

Minutes
DEFIANCE TOWNSHIP TRUSTEES
May 23rd, 2023 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 23rd, 2023 at 6:30 p.m. Answering as present were Diana Mayer, Dan Peck, & Jason Shaffer. With three (3) of three (3) members of the BOARD OF TRUSTEES having answered the roll, a quorum was declared.

Township employee(s) present were: Steve Buchholz 1615 S Clinton St., Harry Railing 14951 Power Dam Rd., & John Diemer 23361 Defiance-Paulding Line Rd. all of Defiance, Ohio.

Visitors present: Stacie Wagner- 308 Tiedeman St., Vicki Solly 20096 Powers Rd., Patti Diemer 23361 Defiance-Paulding Co. Line Rd., & JoEllen Houck 8 DeVille Dr., all of Defiance, Ohio.

ORDER OF BUSINESS NO. 1

Reviewed and approved the minutes of the previous session(s).

The Chair requested a motion for the approval of minutes from the April 25th, 2023 regular session.

Mrs. Mayer moved to approve the minutes as presented.

Mr. Shaffer 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) Vicki Solly was recognized. She stated she has a problem with her neighbors' barking dogs. She asked Trustees to consider adopting a noise ordinance and provided Trustees with a copy (marked exhibit 2-1 for this session) of the noise ordinance from Genoa Ohio Township.
 - i) Solly also stated that she had contacted both the Def. Co. Sherriff's Office and the Def. Co. Dog Warden and was told there were no ordinances in place for Def. Twp. regarding barking dogs. However, the S.O. sent a deputy to speak with the neighbor. Solly thinks the issue may be resolved.
 - ii) Trustees responded that they would look into the issue. Trustee Peck will review with the Prosecutor's office.
 - iii) Trustees thanked Mrs. Solly for the copy of the ordinance from Genoa Township.

ORDER OF BUSINESS NO. 3 - FINANCES –

1) The following financial reports provided to the Board were reviewed.

- a) The Reconciliation for April - noted a primary checking reconciliation balance of \$429,442.31 - 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 \$22,302.43.
- c) Payment reports:
 - i) Payments for May (UAN software-) were \$41,064.69.
- d) The Cash fund summary through- May 22nd, 2023 (UAN software) showed an "ending fund balance" of \$1,578,984.91.
 - i) The "cash available" for encumbrances (unencumbered fund balance- UAN software) was \$1,019,890.80.
- e) Appropriation Status showed that through May 22nd, 2023 (UAN software), 6.3% 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 05-22-2023 was \$1,178,243.45.
- g) American Rescue Plan Act – Def. Twp – refer to mins of Twp sessions from July 2021 forward for details.
 - i) The Ohio Office of Budget Management (OBM) is managing the grants for many of Ohio's political subdivisions.

- (1) As of this session the Def. Twp award is for \$176,505.54 + \$353.32 from OBM received in April 2022.
 - (a) Total expended to date is \$158,703.95. per resolution 10-2022 on the Bowman Rd rebuild 3rd mile segment.
 - (2) In the January 17th, 2023, Twp session Trustees approved resolution 10-2023 which designates use of the remaining grant funds on the 2023 Bowman Rd rebuild project – 4th mile segment.
 - (a) Remaining funds in this fund line is \$32,154.00.
 - (3) Required April 30th fiscal report to US Dept of Treasury –
 - (a) The fiscal officer has e filed (on 4-17-23) the required fiscal report due April 30th to the US Department of Treasury. (e filed without attachments)
 - (b) The US Dept of Treasury was called for assistance in attaching documentation - the fiscal officer is awaiting a response.
 - (c) The fiscal officer also noted that once the funds have been expended the grant will be closed out.
 - (4) The chair asks if there are any questions?
- h) ODOT grant “Twp Stimulus Program”. Funding provided by Federal government – part of covid relief to states. See mins of sessions from August 2021 forward for details.
 - i) On November 23rd, 2021, the County engineer prepared grant applications:
 - (1) The Twp was awarded a grant of \$175k for the reconstruction of Ginter Rd. (joint project with the City of Defiance).
 - (a) The fund line in the UAN system has been set up and the award/grant has been posted to the fund.
 - ii) As of this session:
 - (1) The money is appropriated as the project is to take place in 2023.
 - (2) The Trustees are utilizing the County Engineer as project coordinator.
 - (3) The County Engineer is working with the City of Defiance preparing bid specs.
 - (4) The first qrt 2023 report was filed by the fiscal officer with ODOT on April 12th. ODOT has acknowledged receipt of the report.
 - (5) The chair asked for any discussion?
 - (a) There was none.
 - i) May bills through the 22nd, – Trustees Review – Discussion and Signature.
 - j) Payroll & May time cards – Trustees Review – Discussion and Signature.
 - k) 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 monthly Zoning report -
 - i) permits issued:
 - (1) none
 - ii) Zoning issues:
 - (1) Signed land split for Matt Siebert on State Route 15
 - (2) Talked to Steve, from a fencing company about a fence on Lake View Drive
 - iii) Nuisance violations:
 - (1) None
 - iv) Site reviews:
 - (1) None
 - v) Misc :
 - (1) Numerous called about auctioned property on State Route 111

Respectfully submitted
John Diemer, Twp. Zoning Inspector

- b) The Chair again asked if there were any other zoning or nuisance issues to come before the Board.
 - i) There were none.

ORDER OF BUSINESS NO. 5 -- Equipment;

- a) Comments or concerns from Twp employees/Trustees on current or proposed new eq &/or safety items.
 - i) Possible new truck to replace 2005 F550 – refer to mins from July 2022 Twp session forward for details.
 - (a) As of this session we have received a copy of the bid specs from Stykemain’s Paulding store - The sales rep is Brian Davis – brian@stykemainchevy.com.
 - (i) Update if any?
 1. As directed by Trustees, the fiscal Officer has contacted the City of Defiance and Def. Co. and both entities use Sourcewell of 202 12th Street NE – P.O. 219 Staples, Minnesota 56479. Sourcewell acts like DAS in Ohio and conducts large public bids which include vehicles.
 2. An application for membership has been filled out and submitted.
 3. Def Twp has been approved as a SourceWell member.
 4. All data – as directed by Trustees at the April 2023 session was submitted to the County Prosecutor’s office for review and approval.
 - a. **Exhibit 5-a** is the approval letter from the Co. Prosecutor’s Office.
 - b. **Exhibit 5-b** – is the SourceWell coop purchase agreement and the;
 - c. Defiance Twp’s membership number - **226420**.
 - d. SourceWell contact is:
 - i. **Shania Glenz** | Client Solutions Advisor
 - ii. Office: 218-541-5359
 - iii. Website: sourcewell-mn.gov
 - e. Discussion –
 - i. Trustees believe there is a snow plow unit at a local dealer that is not believed to be part of DAS or SourceWell.
 - ii. Trustee Peck asked if a local dealer could provide a quote less then the DAS or SourceWell bid – could the Twp accept that as having met the public bid criteria.
 - iii. The fiscal officer stated that would be a question for the Prosecutor.
 - iv. Trustees will seek the guidance of the Prosecutor’s office on that question.
- ii) The Chair asked if there are any other equipment or safety concerns.
 - (1) There were none.

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

- a) Trustee Report (**exhibit 6-a**) – Monthly Twp Rd inspection by Trustee Peck.
 - i) Mr. Peck noted all roads looked good.
 - ii) The June review is to be by Trustee Shaffer.
- b) 2023 Road projects:
 - iii) Trustees are to refer to exhibit 6-b dated 4-11-23 of the 4-25-23 session, which is an update to the project list dated 1-20-23 from the Co. Engineer’s office. This is the 2023 list of projects for the Co. Engineer & includes the estimates of expenses for the 2023 4th mile of the Bowman Rd rebuild project.
 - iv) The road maintenance program is tracked separately in this agenda from the Bowman Rd rebuild or other Twp road expenses assigned by Trustees to Twp personnel or other private contractors.

(1) Co. Engineer road maintenance projects approved are as follows for 2023:

	Est.	Actual cost
(a) Paving: - no paving projects for 2023.		
(i) Total paving	\$0	
(b) Chipseal:		
(i) Kiser Road – from Krouse to Keller - 5325’	\$12,998.00	\$
(ii) Kiser Road – from Keller to Canal – 5,316’	\$12,982.00	\$
(iii) Parkview Drive – 2,560’	\$ 3,389.00	\$
(iv) Schroeder Street – 1,182’	\$ 1,562.00	\$
(v) Estimated total exp. of chip seals	\$30,931.00	\$

(c) **Patching:** for 2023 –

(i) none proposed.

(d) **Crack Seal**- none in 2023

(e) **Pavement Markings:**

(i) Kiser rd – Krouse to Canal – 10,641;

\$6,321.00 \$

(f) **Total est and final expenses for 2023-**

\$37,252.00 \$

v) Re-build and widen 4 miles of Twp's portion of Bowman Rd. – see mins from Feb. 2018 for history.

(a) There was no construction work done in 2019 due to scheduling issues.

(b) Approximately 1 mile of the 4 mile project was completed in 2020:

(c) Approximately 1 mile of the 4 mile project was completed in 2021.

(d) Approximately 1 mile of the 4 mile project was completed in 2022.

(e) TOTAL ESTIMATED ON BOWMAN PROJECT IN 2023 is \$160,895.00

(f) Proposed 2023 effort is the final mile of this project - 5448' or approximately the 4th mile.-
Campbell to Power Dam

(i) **Prep work by Co Eng.** Warren est. 30k +/- will be posted to OPWC

a. **Est. cost**

Actual cost

i. 30k +/-

\$

(ii) **PAVING: -**

a. **Est. cost**

Actual cost

i. \$107,286.00

\$

(iii) **Pavement Markings: -**

Actual cost

i. \$2,979.00 -

\$

(iv) **WIDENING: -**

a. **Estimate**

Actual cost

i. \$50,630.00

\$

(v) TOTAL CASH ESTIMATED ON BOWMAN PROJECT IN 2023 is \$160,895.00

1. Trustees have determined to dedicate the Twp's remaining American Rescue Plan grant to this project. Refer to item 3-g above.

(2) Per past practice, the County Engineer's Office will coordinate all activity.

vi) Twp projects by Twp staff or other contractors for 2023:

(1) The Chair asks if there are any proposed or in progress projects for the Twp staff or private contractors for 2023?

(2) Re-build Ginter Rd. from Jefferson Ave. (St. Rt 66) to Carter Rd - see mins from Jan 2020 forward for details.

(a) Trustees and the City agreed to a rebuild project. An agreement is on file and prints out a summary of the work to be performed.

(i) Estimated project cost is: \$162,296.49.

(ii) this is for road reconstruction only – the City has agreed to pay for the proposed sidewalk-bike path.

(iii) As of 03-29-22 an ODOT stimulus grant written by Co. Eng. Schlatter on the Twp's behalf was approved for funding this project.

1. The grant award is for \$175k

(iv) This grant has been posted to Twp fund lines as of this session.

(b) This project is scheduled for 2023.

(c) The County Engineer and the City of Def are working on a bid spec packet as of this session.

(d) Discussion:

(i) none

(3) Rebuild of Carter Rd. refer to mins of 8-24-21 Twp session.

(a) Trustees to determine timeframe based on available road dollars in the Twp road funds:

(b) Discussion:

(i) None

(4) Trustee Shaffer noted that there is a drainage issue at Lowel and Brand Rds. The County Engineer can

no longer take on these efforts per Mr. Shaffer. Shaffer suggests the Twp contract with Russ Steffel Excavating.

- (a) The fiscal officer is to check if the required I-9 and Non OPERS forms are on file. If not then whoever is selected to do the work will need to fill these two forms out and return to the fiscal officer before a check can be issued.

c) **2023 financial impact review by the fiscal officer:**

i) The fiscal officer reported:

- (1) Total road fund revenues year date are **\$121,709.39**
- (2) Total road fund expenses year to date are **\$ 13,024.13**

(a) These figures are tracking road tax revenues regularly received and expended by the Twp.
(b) **These figures do not include the grant money- American Rescue Plan or ODOT stimulus.**

(c) Road salt purchased - 2023– total \$0

ii) Anticipated road funds revenue (tax receipts) for 2023 – based on the January 6th, 2023 1st Twp amended certificate was:

- (1) \$227,400 more or less

iii) Anticipated expenses for 2023 – as of this session:

(1) Regular twp. expenses anticipated for the year, barring emergencies. The estimate for 2023 – based on historical review, is placed at between \$70,000 and \$100,000 – would include Twp projects estimated or completed so far this year.:

(2) 37k +/- Road maintenance program by Co. Engineer - has been estimated by Co Engineer refer to item 6-b of this agenda - proposal from Co. engineer.

(3) \$160k – estimated for Bowman Rd rebuild in 2023 – refer to exhibit 6-B dated 4-11-23.

(a) To be funded in part by American Rescue Plan grant per Trustee resolution 10-2023.

(4) 40k savings towards Carter rd rebuild - project - unless Trustees determine another project.

(a) 40k was earmark in the 2022 budget so at end of 2023 80k should be available.

(5) Possible truck purchase to replaces F550 – set aside is \$165k

iv) Total est. exp for 2023 is between \$380 and \$500k –

v) Discussion;

- (1) There were no additional comments.

d) **A recap of the OPWC grants (LTIP & Issue 2)–** see minutes of previous sessions for history. An update was last received from the Co Engineer's Office dated 2-8-23- refer to exhibit 6-d of the February 28th meeting.

i) Current status as reported by the fiscal officer

(1) The Engineer had previously informed the Trustees that with the passage of issue 1 several years ago the law promises the grants. The average annual grant for Def Twp. is \$25k for the next 2 years (2023 & 24) or a total of \$50k remaining give or take.

(2) The 2023 grant of \$18,000.00 is posted to Twp grant as of 2-8-23 as noted on the 2-8-23 exhibit.

(a) Grant fund balance as of 02-08-23 is minus (\$9,910.73) as noted on the exhibit.

(3) –OPWC grant work anticipated for 2023

(4) Prep by co eng staff on final mile of the Bowman rd rebuild project.

(a) Trustees are reminded that there is no longer a discount in effect from the Co. Engineer for work done on the Twp's behalf by Engineer staff.. Use of funds is 100%.

(5) Discussion:

- (a) none

e) The Chair asked if there was any other discussion regarding the fiscal impact report or other road issues?

i) There was none.

ORDER OF BUSINESS NO. 7 - Cemetery issues for discussion.

a) The Chair asked if there are any cemetery issues for discussion?

i) There was none.

ORDER OF BUSINESS NO. 8 – PERSONNEL

a) The Chair asks if there are any personnel issues for discussion.

b) Probationary employee Chris Harrow has completed his probationary period. If retained- beginning June 1st – per the hire in resolution – Harrow will receive a pay rate of \$17 per hour.

- i) Trustees need to determine if Harrow has successfully completed his probationary period.
- ii) Discussion?
 - (1) Trustees agreed that Harrow has successfully completed the probationary period and approved – per the hire in resolution – the pay rate to be increased to \$17 per hour as of June 1, 2023.
 - (a) See resolution 14-2023
- c) Zoning Commission – appoint to alternate Bd. position. This opening occurred when Trustees appointed Patti Diemer to the regular Board to fill the seat of Richard Wagner who had passed away.
- d) Nominations if any to fill the unexpired Alternate term of Patti Diemer?
- i) **ZONING COMMISSION**

Randy Wilde	14726 St Rte 111- Defiance	419-393-2897	jjyold@artelco.com	12-31-25
Sam Bok	11310 Krouse Rd - Defiance	419-782-0012	jawscows@defnet.com	12-31-25
Ed Steffel	15829 State Rt. 111 Defiance, Ohio 43512	419 393 2357 home		12-31-23
Tom Mick	21389 Hammersmith Road - Defiance		twmick@defnet.com	12-31-23
Patti Diemer	23361 Def. Paulding Co. Line Rd 10 – Defiance, Ohio 43512	419-439-3181 cell 419-393-2009 home	Pdiemer1961@gmail.com	12-31-24
ALTERNATES				
Donald Gorrell	15656 South St. Rt. 66 – Defiance, Ohio 43512	419 399 7699 cell 419 393 2076 home	Gorrell1155@gmail.com	12-31-23
Open position				12-31-24

- ii) Discussion
 - (1) Trustee Peck was appointed to consult with the Def. High School to get a recommendation of a student for this position. Trustees believe this to be an educational opportunity for the named student.
- iii) Mr. Peck asked if there were any other personnel issues.
 - (1) There were none.

ORDER OF BUSINESS NO. 9 - Handouts.

- a) Monthly (May 23) GrassRoots clippings – **exhibit 9-a**
 - i) Discussion.
 - (1) There was none.

ORDER OF BUSINESS NO. 10 - Old Business

- a) The Chair asks if there is any old business to come before the Board?
 - i) Defiance Twp is to host the 3rd quarter Defiance Co. Township Association meeting- July 20th..
 - (1) 3rd qrt session –Trustee Peck is to find a location?
 - (2) Food?
 - (3) Trustees should coordinate with Association President Ted Penner – 419-576-9726 – email noble43512@yahoo.com.
 - (4) Discussion..
 - (a) Trustees will contact the VFW to determine if that organization would host the meeting.
 - (b) Trustee Peck will contact the Co. Twp Association to determine what the budget is for this meeting.
 - ii) OTARMA Safety Inspection of 11-21-22 – report on recommendations.
 - (1) Per Trustee direction, the fiscal officer emailed the Twp response for the inspection’s recommendations on May 5th, OTARMA’s inspector – Becky Adams responded acknowledgement of the Twp’s response. There is no further action required at this time.
 - (2) Discussion.

- (a) There was none. This item will be removed from future agendas.
- iii) Harding Rd bridge damage – State Farm insurance.
 - (1) A second notice was received from the Co. Comm. Office regarding the payment for damages to the Bridge from an accident on March 13th, 2023.
 - (2) This information was forwarded by the fiscal officer to the Trustees and the Co. Engineer on May 19th.
 - (3) Discussion if any.
 - (a) There was none.
- b) The Chair asked if there was any other old business to come before the Board.
 - i) There was none.

ORDER OF BUSINESS NO. 11 - New Business.

- a) The Chair asks if there is any new business to come before the Board?
 - i) **Exhibit 11-1** is a letter from the Defiance Co. Comm. regarding the County’s electric aggregate program. The letter asks if Def Twp Trustees desire to participate.
 - (1) Discussion.
 - (a) No action was taken.
 - ii) Ms. Lynn Sandsor of AECOM – emailed the Twp on May 8th asking if the Trustees had any construction projects near the section of gas pipeline that runs through Def. Twp. The fiscal officer forwarded the email to Trustees on May 12th.
 - (1) Discussion if any.
 - (2) The fiscal officer is to email Ms. Sandsor and inform her that there are no projects near the gas pipeline, to the Trustees knowledge, at this time.
 - iii) The Def. Co. Comm sent an email May 11th to the fiscal officer regarding a Co. wide broadband meeting. This email was forwarded to Trustees on May 12th. The Co. wide meeting was held May 16th –
 - (1) The Chair asks if there is any discussion.
 - (2) There was none.
- b) 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:

- 1) The next regular session.
 - a) The next session.

Date: Tuesday, June 27th, 2023 regular business session.
Time: 6:30 p.m.
Place: Defiance County Commissioners building
 2nd floor conference room
 500 Court St.
 Defiance, Ohio 43512

ORDER OF BUSINESS NO. 13 – Adjournment:

- 1) Mr. Peck requested a motion to adjourn this meeting of – May 23rd, 2023.
 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