

Minutes
DEFIANCE TOWNSHIP TRUSTEES
June 24th, 2014 MEETING

The Defiance Township Trustees met in regular session at the Defiance County Commissioners building – 2nd Floor Engineer's Office conference room, 500 Court Street, in Defiance Township, Defiance, Ohio, on Tuesday, June 24th, 2014 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: Mike Daniels 21786 State Rte 637, John Deimer 23361 Defiance – Paulding Co. Line, Jason Shaffer 13386 State Rte 15, all from Defiance, Ohio.

Visitors present: Doug Layne 22584 Garmin Rd., Jill Little 7507 Christy Rd., Patty Diemer 23361, Angie ransdell 21786 State Rte 637, & JoEllen Houck 8 Deville Drive, - all from 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 May 27th, 2014 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 session were approved.

ORDER OF BUSINESS NO. 2 - Citizen concerns:

1) The chair asked for citizen concerns from the floor.

a) Jill Little was recognized and stated she was running for the position of Defiance County Auditor this fall and wished to introduce herself to the Trustees and seek their support at the polls.

b) Doug Layne was recognized.

i) Mr. Layne stated he was still interested in purchasing the parcel of land that is positioned between his home and his father's home. The parcel being located at the corner of Harding and Garmin Roads - Parcel #b-110003000900

(1) Layne noted the Twp accepted sealed bids on this parcel in the December 2009 Twp session and his was the only bid received at \$4,850 more or less.

(a) During the January 2010 regular Twp Trustees rejected the bid.

(2) Layne said he is still interested in the parcel.

(3) Trustee Peck said – the Twp should sell this parcel as it isn't buildable per our zoning regulations. Mr. Peck also noted that it is costing the Twp to mow it. The Twp has estimated the cost is \$75 per cutting. Peck reiterated that nothing that can be built on this as the parcel is too small.

(a) (see December 2009 and January 2010 minutes for details on the Twp process to sell this parcel).

(4) Trustee Peck asked how much Layne was willing to pay. "Would you go Six thousand"?

(5) Layne said yes.

Mr. Peck moved to accept the offer of six thousand dollars.

Mr. Bakle objected saying the Twp may in the future want the property.

Mrs. Mayer seconded the move to accept the six thousand dollar offer.

A roll call vote was taken.

Mr. Peck – yea, Mr. Bakle – nea, Mrs. Mayer – yea

The offer of six thousand dollars for the parcel was accepted.

(6) Mr. Layne asked how the sale was to be completed and when payment was due.

(7) The fiscal officer noted that a bill of sale would be drawn up and Layne could bring the check to the July session. The fiscal officer would asked the Prosecutor's office to draw up the bill of sale.

ORDER OF BUSINESS NO. 3 - FINANCES –

The following financial reports provided to the Board were reviewed.

- a) The Reconciliation for May – noted a primary checking reconciliation balance of \$273,148.43 -- balance is minus the outstanding checks and Township investment funds & is taken from the Bank's monthly statement.
- b) Receipt report:
 - i) Receipts for June (UAN software-) were \$16,876.55.
- c) Payment reports:
 - i) Payments for June (UAN software-) were \$20,917.75.
- d) The Cash fund summary through June 22, 2014, (UAN software) showed an "ending fund balance" of \$964,053.16.
 - i) The "cash available" for encumbrances (current reserve- UAN software) was \$487,948.58.
- e) Appropriation Status showed that through June 22nd, 2014 (UAN software), 11% 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 06-22-14 was \$704,620.67.
- g) Trustees reviewed and signed the June bills.
- h) Payroll & June time cards (time cards provided trustees prior to session) were reviewed without comment.
- i) Exhibit I was reviewed, which was a notice from the County Engineer's office of a posting \$60.50 for road work to the OPWC grant line of and for Defiance Twp.
 - i) See OPWC section of this agenda under road projects – item 6 of the agenda.
 - (1) The fiscal officer asked Trustees if they desire that the fiscal officer ask for a re-issue of the invoice for payment or should the Twp allow the posting to the future grants line.
 - (a) Trustees determined to allow the \$60.50 posting to future grant funds from OPWC, given that the Co Engineer has posted the 2014 OPWC grant against the future funds used as noted in the exhibit.
 - (b) The fiscal officer is to remain the Engineer's office to bill the Twp for any work performed on the Twp's behalf and not to post any future expense to the OPWC line for Def. Twp.

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

MOTION by: Peck

SECOND by: Mayer

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

The June 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 Zoning inspector's monthly report.
 - i) Building permits were issued to the following:
 - (1) Chris Baden 14218 Link Rd for a garage addition.
 - (2) Randall King 22816 McCollister Rd for garage.
 - (3) Terry Bodenbender 24196 Bowman Rd for a pole barn.
 - ii) Building permit packets waiting on Water/Soil:

- (1) Jim Nusbaum on SR111 for a Garage. Requires an Appeals Board ruling as the request needs to have a variance to the set back regulations.
- (2) Tim Nalley on SR111 for a garage/family room addition.
- iii) High Grass Warnings will be issued to:
 - (1) Joseph and Heather Young for the property at 15960 SR66.
 - (2) Wachtmans residence on SR15.
 - (3) Grant Building on SR111 (Former DAV Hall)
 - (4) And any other residence that needs mowed after a drive though the township.
- iv) I received an open burning complaint from Curt Beacher on Williams Rd.
 - (1) A residence owner had a tree cut down, and the contractor was burning the brush. The home owner was a Fout at the corner of Williams and Watson roads.
 - (2) Ohio has a no Open burning policy in place. The Defiance County Sheriff was notified.
 - (3) The owner (Fout) was informed of the open burning policy, the fire was put out by the contractor. The home owner was informed that there will not be any open burning, or a citation will be issued.
- v) I ask the Township Trustees for approval to place an ad in the newspaper for high grass, and junk motor vehicle laws/ordinances.

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

- b) Trustees reviewed exhibit 4-b – an email previously sent from the fiscal office to Trustees and the nuisance officer Mr. Shaffer. The email contained an attachment of the Twp's complaint form from Stacy Leonard 15728 St Rt 66 concerned with high weeds/grass on an adjacent property.
 - i) the Zoning/Nuisance inspector will address the issue.
- c) The Chair asked if there were any other Zoning issues to be discussed.
 - i) There were none.

ORDER OF BUSINESS NO. 5 -- Equipment;

- a) The Chair asked if there were any comments or concerns on current or proposed new eq.
 - i) Mike Daniels was recognized.
 - (1) He informed Trustees that the parts for the repair of the New Holland mower are on site and he should have the mower repaired by June 26th.
- b) The Chair asked if there were any other comments or concerns regarding the Twp's equipment.
 - i) There was none.

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

- a) The monthly road inspection report – presented as exhibit 6-a was reviewed by Mr. Peck. He noted that there is a need to mow along Twp roads, and recognized that mowing awaits repairs to the Twp's mower and tractor.
 - i) The July Rd review will be by Trustee Mayer.
- b) Trustees continue their review of the proposed 2014 projects.
 - i) The proposed project list was prepared by the Defiance County Engineer's Office for the Trustees. The project list was presented at the January 28th session as exhibit 6-b 2014 Def Twp preliminary estimate. Trustees modified the project list at their March 2014 session.
 - ii) As of 06-24-14 this list is as follows:
 - (1) **Hammersmith rd re-build project: Resurfacing:**
 - (a) A .7 mile rebuild of Hammersmith from Singer to State Route 111- Trustees were reminded to review the minutes from 2011 forward for history:
 - (i) This rebuild project was designed to be financed over a three year period starting in 2012.
 - (ii) In 2014 – resurface (from Singer to State rt 111) with asphalt – estimated cost \$59,615.00 – previous estimate was \$63,000.
 - (iii) Pavement markings - \$824.00

(iv) As of this session the asphalt was laid – the Twp awaits pavement markings and the bill from the County Engineer's.

- (2) hot mix patching of Sponseller rd from Co. line to Bowman now estimated at \$9,003.00 the previous estimated cost \$8,922.
 - (a) This project is completed- the Twp awaits billing from the County Engineer.
 - (3) Trustees approved during their April 2013 session to add floors to the salt bins.
 - (a) Work is to be in 2014 – see mins from June forward of 2013 for details.
 - (b) No work has been completed as of this session.
 - (4) In the March session Trustees approved the berming of Cromley Road to reduce or eliminate drop off.
 - (a) No update was provided.
 - (5) In the March session Trustees instructed staff to complete the insulation of the maintenance building as directed in 2013.
 - (a) To be completed by end of fall 2014.
 - (b) Mr. Daniels was approved to purchase a “salamander” for purposes of heating the structure for work during cold weather months.
 - (c) There has been no work to date on this project.
 - (d) Mr. Diemer is lead on this project and he stated he will begin work once the backhoe is repaired as this unit is necessary to install the insulation.
 - (6) Due to budget constraints all other road projects as presented on exhibit 6-b during the January regular Twp session will be delayed at least one year and will be reviewed again for the 2015 construction year.
- ii) purchase orders of 2014 that will fund the projects listed are:
- (a) P.O.'s 9-2014, &
 - (b) B.C.'s 36-2014
 - (c) P.o.s total \$225,000
 - (d) Expenses exceeding this amount with the Co Eng will require transfers and new p.o.s
- c) A financial impact review by the fiscal officer was heard:
- i) As of this session total anticipated cost of all approved projects for 2014 are \$77,000 more or less – (Hammersmith rd, Sponseller Rd, Kiser Rd patching completed in late 2013 to be billed, and cement floors in the Twp salt shed.
 - ii) Trustees are reminded that:
 - (1) Regular twp expenses are estimated – based on historical review, at between \$70,000 and \$100,000
 - (2) Anticipated 2014 revenues as noted in the 2014 amended certificate from the County Auditor for road work was \$159,092.00.
 - (3) Total road expenses year to date are \$52,578.41**
 - (4) Total road fund revenues year date are \$89,643.39**
 - (a) Expenses exceeding income utilize Twp road carry over funds.
 - (5) A recap of the OPWC grants – see minutes of previous sessions for history. The last update from the **Co Engineer's Office was dated 6-03-14**. The update (**refer to exhibit 3-I of this session**) includes expenditures from future OPWC grants that the Twp might receive.
 - (a) If the Twp fails to receive future such grants the twp road funds will be accountable. (see minutes from 2011 forward thru December 2013 for history).
 - (b) Note: the 2014 OPWC grant of \$34,355.00 has been posted against the future grant amounts as directed by the Trustees.
 - (a) Current status – the OPWC has utilized future grants in the amount of \$60,973.00 (reduced from the \$95,267.50.
 - (i) Trustees determined in their 2014 Re-organizational session to not post any additional future

grant funds to this amount.

- (ii) Trustees will apply future grants to reduce the amount (\$95k no \$61K more or less).
 - (iii) Trustees set a max cap on the use of future grant funds at \$50k. This is to reduce the Twp's liability against future road tax revenue should the OPWC grant program end and the Engineer calls for payment of the posted future grant dollars.
 - (iv) the Twp must post the 2014 grant amount Twp funds – fund line 4401 and acquired an adjusted “amended certificate” from the County Auditor by year's end as required by law..
- d) The Chair asked if there are any new proposed 2014 projects that are not now on the above project list:
 - i) There were none.
 - e) Trustees again noted the June work assignments for the Twp crew are noted in the monthly road report which is to be distributed to the Twp employees.
 - f) Twp cemeteries –
 - i) Mr. Peck noted that Taylor cemetery needs mowed. Mr. Bakle will contact Twp employee Buchholtz.
 - ii) No other issues were reported.

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

- a) The monthly (June 14) GrassRoots clippings was distributed as exhibit 7a.

ORDER OF BUSINESS NO. 8 –Old Business

- a) The Fire – Rescue service contract for Def. Twp with the City of Defiance was discussed. The City has informed the Twp that the City will be increasing the charge to the Twp for rescue services in 2014.
 - i) In January 2014 Trustees discussed the possibility of placing a levy on the November 2014 general ballot to support the cost of this service if the increased is adopted by the City Council. (see mins of Jan 2014 session for details.
 - ii) the City intends to increase the charge for standby rescue service from the present \$30k to \$54K (+\$24k)
 - (i) this increase will be the third in the last four years and the amount for the service has increased over three times the amount charged four years ago.
 - iii) The expense for fire protection is \$54,383.54.
 - iv) Total expense for fire and rescue for 2014 with the proposed city increase of \$24k will be \$110,000 more or less.
 - v) The current twp fire levy produces approximately \$72,500. Other sources (city collected insurance on runs in Def Twp which are paid into the Def Twp account and reimbursed to the City dollar for dollar) produced approx. \$15,000 per the 2014, (see the Twp's) amended certificate.
 - vi) The property tax levy pays for both the fire combat and rescue services the expenses are now totaling approximately \$110,000.
 - vii) Previous year carryovers as of Jan 1, 2014, have a total of \$149,991 available in the fire fund account.
 - viii) In the April Twp session - Mr. Peck stated he believes the Twp should proceed in an effort to place a levy on the November 2014 ballot to secure funds from Twp residents to support – cover the increase.
 - (1) Trustees concurred.
 - (2) In the May Twp session:
 - (a) Mr. Peck noted that in conversations he had with the Prosecutor & Auditor's office the levy amount should be changed to 1.1 mils.
 - (b) Trustees agreed with this change.
 - ix) Trustees were to acquire the ballot language and ballot certification process from the prosecutor and begin the process to place the levy on the November 2014 ballot during the Trustee June session.
 - x) Trustees reviewed exhibit 8 which was a packet from the County Prosecutor's office containing resolutions to be adopted – ballot language – a notice to the Board of Elections and a legal ad (to be run by the Board of Election” that once adopted by the Trustees the 1.1 mil levy for fire-rescue will be placed before the voters.
 - xi) To be adopted at this session is resolution 2014-11 “DECLARING IT NECESSARY TO LEVY AN ADDITIONAL 1.1-MIL TAX LEVY AND REQUESTING THE COUNTY AUDITOR TO CERTIFY THE TOTAL CURRENT TAX VALUATION OF THE DEFIANCE TOWNSHIP AND THE DOLLAR AMOUNT OF THE REVENUE THAT WOULD BE GENERATED BY THAT LEVY”..

(1) The Chair asked for any discussion.

(a) Trustees agreed that the Twp must place before the voters the levy if the Twp is to continue to pay the City of Defiance charges for this service to the residence of Twp precincts A & B.

Mr. Bakle requested a motion to adopt **resolution 2014-11** as presented.

MOTION by: Peck

SECOND by: Mayer

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

The resolution was adopted and signed.

The fiscal officer will present the certificate to the auditor's office for certification of the amount that the 1.1 mil levy will generate.

b) The Chair asked if there is any other additional old business to come before the Board?

i) There was none.

ORDER OF BUSINESS NO. 9 – New Business.

a) Trustees reviewed exhibit 9 – which was a notice from the Defiance, Fulton, Paulding, Williams County Joint Solid Waste Management District that the District intends to adopt a \$2 contract fee on all waste generated in the District.

i) The fee increase is necessary to meet State law that a District must show available funding for the life of its waste management plan. The District is in the process of doing a required update to the 15 year plan. As recycling costs money and cannot be provided without tax support and or service fees the District must increase its tax revenue in order to be in compliance with the law.

ii) The Chair asks if there is any discussion???

(1) There was none.

b) Mr. Bakle noted that Defiance Twp will host the 3rd quarter Defiance Co. Twp Association meeting now scheduled for Oct. 16th at 6 p.m.

i) Mr. Peck volunteered to cook ribs for the dinner portion of the session.

ii) The meeting will take place at the Def. Co. EMA building in Brunersburg.

iii) The cost per person to attend is \$10.

c) The Chair asks if there is any other new business to come before the board?

i) There was none.

ORDER OF BUSINESS NO. 10 - NEXT MEETING:

Date: Tuesday – July 22nd, 2014, - Regular scheduled session

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. Bakle requested a motion to adjourn the meeting of June 24th, 2014

It was moved by: Mayer

SECOND by: 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, Fiscal Officer-Clerk