

Minutes
DEFIANCE TOWNSHIP TRUSTEES
May 22nd, 2012 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, May 22nd, 2012 at 7:00 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. 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 & Michael Daniel 21786 St Rte 637, Defiance, Ohio.

Visitors present: 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.

Chairman Peck requested a motion for the approval of minutes from the April 24th, regular session.

Mayer moved to approve.

Bakle seconded.

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

The minutes for the April 24th, 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 April – noted a primary checking reconciliation balance of \$303,932.97 balance is minus the outstanding checks and Township investment funds.
- b) Receipt report:
 - i) Receipts for May were \$14,396.43.
- c) Payment reports:
 - i) Payments for May 2012 were \$25,825.13.
- d) The Cash fund summary through May 31st, 2012, showed an “ending cash balance” of \$995,079.23.
 - i) The unencumbered cash balance “cash available” was \$614,397.95 which is the balance after encumbrances are subtracted from the cash balance.
- e) Appropriation Status showed that through May 31st, 2012, 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 05-31-12 was \$703,648.43.
- g) Trustees reviewed and signed the May bills without comment
- h) Trustees, having prior to the meeting been provided with Twp employee’s time cards had reviewed same and then, signed the May 2012 payroll without debate.
- i) The Fiscal officer reviewed a notice from the County Treasurer’s Office of a pending disbursement of an estate tax. Trustees were provided with exhibit 3-i – which noted an anticipated amount of \$11,752.06 from Case #17042 now in the Probate Court
- i) Trustees accepted the information without comment.

j) Mr. Peck requested a motion to accept the May financial reports.

MOTION by: Bakle

SECOND by: Mayer

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

The May 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 May 2012.
- (1) Building permits were issued pending Defiance County Water/Soil:
 - (a) Ken Tenwalde for a different mobile home at 24889 Watson Rd, along with a warning to mow his property or go to court.
 - (b) Amanda Martinez for a deck at 13954 SR 15.
 - (2) David Glick at 21270 Hammersmith Rd. No progress has been made. Certified letter will be sent, and a final notice of 2 weeks will be given. Then Charges filed at County Court.
 - (3) I received 3 certified letters back, from residences on Parkview Dr. reference Junk, and 1 letter back reference semi trailers. I will talk to County Court, Prosecutors Office about this issue, and or how I can get the owners to comply.
 - (a) Juanita Fisher
 - (b) Dan Grimes
 - (c) To H. Nam
 - (4) The David Jebb poultry issue has not been taken care of as of 05/19/2012. I saw the chickens, and no conditional use permit was issued. Certified letter will go to his residence, requesting the chickens be either removed from the property, or charges will be filed in County Court.
 - (5) Marsha from Defiance County planning called me reference the Schatz Farm. They signed off on the planning packet on 3 tracts of land. 1 on east side of ST Rte 111 was cleared for building by Defiance County Engineers Office. I advised them if and or when they do build on the property, that Defiance Township will not be responsible for Buildings that are in a Flood Zone.
 - (6) Mr. Shaffer also stated that the City of Defiance is planning to construct a parking lot at Kibble and Winn roads for the reservoir and park area. He noted that the Zoning codes do not impose a fee on "parking lot" construction but does have specification for "parking lot" construction. He will notify the City of those specifications.
 - (a) Trustees noted that this area is soon to be proposed to be annexed into the City.

Jason A. Shaffer
Defiance Township Zoning Inspector
Defiance, Ohio

- b) Mr. Peck 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) Twp employee Mike Daniel suggested that the Trustees get rid of three items:
- (1) The 1974 International Tractor
 - (2) The 1995 Dodge 1 ton
 - (3) The 1969 Galon grader
 - (4) Daniel stated these units are either to expensive to maintain and are so old that acquiring parts is difficult and that due to the age and wear they break down continually. Daniel also stated that as the Twp has another tractor and two other trucks those units are not needed.
 - (5) Daniel suggested the Twp should purchase a backhoe.
- (6) A majority of the Trustees concurred with the assessments provided by Daniels.
- (7) Trustee Bakle noted that the Dodge one ton had lost a plate> He contacted the Countv Engineer's

Office and they are ordering a replacement courtesy plate from the State.

Mrs. Mayer moved to sell through public bid the three pieces of equipment. Bids are to be accepted by the Twp though the start of the June session (7p.m. June 26th) at which time the bids will be opened in regular session and bidders present will be given the opportunity to increase their bids in an auction.

Seconded by Mr. Peck
YEA(s) 2 NAY(s) 1 Passed X Failed

Mr. Bakle noted his opposition to selling the grader and thus his nay vote.

The motion to sell the three pieces of equipment was approved.

(8) The fiscal officer is to run an ad in the local paper noting the sale and the process.

- b) Mr. Peck then suggested that the Twp acquire a used dump truck to replace the 1995 Dodge 1 ton that is to be sold.
 - i) Mrs. Mayer suggested that a re-claimer unit was not necessary. The Twp had eq that could place berm and reclaiming was in her opinion not efficient given the twp's history of not placing berm material for many years. The reclaiming effort to date was not reclaiming stone only tearing up soil.
 - ii) Mr. Peck suggested that the Twp staff and Trustees should acquire prices limiting any proposed purchase to a total not to exceed \$25k. These informal bids would be reviewed by Trustees at the June session for possible action to purchase.

Mr. Peck moved to acquire prices on a used dump truck not to exceed \$25k, said prices to be reviewed by Trustees at their June session.

Mrs. Mayer seconded

YEA(s) 2 NAY(s) 0 Passed X Failed -- Mr. Bakle abstained.

The motion to acquire bids to purchase a used dump truck limited to \$25k was approved.

- c) The Chair asked if there were any other equipment issues to be discussed?
 - i) There were none.

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

1. Trustees reviewed exhibit 6-a monthly Twp Rd inspection by Trustee Bakle.
 - i) The Chair asked if there were any questions.
 - ii) June's Rd review by Trustee Peck.
 2. Trustee reviewed the status of the proposed 2012 projects as of this session.
 - i) The Trustees & the Co Engineer have confirmed the project list for 2012 that is to be done by the County Engineer's office.
 - ii) As of the 05-24-2012 Twp Trustee session this list is as follows – see co engineer's exhibit 6-b from the April Twp session:
 - iii) purchase orders of 2012 that will fund the projects listed.
 - (a) P.O. 9-2012 &
 - (b) P.O. 29-2012
- (2) Hammersmith road – ditch work – estimated cost \$20k – carryover from 2010-**not part of list – but covered under p.o.'s**
- (a) For portion of ditch west of Singer rd
 - (b) Project was awarded to Webb Const of Defiance.
 - (c) The project was reported near completion in the April session
 - (i) Work continued in May.

- (3) 2nd Hammersmith ditch proj between St Rt 111 and Twp maintenance building – not scheduled for 2012 – estimate unofficial by Co Eng office in August 2011 – if work is performed by Co Eng crew \$10k – **not part of list**
- (a) The Co Engineer has stated that this project will be done by the Co when the road rebuild is done on this section of Hammersmith.
- (4) Rebuild Hammersmith Rd from its west end Def Twp terminus -- easterly approximately to Singer Rd.
- (a) The project will be bid by the Co Engineer – the project's new estimated cost is \$180,500. This figure includes pavement markings per the engineer's list:
- (i) \$80k in OPWC grant dollars &;
 - (ii) \$100,500 from Twp road funds. This is up from the previous estimate of \$70.5k
- (b) Project funding includes future opwc grant dollars.
- (5) Indian Bridge lane: - paving project for 2012 with CDBG grant and OPWC grant - \$5,200 – see agendas of 2011 for details to date.
- (a) Additional planned upgrades to Indian Bridge lane planned for 2012 are:
- (i) Paving the west portion of the boulevard.
 1. In 2011 the Twp was approved to receive \$15,800 CDBG grant dollars in 2012 towards the paving project in grant funds
 2. The Twp is pledged to provide \$5,200 towards paving
 3. \$3000 for additional drainage pipes placed by co engineer in Jan Feb 2012.
 4. In April 2012 – Trustees hired Vandhey Lawn Care to remove stone from 3 cross-overs in preparation of paving by the County Engineer. This work was completed on 4-1 & 2 – billing is in this month's invoices.
- (b) Future effort - on Indian Bridge lane---
- (i) Previously, Trustee Bakle has indicated he will support applying for a CDBG grant in 2012 for pavement of the east side of the boulevard. Those grant dollars if acquired would be used in a 2013 project.
 - (i) In the April session Mr. Bakle was coordinating the grant writing process.
 - (ii) Mr. Bakle noted the grant was submitted to the Commissioners office in May.
 1. Tjh noted that a copy of the submitted grant needs to be on file in the Twp records and as of this session does not have a copy.
 2. Mr. Bakle said he would acquire one and provide to the fiscal officer.
 3. Mr. Bakle noted that the Commissioners will announce the projects to be funded in June.
- (6) Ball Road - 2012
- (a) Hot-mix patching – estimated at \$3,522
 - (b) A crack-seal –estimated at \$2,377 – completed by Co Engineer in April – invoice is in this month's packet.
 - (c) A chip & seal- estimated cost per the Co Engineer's office - \$9,380.
 - (d) Pavement markings – estimated at \$627
- (7) Cromley Road
- (a) A chip and seal on the portion from Krouse east for approximately 1450' - estimated cost \$3,204
 - (b) Pavement markings - \$326
 - (c) the stone was placed per the Feb assignment – charges posted as part of normal exp.
 - (d) In the March meeting - Trustees indicated they will not widen the road or chip seal the eastern portion in 2012 but will do this when the newly stoned portion of the road is upgraded via cement stabilization possibly in 2013.
 - (i) Trustees will discuss a cement stabilization of this section of the road with the County Engineer.
 - (e) During this session Mr. Bakle said he would contact Joe Webb to remove the high spots in the road.
 - (i) Repairs and the timing of (see items a, b, and d) will then to be determined by Trustees and the County Engineer.
 - (f) Mr. Bakle said he had been contacted by Jayme Price owner of a Motor Cycle Repair shop on Cromley road. Mr. Price is concerned that a chip and seal will cause damage to his business. Price believes that the tar will adhere to the bikes thereby costing him customers.
 - (i) Trustees Mayer and Peck thought that other residents would want the repair (the chip and

- seal) and that the wishes of the many outweigh the concern of one.
- (ii) Trustees Mayer and Peck decided to canvass the residents before committing to or cancelling the chip and seal.
- (iii) A report will be forthcoming at the June Twp session.

- (8) Kiser rd – new in 2012–
 - (a) A hot-mix patching - \$6,788

3. Financial impact review:

- i) The total amount of expenditures proposed for 2012 special projects by the County Engineer's office is \$226,908. This includes \$81k in grant funds for Hammersmith and \$18,700 in grants for Indian Bridge lane.
 - (1) Trustees are reminded that:
 - (a) Regular twp expenses are estimated – base on historical review, at between \$70,000 and \$100,000
 - (b) Anticipated total projected rd work to be posted to the Twp road funds in 2012 to date are at least - \$226,000 more or less (not including OPWC grant funds.)
 - (i) This is in addition to the 70 to 100k in line a above.
 - (ii) Total road project costs of twp funds (not including opwc) is \$235,882 at present.
 - (c) Anticipated revenues as noted in the 2012 amended certificate from the County Auditor for road work was \$156,345.00
 - (i) At present it is estimated that exp will exceed rev by about
 - 1. \$70,000 depending on the actual exp noted in b-i at year's end.
 - (2) The 2012 OPWC grant report update from the Co Engineer's Office – exhibit 6-c of April's session includes carryover funds from previous OPWC grants & documentation of expenses in 2012 on the Indian Bridge lane project –
 - (a) The opwc grants in funds from unspent portions of twp grants 2009 through 2011
 - (b) The expenditures from 09 through March 2012 were (\$31,737.00)
 - (c) The grant balance now stands at \$46,428.98
 - (d) The report indicates that the Hammersmith project is to be posted at least in part to future grants from this program.

4. The Chair asked if there were other projects/issues???

- i) Mike Daniels asked for two drums to store used motor oil from Twp equipment for a recycler.
- ii) The fiscal officer stated that he would contact the Defiance County Environmental Services Office to acquire to 55 gallon steel drums for this purpose.
- iii) The Twp would then contact the Recycler – D.I.S.C. Environmental Services – 151 East Andreus Road, Northwood, Ohio 43619 – Ph 419-691-3451 or email discenv@yahoo.com.

5. The June work assignments for the Twp crew – **exhibit 6-e**- were then handed out to staff that were present.

- i) Trustees noted that when employees are mowing road ditches the tractor is to stay on the road. Mow only what can be reached from the road..
 - (1) Trustees determined to edit the assignments and distribute to their employees.

6. Twp cemeteries –

- (1) Trustees determined to hire Don Bendele Construction to fix a wash out in Taylor cemetery.

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

- 1. The monthly (May12) GrassRoots clippings was reviewed and distributed as exhibit 7a.
- 2. Trustees reviewed exhibit 7-b, a notice to the Trustees from a Twp vendor (Stoneco). Stoneco will hold it's annual customer appreciation cookout from 11a to 1p on May 24th. Trustees and Township employees are invited.

ORDER OF BUSINESS NO. 8 – Personnel

- a) Trustees were reminded that in April's session all Twp employees were provided a receipt of notice of a state of Ohio contact to report fraud. (HB 66)
- i) At the April session employees were instructed to sign the acknowledgement sheet and provide it to the fiscal officer for records of distribution as required by HB 66.
 - (1) Employees that have not yet returned their sign off sheet are:
 - (a) Daniels
 - (b) Diemer
 - (c) Buchholtz
 - (2) Trustees were requested to contact these employees to seek compliance.
- ii) See State Auditor's bulletin 2012-003.
- b) Mrs. Mayer was recognized and asked if the Board should consider acquiring applications for another part time equipment operator's position. She felt an additional person is needed due to so many of our current part time employees having full time employment. Some of the work is not being done in a timely manner.
- c) Trustees in general thought the process could take place and they would decide after reviewing any applications whether another position is warranted.
- d) Trustees instructed the fiscal officer to prepare an ad to be run in the local paper seeking a part time equipment operator preferably with a CDL. The applications will be reviewed in the June regular Township Trustee session on the 26th.

ORDER OF BUSINESS NO. 9 – Old Business

- a) Mr. Peck then provided an up-date on "Fire-Rescue" regionalization discussion by Twp's and the City of Defiance.
- i) Mr. Peck said there will be a committee meeting the first week of June.
 - (1) The City wants each Twp to contribute to the cost of the consultant that the City hired to conduct these sessions.
 - (2) Mr. Bakle said that Tiffin Twp informed him that Tiffin will opt out of any agreement with the City of Defiance. Tiffin is forming their own rescue service unit.. Tiffin plans to participate on a mutual aide basis only.
- b) The Chair asked if there was any other old business
- i) There was none.

ORDER OF BUSINESS NO. 10 - New Business.

- 1) The Chair asked if there was any new business to come before the board?
 - a) There was none

ORDER OF BUSINESS NO. 11 - NEXT MEETING:

Date: Tuesday – June 26th, 2012.
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. Peck requested a motion to adjourn the meeting of May 22nd, 2012
 It was moved by: Bakle
 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