

Minutes
DEFIANCE TOWNSHIP TRUSTEES
May 22nd, 2017 MEETING

The Defiance Township Trustees met in regular session at the offices of Northwest Realty – 618 South Clinton Street, in Defiance Township, Defiance, Ohio, on Monday, May 22nd, 2017 at 6:30 p.m. Answering as present were Dan Peck, Jason Shaffer & Diana Mayer. Also present was Tim Houck, Township fiscal officer. With all two of three (3) members of the BOARD OF TRUSTEES having answered the roll, a quorum was declared.

Township employees present were: John Diemer 23361 Defiance-Paulding Co Line Rd 10- Defiance, Ohio.

Visitors present: none.

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 April 25th, 2017, 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 April - noted a primary checking reconciliation balance of \$230,307.10-- balance is minus the outstanding checks and Township investment funds & is taken from the Bank's monthly statement.
- b) Receipt report:
 - i) Receipts for May (UAN software-) were \$11,248.16.
- c) Payment reports:
 - i) Payments for May (UAN software-) were \$22,129.66.
- d) The Cash fund summary through May 21st, 2017, (UAN software) showed an "ending fund balance" of \$911,659.97.
 - i) The "cash available" for encumbrances (unencumbered fund balance- UAN software) was \$448,485.42.
- e) Appropriation Status showed that through May 21st, 2017 (UAN software), 7.8% 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 05-21-17 was \$705,648.39.
- g) The State Auditor's Office is conducting the audit of Twp fiscal year's 2015-2016. Exhibit 3-g was reviewed which was the pre-engagement letter from the State Auditor's Office.
 - i) The fiscal officer has provided the Auditor's office with all required/requested records for the audit.
 - ii) The Auditor of State has approved the Twp for an "agreed upon procedure" audit" – audit light. This will reduce the cost from a full audit.
 - (1) The fiscal officer estimated the audit to cost between \$3 & 4K saving the Twp approximately 2k.
 - iii) The audit should be completed by the end of June.
- h) Exhibit 3-h was a letter from the Defiance County Budget Commission, notifying all Twps of Def. Co that the Budget Commission changed the funding distribution for the 2018 local gov't funds.
 - i) In the past all Twps – accept Richland- rec'd 2% of the 27.5% portion that is assigned to Twps.
 - ii) The 2018 distribution will be 2.29% to all Twps accept Richland.
 - iii) Richland's portion was reduced from 5.5% to 2.31%.
 - iv) There was no further discussion by Trustees.

- i) May bills were then reviewed by Trustees and Signed.
- j) Payroll & May time cards (time cards provided trustees prior to session) – Trustees Reviewed & Signed.

Mr. Peck requested a motion to accept the May 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) May report
 - i) permits –
 - (1) Kevin Koffler- permit for garage
 - ii) Site reviews-
 - (1) Paul Sowers- pole barn
 - (2) Mike Rekyea- pole barn
 - (3) Mike Andrews- Pole barn
 - (4) Scott Sanford-room addition
 - (5) All are pending
 - iii) Nuisance-
 - (1) Sent letters to Mrs Grant- DAV and Scotty's – high grass and weeds
 - (2) Sent letter on property at 10 Lakeview Drive- Citi Mortgage – high grass and weeds
 - iv) Gave Dave Mick paper work for county Wide demolition project to be completed and returned to me.

Respectfully submitted
 John Diemer, Twp Zoning Inspector

- b) The Chair asked if there were any Zoning issues to be discussed by the Trustees.
 - (1) Trustees discussed the nuisance issues noted above.
 - (a) Trustees informed Mr. Diemer to mail notices of violations to the property owners.
 - (b) Trustees will have Twp personnel mow the properties - per zoning code - to abate the nuisance after the required waiting period has been met.
- c) The Chair asked if there were any other Zoning/nuisance issues to be discussed.
 - i) There were none.

ORDER OF BUSINESS NO. 5 -- Equipment;

- a) Comments or concerns from Twp employees on current or proposed new eq &/or safety items.
 - i) No issues reported as of this session.
- b) The Twp has purchased a 2017 1 ton truck. See meeting minutes from November 2016 forward for project details.
 - i) As of this session (March 2017) the truck has been ordered. Trustees approved the gov't discounted bid of Stykemain's of Def. in the amount of \$30,782.66. P.O. 27-2017 approved by Trustees covers this expense. See resolution 10-2017.
 - ii) We await delivery and final billing.
 - iii) All paper work is on file with the fiscal officer.
 - iv) There was no further discussion.
- c) Kalida Truck – a snow plow and spreader was also approved for purchase for the above noted truck. Refer to p.o. 28-2017 in the amount of \$13,300. See resolution 11-2017.
 - i) Trustees approved:
 - (1) \$6,700.00 for the plow – Boss v and;
 - (2) \$5,700.00 for the salt spreader – Swenson
 - (3) \$900 for light bar and safety lights..

- (4) As of this session Kalida Truck has notified the Twp (fiscal officer) that the above items are in. They await the truck to install the items.
- ii) There was no further discussion.
- d) The 2017 Twp budget for these purchases is \$60k.
- e) Sale of 1986 Ford Twp backhoe – purchased from ODOT in 2012. Trustees approved an effort to sell this item at their Jan. 2017 session.
 - i) The fiscal officer emailed Trustees (on 5-19)- exhibit 5-d - a draft of a proposed ad that solicits bids on this item to be opened at the June Twp session.
 - ii) Trustees reviewed and approved the ad.
 - iii) Quotes will be reviewed at the June 27th session with bidders present afforded the right to increase their bid.
- f) Sale of 1997 Twp John Deere tractor – during the Feb. 2017 session Trustees desire to sell this unit.
 - i) The fiscal officer emailed Trustees (on 5-19) – **exhibit 5-e**- a draft of a proposed ad that solicits bids on this item to be opened at the June Twp session.
 - ii) Trustees reviewed and approved the ad.
 - iii) Quotes will be reviewed at the June 27th session with bidders present afforded the right to increase their bid.
- g) The fiscal officer reported that he had been informed by UAN that new computers will be distributed to all Twp's in 2017.
 - i) The fiscal officer seeks approval from the Trustees to ask UAN to provide a service tech to transfer data from the current computer to the new one once it is delivered.
 - ii) Trustees approved.
- h) Trustees reviewed exhibit 5-g a notice from John Deere company – selling extended warranty on the Twp's JD 5100e series tractor purchase in 2016.
 - i) Trustees had rejected this offer in 2016.
 - ii) Trustees again rejected the extended warranty.
- i) The Chair asked if there are any other equipment issues to be discussed..
 - i) There were none.

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

- a) Trustee Report (exhibit 6-a) – Monthly Twp Rd inspection by Trustee Shaffer was reviewed..
 - i) It was noted that most roads need mowed.
 - ii) There was also noted a need for some berming and hot mix patching.
 - iii) Crews are to be instructed to use the report as their work assignment list for June.
 - iv) The June Rd review is to be by Trustee Peck.
- b) **2017 Road projects:**
 - i) At this session (May) the proposed 2017 project list is as follows approved by Trustees at their Feb. 2017 session. Projects are to be managed or completed by the Defiance County Engineer's office on the Township's behalf.

(1) Chipseal:

(a) Ashwood rd .5 miles north of dead end to 424 - 4023'	\$6,775.41
(b) Parkview Drive (entrance) 1304'	\$1,357.00
(c) Parkview loop 1,237'	\$1,288.00
(d) Schroeder Street 1178.8'	\$1,227.00
(e) Kiser rd from Krouse to keller – 5,326'	\$8,969.00
(f) Kiser rd from keller to Canal – 5,317'	\$8,954.00

(2) Hot mix patching:

(a) Bowman f Campbell to Williams – 1- 100'	\$1,475
(b) Cromley 475'	\$6,225
(c) Def/Pau co Line rd #8 – f Hammersmith to Powers – 4 patches	\$11,198
(d) Karnes rd f bowman to Watson 1 patch - 138'	\$1,809

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|--|---------|
| (e) Kiser f keller to canal – 5 patches – 756' | \$9,495 |
| (f) Kiser f Keller to canal – 1 patch – 243' | \$2,190 |
| (g) Sponseller rd f co line to bowman 2 patches – 200' | \$2,294 |
| (h) Lakeview – drive – 9 patches – 727' | \$8,338 |
| (i) Parkview dr – 6 patches – 611' | \$5,005 |
- (3) **Total estimated expenses for these projects** **\$76,500** more or less depending on actual quotes from contractors.
- (4) Per email dated 3-9 (forwarded to Trustees) from the County Engineer the above projects are not OPWC grant eligible.
- (5) Completed items will be removed once the bill is processed.
- (6) The chair asked for discussion
- (a) Trustees noted that the above work is underway.

ii) Twp projects by Twp staff or other contractors for 2017:

- (1) During the May 2016 Trustees session – Trustees determined to purchase 1 or 2 catch basins/grates and replace tile on Krouse road south of Hammersmith.
- (a) In the Dec. 2016 session Trustees determined to address this project in the spring of 2017. Material was purchased in 2016.
- (b) Project awaiting weather conditions.
- (c) May session update.....
- (i) Trustees report this project is still on hold.
- (2) During the May 2016 session Mr. Shaffer was approved to contact County Engineer Warren Schlatter to have the County repair a road issue at Ginter and Carter – storm water collection and ruts in road pavement.
- (a) In the December 2016 session Trustees determined this item is to be addressed in 2017 under Co Engineer's work.
- (b) In Feb. 2017 Trustee Shaffer stated the project is on the Co. Engineer's list.
- (c) In Mar 2017 the project is awaiting Engineer's work.
- (d) In April 2017 the project is awaiting Engineer's work.
- (i) Trustees and the Co. Engineer agreed that this road should be widen. To accomplish that right of way needs to be acquired and the road would be re-paved. Until that is reviewed and budgeted a temporary repair is to be done by the Co Engineer.
- (e) Exhibit 6-b-2 presented at the May session is notice from the Co. Engineer that this project (temporary repair) is completed.
- (i) The cost was \$4,151.89 and was posted to future OPWC grant funds for Def. Twp.
- (ii) Trustees believe the effort to widen will take place in several years. This item will be removed from future agendas until the widening effort begins.
- (3) In Jan 2017 - Trustees noted that a sink hole had developed on Bowman Rd between Campbell and Williams.
- (a) As of Jan 24th session, Trustees were to contact the Co. Engineer to determine the best repair.
- (b) In Feb. Trustee Shaffer is to review with Co Eng and report at the March session.
- (i) Trustees instructed crew to purchase cones and mark the area.
- (c) April session update.....
- (i) Area was marked as directed.
- (d) May update
- (i) Trustees note that the sink hole is caused by a residents title discharge.
- (ii) The issue is not causing a problem with the Twp road.
- (iii) Trustees note this is the residents issue.
- (iv) This issue will be removed from future agendas.
- (4) At the April 2017 session - Storm water issues on Hammersmith Rd. were discussed. The area of concern is on the north side of the road beginning Myers resident at the west end and ending at the east end at resident of Tom Mick.
- (a) Def. Co. Soil and Water's Jason Roehrig presented Trustees with a review of his study of the issue.
- (b) Primary problem area is a drive pipe at the Tim Wiseman property. This pipe is to high in elevation and is nearly full of silt and is partially crushed.

- (c) Most drive pipes of these residents have similar issues in varying degrees.
 - (d) Soil and Water suggests Trustees inform residents to replace and or reset drive pipes. Then if the ditch needs graded the Trustees can proceed. Grading would not help until the drive pipe issues are addressed.
 - (e) Trustees noted that drive pipes are the responsibility of the land owners/residents.
 - (f) Trustee Peck sent an email dated 5-4-2017 (exhibit 6-ii-4 of the May session) to resident Christy Brown and realtor Matt Joost containing Soil & Water's findings.
 - (g) Soil and Water presented Trustees a ditch profile with an aerial of the area and with pictures of several of the drive pipes.
 - (h) May session update...
 - (i) Trustees order the issue removed from future agendas until residents address their drive pipes.
- (5) The Chair asks if there were any other new projects...
- (a) Mr. Peck noted he had been contacted by Joe Webb on Cromley road.
 - (i) Mr. Webb wants the Twp to do more than just grade the drainage problem on this road.
 - (ii) (the Twp graded the road in May to facilitate better drainage.)
 - (b) Trustees agreed to review the issue with the Co. Engineer and acquire from the engineer options to repair. Trustees believe the current grading repair is goods for some time and the more aggressive effort will be scheduled for 2018 or 19 depending on cost and budget.
 - (c) There were no other new issues brought forth.

c) A financial impact review by the fiscal officer:

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

(1) Total road fund revenues year date are	\$80,445.89
(2) Total road fund expenses year to date are	\$ 9,482.82

- ii) Anticipated revenue for 2017 – based on the January 6th Twp amended certificate is:

- (1) \$167,715 more or less

- iii) Anticipated expenses for 2017 – as of this session:

- (1) Regular twp. expenses are estimated – based on historical review, at between \$70,000 and \$100,000 – would include Twp projects listed above:
- (2) \$76,500 for Co Eng work
- (3) \$44,000 for truck and plow/spreader purchase.
- (4) Total **\$220,500** worst case scenario.

- d) A recap of the OPWC grants – see minutes of previous sessions for history. An update was received from the Co Engineer's Office dated 05/16/2017 and is presented to Trustees as exhibit 6-b-2 of this session. The update included expenditures from future OPWC grants that the Twp. might receive.**

- (a) Current status – the OPWC report of 05-10-17 indicates that the Twp had used in 2017 a total of \$4,151.89 of future grant funding bringing the total of future funds used now totals \$19,051.93.

- (b) The Engineer has previously 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 7 years or a total of \$175k remaining give or take.

- e) The Chair asks if there is any other discussion regarding the fiscal impact report.

- i) There was none.

- f) Twp cemeteries –

- i) The Chair asks if there are any cemetery issues to be discussed.

- (1) Cromley cemetery civil war veteran James Clark headstone placement. This effort is being addressed with the Def. Co Veteran's Office. See mins of Twp sessions of Jan thru April 2017 for details.

- (2) As of the May 2017 session:

- (i) The Trustees personnel will pour the pad and set the stone.

- (ii) The Twp awaits the head stone and will be contacted by the Veteran's Office when it arrives.

- (3) The Chair asks if there are any other cemetery issues for discussion...

- (a) There was none.

ORDER OF BUSINESS NO. 7 – Personnel

- i) Trustees reviewed concerns they are having with Twp employee Harry Railing.
 - (1) Trustees noted that the Twp scheduler Brian Grant had informed them that Mr. Railing is failing to follow the instructions and work assignments as issued by Mr. Grant.
 - (2) Trustees will be meeting with Mr. Railing and inform him that he must follow Grants work assignments.

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

- a) Monthly (May17) GrassRoots clippings – exhibit 7a was distributed.
- b) A handout announcing the annual Stone-co customer appreciation bbq was reviewed.
 - i) This item will be posted at the Twp building on Hammersmith rd so that employees of the Twp may attend if their choose.

ORDER OF BUSINESS NO. 9- Old Business

- c) The Chair asked if there was any other old business to come before the Board?
 - i) There was none.

ORDER OF BUSINESS NO. 10 - New Business.

- a) The fiscal officer forwarded an email on 5-19-17 from the Prosecutor's office to Trustees. This email provided draft language for a resolution prohibiting/restricting the number of cultivators, processors, or retailers of medical marijuana in def Twp. The email also contained orc section 3796.29 relating to this issue.
 - i) The fiscal officer has prepared a resolution (**res 14-2017**) for Trustees to review – edit – adopt or reject.
 - ii) Discussion..
 - (1) Trustees developed several questions and moved to table the issue until they could speak with the prosecutor's office.
 - (a) Concerns:
 - (i) The draft resolution from the prosecutor's office seems to stop any sale or growth of marijuana in Def. Twp.
 - (ii) Trustees do not oppose medical marijuana use. (now state law approved).
 - (iii) Trustees are opposed to non-medical use, growth, sale of marijuana.
 - (2) Mr. Peck will review Trustees concerns with the prosecutor.

Mr. Shaffer moved to table

Mrs. Mayer seconded

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

The motion to table res 14-2017 was approved.

- b) The Chair asks if there was any other new business to come before the board?
 - i) There was none.

ORDER OF BUSINESS NO. 11 - NEXT MEETING:

- a) The next regular session.

Date: Tuesday – June 27th, 2017.

Time: 6:30 p.m.

Place: Northwest Ohio Real Estate Services - 618 S Clinton St, Defiance, OH 43512

ORDER OF BUSINESS NO. 12 – Adjournment:

- a) Mr. Peck requested a motion to adjourn the meeting of May 22nd, 2017.

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