ankney asked if there are any other zoning issues to come before the Board?
 - i) Trustees inquired if the sign issue at Eric's Ice Cream on Baltimore Rd has been resolved.
 - (1) Mr. Schlegel stated that Mr. Gerber (owner) has complied with the Twp sign regulations.
 - ii) Again, the Chair asked if there were any other zoning matters to be discussed.
 - (1) There were none.

ORDER OF BUSINESS NO. 5 -- Equipment;

- a) The chair asked for comments or concerns from Twp employees on current or proposed new eq.
 - i) Township employee John Diemer was recognized and stated that he is still going to schedule the Twp trucks to be washed & cleaned from the winter salting work.
 - ii) Mr. Ankney then stated he wanted to discuss the 04 international and the attached belly plow. Mr. Ankney again asked why a belly plow was needed.
 - iii) Mr. Peck was recognized and said that it remains his position that the Twp remove the belly plow from the 2004 International. He noted that the Trustees passed a resolution ordering this done in Feb. The plow is in Mr. Peck's opinion simply too large for use on most Twp roads. The unit became stuck at least twice this past winter and the Twp paid over \$600 to have it pulled free.
 - (1) Mr. Diemer said he believes, as he stated in the March session, that the 2004 international with the belly plow attached was effective on two of the Twp's roads (the rebuilt portion of Kiser and the Co Line rd) and that the belly plow is useful to grade out stone.
 - (2) Mr. Ankney concurred with Mr. Peck.
 - (3) Mr. Bakle objected.
 - (a) Mrs. Schofield asked to be recognized and asked why the Trustees did not listen to their employee.
 - (4) The Trustees re-affirmed their resolution of Feb 08 and verbally directed Mr. Diemer to have the belly plow removed from the 04 international.
- b) There was no further equipment discussion.

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 Ankney was reviewed.
 - i) The Twp crew was provided a copy and instructed to complete the work as noted.
 - (1) Mr. Ankney noted the issues were mostly a need to address berms and add stone to several stone roads. Further, he listed several needs for catch basin repairs & black top patching.

- b) The May - Rd review will be made by Mr. Bakle.
- c) Projects –
- i) Mr. Bakle was recognized and asked when the Twp crew was going to check the cemeteries for needed repairs from the winter.
 - (1) Mr. Diemer said this would be done in May.
 - (2) Mr. Peck noted that the weather is now not conducive to lawn care. The Twp crews should wait for the ground to dry out.
 - ii) Trustees then reviewed the up-dates on existing road projects – there are presently two (major) planned projects for 08:
 - (1) **Kiser Rd project** (1 full mile from Keller to Canal) – to be done in 2008.
 - (a) See minutes forward from the Jan 07 session for project details.
 - (b) Construction is still anticipated to take place in 08.
 - (c) The fiscal officer was recognized:
 - (i) TJH stated that he had spoken with the Eng's office about this project to determine need to encumber the funds. TJH was told:
 1. the project should be ready for bid within the next six weeks (approximately the end of May).
 2. the engineer's estimate is not yet completed. At this time anticipated expense is to be between **\$340,000 and \$380,000**
 3. The project costs as currently budgeted included the use of some \$40,000 in general fund monies. As noted in the Feb 08 session it was learned at the 08 Twp State Association meeting that Twp can not use general funds for road projects.
 4. we await the bid.
 5. the above noted estimate is based on the highest engineer's estimate which was made in 07; the bid may be less than anticipated. The Township may need to make adjustments to this or other projects once the bids are in.
 - (d) There was no further discussion on this issue.
 - (e) This item will remain on future agendas until completed
 - (2) the other project is the **drainage project for "Sponseller Rd** - drainage will be to Bee-Tree ditch. This item has been on Twp agenda's from March 07. see past agendas for history.
 - (a) Bee-Tree ditch is being cleaned this year by Soil & Water
 - (b) Once that project is complete the Twp agreed to address the drainage issues on Sponseller
 - (c) Trustees reported that they met with the County Engineer on April 12th to do a site review –
 - (i) Trustees will replace a cross-over between the two Hahn properties (Bruce and Jon)
 - (ii) A ditch is to be built (by Mr. Joe Webb) for the Hahn's (not a Twp project)
 - (iii) The Trustees asked that the ditch be deep enough to handle water from the cross-over the trustees will put in to facilitate storm water flow from the properties to Bee-Tree Creek.
 - (iv) This will address the flooding problems in this area.
 - (v) The anticipated cost per the Trustees is approximately \$1,000.
 - (vi) Upon completion of this work the item will be removed from the agenda.
 - (3) Trustees noted that in the Feb session Defiance County Soil & Water informed the Board of Trustees of a drainage issue and recommended repair to Radio Drive – Defiance, township.
 - (a) Mr. Deimer reported that the grates at the storm drain have been replaced and tree roots removed. The project is complete.
 - (4) **Repairs to berm and ditch embankment on Hammersmith road** near the Russell residence at 20272 Hammersmith. –(no estimated cost) –
 - (a) Trustees noted that Def County Soil and Water will address this project as it is ditch maintenance.
 - (b) This item will be removed from the agenda.
 - (5) Maintenance **issues with Krouse Road** (no estimated cost)
 - (a) In March 08 Trustees were informed that Krouse rd resident Mike Hallifield contacted def co comm. and the def twp fiscal officer and complained of the current condition of this road. and of his concern that he has for some time complained to Trustees with no improvement to the roads condition.

- (i) This issue has been on the Twp agenda since that session.
 - (b) The Twp has purchased stone and placed stone on this road in 08; to date just over \$1,000.
 - (c) Trustees have also contacted Def ODOT garage and asked for blacktop waste from this upcoming construction season (grindings) to be placed on this road.
 - (i) Mr. Bakle said these grindings should be available starting in June 08.
 - (d) There was no further discussion on this issue.
- (6) Maintenance issues with **Cromley Road** (no estimated cost)
- (a) Stone to date placed on this road in 08 -- \$800
 - (b) Trustees instructed the clerk to remove this item from the agenda.
- (7) **Lakeview Drive** – replacement of catch basin near 250 lakeview (awaiting const season – approved by Trustees in Feb session) (no estimated cost)
- (a) There was no further discussion on this issue.
- iii) The Chair asked if there were any other projects to be discussed.
- (1) Mr. Bakle noted a need to perform certain work at the Twp cemeteries.
 - (a) Stone on the roads at all three cemeteries – Taylor, Tuttle and Cromley.
 - (b) Mowing is needed.
 - (c) Mr. Diemer is to address as soon as ground condition permit.
- iv) There was no other project discussion.

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

- a) The Monthly (April 08) GrassRoots clippings – exhibit 7-a

ORDER OF BUSINESS NO. 9 - Old Business

- a) The expansion of the Ayersville Water and Sewer District by annexation of territory via Ayersville Water and Sewer board action was discussed. – see meeting mins forward from Feb 08 session for details.
 - i) The chair asked if there were any updates from the March Twp meeting?
 - ii) Mr. Peck stated he believes the issue remains before the Judge.
 - iii) The Ayersville Water & Sewer District has requested the Def Twp Trustees to approve a resolution confirming boundaries of the Water Sewer District as distributed to the Trustees at the March 08 meeting.
 - iv) Trustees tabled that request pending representatives from the Water and Sewer District answering questions that Trustees have.
 - v) The issue remains on the table.
- b) The chair asked if there was any other old business?
- i) There was none.

ORDER OF BUSINESS NO. 10 - New Business

- a) The Chair asks if there is any new business to come before the board?
 - i) Mr. Bakle stated he has received complaints from several citizens of Indian Bridge Lane about speeders on this road. Mr. Bakle stated Mr. Roy Perez complained that cars have caused ruts on his property. Mr. Bakle asked “what do we do”?
 - ii) Trustees Ankney and Peck both said that this is a law enforcement issue. Residents should contact the Sheriff’s Office. Trustees do not have authority to enforce traffic codes.
- b) The Chair asked if there was any other new business to come before the Board.
- i) Mr. Bakle asked that the Bd move the July meeting from the regular scheduled date of 7-29-08 to 7-22-08 as he will be out of Town on the 29th.
 - ii) Trustees concurred.

Mr. Ankney requested a motion to move the July 08 Trustee session from 7-29-08 to 7-22-08 – same time and location.

MOTION: Charles Bakle

SECOND: Daniel Peck

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

The motion to move the July session was approved.

iii) The fiscal officer will prepare a required public notice – noting the meeting date change.

c) Again, the Chair asked if there was any other new business to come before the Board.

i) There was none.

ORDER OF BUSINESS NO. 12 - NEXT MEETING:

Date: Tuesday May 27th, 2008

Time: 7:30 p.m.

Place: 2nd floor of the Defiance County Commissioners building – conf room EMOC
500 Court Street - Defiance, Ohio

Mr. Ankney then requested a motion to adjourn the meeting of April 29th, 2008.

It was moved by: Mr. Bakle

SECOND by: Mr. 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, Clerk