

Minutes
DEFIANCE TOWNSHIP TRUSTEES
May 28th, 2013 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 28th, 2013 at 7:00 p.m. Following the Pledge of Allegiance the Chair instructed the clerk to call the roll. Answering as present were Diana Mayer, Daniel Peck, & Charles A. Bakle Jr., 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, & Mike McKibben 28678 Steinmaier rd., - Defiance, Ohio.

Visitors present: Penny Bakle 1204 Wayne St, Richard Ankney 19133 Hammersmith rd., Steve Plummer "Westside CDL Testing Center" (former Carter Lumber Co property), 20308 Co. Rd 424 west, & JoEllen Houck 8 Deville Drive, - Defiance, Ohio.

ORDER OF BUSINESS NO. 1

Reviewed and approved the minutes of the previous session.

Chairman Bakle requested a motion for the approval of minutes from the April 23rd, regular Township session.

Mr. Peck moved to approve the minutes as presented.

Mrs. Mayer seconded.

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

The minutes for the April 23rd, regular session were approved.

ORDER OF BUSINESS NO. 2 - Citizen concerns:

- 1) The chair asked for citizen concerns from the floor.
 - a) Mr. Plummer was recognized. Plummer presented information (on file "Westside CDL Testing Center") regarding his proposed business effort to provide CDL Testing and Training at this Defiance Business. He stated that the State (ODOT), & our legislators have been unresponsive to his requests for assistance to establish this business. Plummer stated that the State had indicated that there are no training dollars available at this time so without the training no one can be certified to train CDL applicants.
 - i) He also asked for the procedure to erect a sign on his property noting his business. He was referred to the Twp's Zoning Officer Mr. Shaffer. Shaffer said he would get with Mr. Plummer to fill out the proper forms and collect the fees and review the placement restrictions.
 - b) Mr. Plummer then asked if the Trustees could assist him in his effort to establish his CDL Training business.
 - c) Mr. Bakle will discuss this with the County Economic Development Office. Trustees noted that they had sent letters to our state representatives in support of the business effort., (copies on file Twp records)
- 2) Mr. Ankney was then recognized. He stated that the catch basin at the corner of Harding and Garmin road serving the Twp lot on the north side of Garmin needs repaired. Ankney said the top of the catch basin probably needs replaced.
 - a) Mr. Bakle noted that a catch basin on Hammersmith near the residence of 21263 also needs repairs.
 - b) Trustees said they would review the two catch basins and determine the repair process. Trustees then instructed Mike McKibben to measure the catch basin top on Harding/Garmin and check with the engineer to ascertain if they had one in inventory. .

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 \$332,730.26-- 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 \$15,518.65.
- c) Payment reports:
 - i) Payments for May (UAN software) 2013 were \$6,717.08.
- d) The Cash fund summary through May, 2013, (UAN software) showed an "ending fund balance" of \$1,041,352.71.
 - i) The "cash available" for encumbrances (current reserve- UAN software) was \$492,140.34.
- e) Appropriation Status showed that through May 25th, 2013 (UAN software), 8.6% 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 05-25-13 was \$704,239.52.
- g) Trustees reviewed and signed the May bills.
- h) Payroll & May's time cards (time cards provided trustees prior to session) were reviewed without comment and signed .

Mr. Bakle requested a motion to accept the May financial reports.

MOTION by: Peck
 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 2013.
 - ii) Received a complaint from William Shawley, reference 1429 South Jackson St. I looked at the property, and advised the owner John E. and Jean Ann Jacques, that there were in violation of Defiance Township Zoning. I advised them to have the Junk, and the semi trailer removed by May other, 2013. As of last week, the trailer was still there. I am going to file charges on the owner by this Friday, if it is not removed.
 - iii) Building Permits were issued to:
 - (1) Larry Cameron, 14748 Power Dam Rd. for a roof.
 - (2) Sam Bok, 11310 Krouse Rd. for a pole barn.
 - (3) I have several more and am awaiting paperwork from Defiance Water/Soil.
 - iv) Received word from Maumee Valley Planning, along from Defiance County Engineer, Warren Schlatter, that FEMA, has moved the FEMA flood plain, from 692 feet to 701, which put some houses on Power Dam Rd in FEMA flood plain, which will not let any type of building take place. Dennis Miller from Maumee Valley Planning advised that he would not approve of any type building to take place. Warren stated that it changed 2 years ago, but no one was notified of the change; including the residents of the flood plain area.
 - (1) I then received a call from Matt Killion, from the Hydroelectric Plant, stating that he was calling for Rick Sanford, Robert Pasterz brother in law, that he could build his garage, but it was off the record. This action is intolerable, that all records concerning Zoning, are legal documents, and are on the record, not off the record. Therefore, I want the City of Bryan Administrator to sign any building permits, that pertain to the Hydroelectric Plant, not Matt Killion.

Jason A. Shaffer
 Zoning Inspector
 Defiance Township
 Defiance, Ohio 43512

- b) Chairman Bakle asked if there were 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

- i) Jason Shaffer stated that the JD Tractor needs hoses replaced. International dump also needs work.
 - (1) Trustees instructed Shaffer to get cost estimates and provide to fiscal officer to ensure funds are encumbered.
 - ii) Mr. Bakle asked employees present when they thought the sprayer would be ready for use.
 - (1) McKibben stated he is close – however – he cannot purchase the chemicals at this time. He tried the Pleasant – Bend & Jewell elevators and was told they could not sell to him. There appears to be an issue with requirements to purchase for commercial – public application. Trustees and McKibben to further review.
- b) There were no other equipment issues noted.

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

- a) Trustees reviewed (exhibit 6-a) the monthly Twp Rd inspection by Trustee Bakle.
 - i) Trustee Bakle noted that the monthly road report is the monthly work assignments for Twp operators.
 - ii) The report notes mostly mowing efforts for June.
 - iii) The June report is assigned to Trustee Peck.
- b) Trustees reviewed the proposed 2013 projects as of this session.
 - i) The Trustees approved the Co Engineer's list edited and distributed as exhibit 6-b during the March Twp meeting. This new list of projects excludes several additional projects approved during the March session. All projects are listed below.
 - ii) purchase orders of 2013 that will fund the projects listed are:
 - (a) P.O.'s 8-2013, 9-2013, &
 - (b) B.C.'s 36-2013, 45-2013
 - (c) P.o.s total \$179,500
 - (d) Expenses exceeding this amount with the Co Eng will require transfers and new p.o.s
 - (e) The (March exhibit 6-b) engineer's project list and estimated prices for all projects listed was reduced to \$82,910 from the original.
 - iii) As of 05-25-13 this list and the additional projects approved in March are as follows:
 - (1) The remaining .7 mile of Hammersmith from Singer to State Route 111- Trustees were reminded to review the minutes from 2011 forward for history:
 - (a) County Engineer Warren Schlatter and the Trustees determined in the November 12 session to address this .7 mile rebuild project over the next three year period starting in 2013.
 - (i) The entire .7 miles will be widened in 2013 and the drainage ditch is to be constructed. Property acquisition for right of way to widen the road and construct the ditch will also take place in 2013 and be done by the County engineer. The engineer's office will also contract or construct the ditch in 2013.
 - (ii) This .7 mile section will be initially constructed (widened) and rough paved in 2013
 - 1. Widening with rough paving - \$22,327.50
 - 2. Right of way acquisition – \$10,000
 - 3. Drainage ditch construction - \$10,000
 - a. Total 2013 exp on this proj \$42,327.50 more or less.
 - (iii) A smooth paving will be applied in 2014.
 - (iv) And a final smooth paving will be done in 2015.
- (2) Indian Bridge lane: -
 - (i) Pavement of the west side of the boulevard.
 - (ii) Trustees submitted to the Commissioners a 2013 CDBG grant for construction in 2014. (April 15th)
 - (iii) The application was not funded.
 - (iv) A copy of the rejection notice is needed for the Twp files.
- (3) Cromley Road
 - (a) Engineering will do cement stabilization in 2013 from the end of pavement to the west end of the road just past the Webb residence. This is approximately 3,200 feet more or less.
 - (i) In the February session Trustees agreed to place #2 stone on the dirt portion of this Twp road.

- (ii) Stoned was added week of April 1.
 - (iii) The cement stabilization project was approved in March and is not on the Engineer's list. The Engineer estimated the project cost at \$85,000.
 - (iv) During the April session – Trustees ordered operators to acquire grindings –if available- from Werlor's at \$10 per ton and place on Cromley road prior to the cement stabilization project.
 - (v) There was no further update on this project.
- (4) Defiance-Paulding Co line road #10 – Twp portion.
- (a) 3 patches per exhibit 6-b - estimated cost \$2,320.86.
 - (b) Mr. Bakle reported the patch was completed by the County.
 - (c) The Twp awaits billing.
- (5) Defiance-Paulding Co line rd 8: From the Sept 2012 session, Trustees noted a section of the road was failing probably due to the summer's drought. Engineer's plan to apply hot mix patching.
- (a) 5 patches per exhibit 6-b – estimated cost \$8,472.
 - (b) Mr. Bakle reported the patch was completed by the County.
 - (c) The Twp awaits billing.
- (6) Bowman rd – 15 hot-mix patches
- (a) Exhibit 6-b estimates repairs to cost \$27,860.
 - (b) Trustees believe a chip seal will be done in 2014 at an estimated cost of \$37,566
 - (c) Mr. Bakle reported the patch was completed by the County.
 - (d) The Twp awaits billing.
- (7) Lakeview – repairs to surface and drainage. – not listed on 6-b for 2013.
- (a) From the April session – trustees moved this project to 2014- estimated cost \$5k
- (8) Singer Rd-Hammersmith intersection – drainage project. Not listed on the engineer's list - 6-b of Jan 2013.
- (a) See minutes of Twp sessions from November 2012 through March 2013.
 - (b) At the March session the Trustees approved this project:
 - (c) The Co engineer detailed the project in March.
 - (i) The Twp will provide \$11k to fund the project as outlined in the Engineer's handout in March.
 - 1. Grading and shaping, brush and tree removal, remove concrete headwall, tile destruction and clean up, 6' tile on north side crossing Hammersmith.
 - 2. The list also indicated that property owners that had land bordering Hammersmith would donate the right of way for the Hammersmith project.
 - (ii) in addition the Twp will fund the 30" pipe to be placed under Singer rd. (there was no est. cost)
- (9) 2013 hot mix patching work on Singer per exhibit 6-b
- (a) 2 patches – cost \$1,928.10
 - (b) Mr. Bakle reported the patch was completed by the County.
 - (c) The Twp awaits billing.
- (10) Krouse rd was reported to have been damaged by traffic. This report was noted by a citizen during the March meeting.
- (a) Trustees were to reviewed the road and determine what if any action was to be taken:
 - (i) There was no further discussion at this session.
- (11) Trustees in April's session instructed employees to assess and repair a pipe discharge (left pipe) at Ginter and Carter roads. There is a septic odor.
- (a) There was no further discussion...
- (12) In April Trustees were instructed Twp operators to address what appeared to be a collapsed tile on Hammersmith rd.
- (a) Trustees directed that OUPS be contracted and Twp operators will repair/replace.
 - (i) No cost estimated given.
 - (ii) No further discussion...
- (13) Trustees approved during their April session to add floors to the salt bins.

- (a) Trustees instructed the crew to place remaining salt on one side and add the floor then move that salt back and add the floor to the other side.
- (b) The floor is to be cold – patch.
- (c) Project update...there was no discussion.

(14) Trustees in April's session noted that trees again are blocking the view of the corner of Canal and Ball roads making a possible road hazard.

- (a) Trustees were to discuss with the County Engineer to have the Engineer trim back the tree branches.
- (b) Project update- no discussion.

(15) Re-claim stone & grade May road was added at the April session.

- (a) The Chair noted that the County Engineer will re-claim stone & grade May road. The estimated cost is \$300.
- (b) No comments made.

c) A financial impact review by the fiscal officer:

i) As of this session total anticipated cost of all projects for 2013 per exhibit 6-b as noted in the March Engineer's project estimate is now \$82,910.

(1) Also to be funded in 2013 but not included on the engineer's list are:

- (a) the Singer rd drainage project (\$11k) plus unknown cost of 30"tile and a cement stabilization of Cromely (\$85k).
- (b) items 11, 12, 13, 14 & 15 above are considered to be part of the 7- to 100k annual rd expenses.

(2) A total estimated cost of the other non listed items is \$96,000.

ii) The total amount of expenditures proposed for 2013 special projects by the County Engineer's office as provided in the 3-20 engineer's letter is \$82,910 plus additional major projects of \$96,000.00. All major projects now planned total \$178,990.

(1) The fiscal officer is planning on these expenses to be posted to our cash road fund lines, given that OPWC future grant funds have been used per the Co Engineer in the amount of \$68k more or less. See section below for details.

(2) Trustees are reminded that:

(a) Regular twp expenses are estimated – base on historical review, at between \$70,000 and \$100,000

(b) Total expenses for 2013 are anticipated to be \$278,990.

(c) Anticipated 2013 revenues as noted in the 2013 amended certificate from the County Auditor for road work was \$155,845.

(i) The remainder will be posted to the Twp road carry over funds.

(3) A recap of the OPWC grants - this report update came from the Co Engineer's Office –updated 11-30-12. There was no change since our last session. The update includes expenditures from future OPWC grants that the Twp might receive. If the Twp fails to receive such grants the twp road funds will be accountable. (see minutes from 2011 forward thru October 2012 for history).

(a) 2012 OPWC postings:

(i) Indian Bridge Lane – culverts	\$11,057.52
(ii) Hammersmith rd – widening contractor work	\$81,275.00
(iii) Hammersmith rd – widening (by county)	\$ 7,679.68
(iv) Hammersmith rd – (ditch contractor & pipe)	<u>\$44,497.50</u>
(v) Total OPWC grant posting in 2012	\$144,509.70

(b) Current status – the OPWC has utilized future grants in the amount of \$(68,460.26)

(i) See letter from Co Engineer dated 11-30-12 in amended certificate packet

(c) The current assessment is that the Twp rd projects for 2013 will exceed revenue.

- d) The Chair asked if there were any other projects/issues for 2013.
 - (1) Mr. Shaffer asked if the Trustees wished to place signage on Hammersmith & Krouse noting “No Through Trucks”.
 - (a) Trustees will discuss legal requirements with the County Engineer.
- e) Trustees again noted that the June work assignments for the Twp crew were noted in the monthly road report.
 - i) Twp operators were told to refer to the monthly road report.
- f) Twp cemeteries –
 - i) No issues were raised..

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

- a) Monthly (May 13) GrassRoots clippings – exhibit 7a was distributed.

ORDER OF BUSINESS NO. 8 – Old Business

- a) Up-date on “Fire-Rescue” regionalization discussion by Twp’s and the City of Defiance. Mr. Peck represents Defiance Twp.....
 - i) Mr. Peck there has been no progress on the effort to establish a regionalized fire-rescue system.
- b) The Chair asked if there is any other old business
 - i) There was none

ORDER OF BUSINESS NO. 9 - New Business.

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

ORDER OF BUSINESS NO. 10 - NEXT MEETING:

Date: Tuesday – June 25th, 2013.
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. 11 – Adjournment:

Mr. Bakle requested a motion to adjourn the meeting of May 28th, 2013

It was moved by: Peck

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