

*Minutes*  
***DEFIANCE TOWNSHIP TRUSTEES***  
***June 25<sup>th</sup>, 2013 MEETING***

The Defiance Township Trustees met in regular session at the Defiance County Commissioners building – 2<sup>nd</sup> Floor conference room, 500 Court Street, in Defiance Township, Defiance, Ohio, on Tuesday, June 25<sup>th</sup>, 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. - Defiance, Ohio.

Visitors present: 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 May 28<sup>th</sup>, 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 May 28<sup>th</sup>, regular 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 May – noted a primary checking reconciliation balance of \$340,881.53-- 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 \$11,360.96.
- c) Payment reports:
  - i) Payments for June (UAN software) 2013 were \$63,096.10.
- d) The Cash fund summary through June, 2013, (UAN software) showed an "ending fund balance" of \$989,617.57.
  - i) The "cash available" for encumbrances (current reserve- UAN software) was \$497,225.51.
- e) Appropriation Status showed that through June 23<sup>rd</sup>, 2013 (UAN software), 13.5% 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 06-23-13 was \$704,269.43.
- g) Trustees reviewed and signed the June bills.
- h) Payroll & June's time cards (time cards provided trustees prior to session) were reviewed without comment and signed .

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 Monthly Zoning report - Inspector's Report - Mr. Jason Shaffer provided the following electronic copy of this report.
  - i) report for June 2013.
    - (1) Building permits were issued to:
      - (a) Larry Cameron at 14748 Power Dam Rd for a roof.
      - (b) Kevin Ricker at 14467 Power Dam Rd. for a deck/roof.
      - (c) Jerry Shaffer at Power Dam Express for a fence/smoking section at the establishment. No paper received yet.
    - (2) Court for Juanita Fisher went as expected. Property is to be cleaned up and junk vehicle is to be removed.
    - (3) Will check on the property on 1429 S. Jackson, as to if property was cleaned up, but the semi trailer is still there. The trailer is to be removed as well.
    - (4) High Grass warning letters was sent to the following, with a 5 day mow time.
      - (a) 3 Rivers Garden Center on CR 424 owners Alve Rosebrock.
      - (b) 905 Indian Bridge lane. Owner has passed away. A son Jeff Jones has power of attorney. I will contact Defiance Co. Prosecutor reference this property, about the township having to mow it.
        - (i) Information on the mowing is to be provided to the fiscal officer so that the expense can be placed on the property tax through the County Auditor.
    - (5) Talked to Mayor Doug Johnson of the City of Bryan, reference building permit paperwork, for properties along the Auglaize River. He referred me to Brian Carland of the Bryan BPA. Bryan has a meeting scheduled with matt Killion, along with others, and he will be in contact with me about a solution on permits along the river.
    - (6) I also talked with Dennis Miller from Maumee Valley Planning. Dennis advised that he will approve things that will not detour the water of the river in the event of a flood. such as a deck, roof, replacement windows.
      - (a) New additions will not be approved from his office in anyway.

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) Mr. Shaffer reported that John Grimes 13458 State Route 111 has requested an "unconditional use" permit for the purpose of operating a business from his home at 13458 State Route 111.
    - (1) The fiscal officer will prepare the meeting agenda, schedule with the Appeals' Board Chair and place the public notice in the local paper.
  - ii) The Chair asked if there was any other zoning business to come before the Trustees - 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) It was reported that the Twp's backhoe is being repaired. There is an issue with the radiator.
  - ii) 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 Peck.
  - i) Trustee Peck noted that the monthly road report is the monthly work assignments for Twp operators.
  - ii) The report notes mostly mowing efforts for July.
  - iii) The July report is assigned to Trustee Mayer.

- b) Trustees reviewed the proposed 2013 projects as of this session.
  - i) See minutes from January's Trustees session forward for project details and history.
  - 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
  - iii) As of 06-25-13 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) This rebuild project will take place over a three year period starting in 2013.
        - (i) The entire .7 miles will be widen & rough paved in 2013 and the drainage ditch is to be constructed. Property acquisition for right of way to widen the road is completed. The construction of the ditch is underway as of this session. This work was done under the auspices of the Defiance County Engineer. The Engineer estimated that the widening will take place in late July or August.
          - 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.
        - (ii) A smooth paving will be applied in 2014.
        - (iii) And a final smooth paving will be done in 2015.
        - (iv) As of this session work is continuing on this project.
      - (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 15<sup>th</sup>)
        - (iii) The application was not funded.
        - (iv) A copy of the rejection notice is on file – this item will be removed from future agendas.
      - (3) Cromley Road
        - (a) The County Engineer's will coordinate a 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 preparation for this project:
            - 1. February through May Trustees have added #2 stone on the dirt portion of this Twp road.
          - (ii) 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.
            - 1. At this session Trustees reported that the County Engineer has contracted the cement stabilization at \$45,000 more or less. This lower amount is due to the combination of this project with another project elsewhere in the County. However, the project now is scheduled to be constructed in September or October as the other project is larger and is the priority.
            - 2. Trustees noted their appreciation of the Engineer's efforts to reduce project costs.
          - (iii) 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.
          - (iv) The fiscal officer reported that he had received an email of concern regarding Cromley road in June – the concern was with a perceived increase in traffic and speeds. The resident requested safety signage "Slow – Pedestrian Walking" or something to that effect.
            - 1. Trustees reviewed exhibit 6-b-3 from Mr. Art Miller.
            - 2. Trustees will check to determine if such signage is in the Twp's inventory and will either erect it or order the sign for placement.
          - (v) Trustees discussed the type of road surface to be applied after the cement stabilization.
            - 1. Two trustees favor a micro-surface and 1 favors the Engineer's recommendation for a chip and seal.
              - a. Mr. Bakle was asked how much the micro-surface would cost and he estimated \$25,000 for the entire road(approximately 5,300').

2. The micro- surface project is an additional project which will be done in 2014.
- (4) Defiance-Paulding Co line road #10 – Twp portion.
  - (a) 3 patches per exhibit 6-b - estimated cost \$2,320.86 actual cost \$2,875.
  - (b) Project complete and will be removed from future agendas.
- (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. In 2013 Engineer's plan to apply hot mix patching.
  - (a) 5 patches per exhibit 6-b – estimated cost \$8,472- actual cost \$7,906.00.
  - (b) Project complete and will be removed from future agendas.
- (6) Bowman rd – 15 hot-mix patches
  - (a) Exhibit 6-b estimates repairs to cost \$27,860 - actual cost \$28,588.64.
  - (b) Trustees believe a chip seal will be done in 2014 at an estimated cost of \$37,566
  - (c) Project complete and will be removed from future agendas.
- (7) Lakeview – repairs to surface and drainage. – not listed on 6-b for 2013.
  - (a) In the April Twp session Mr. Bakle proposed to move this project to 2014.
    - (i) There were no objections raised.
- (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)
  - (d) Trustees reviewed exhibit 6-b-8 – a memorandum of Understanding prepared by the County Engineer.
    - (i) Trustees were asked to sign the memorandum and provide the Engineer's office with a copy and to retain a copy for the Twp records.
      1. Trustees signed the memorandum without comment.
- (9) 2013 hot mix patching work on Singer per exhibit 6-b
  - (a) 2 patches – cost \$1,928.10 - actual cost \$1,948.00.
  - (b) Project complete and will be removed from future agendas.
- (10) Krouse rd was reported to have been damaged by traffic. This report was noted by a citizen during the March meeting.
  - (a) Trustees reviewed the road and determined that dura patching will be done in July to address the issue.
- (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) Trustees reported this project was completed.
- (12) In April Trustees 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) Mr. Bakle stated this work was scheduled for Saturday June 29<sup>th</sup>.
- (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) Trustees noted this project is yet to be started.

(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 stated that the County Engineer generally addresses this work in the fall or early winter.

(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) Trustees reported this project has been completed.

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) now reduced to \$45k.

(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 items not on the April engineer's list as of this session was \$96,000. This amount is now reduced to \$51,000 based on the Cromley road project reduction as reported above.

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 \$51,000. All major projects now planned total \$133,910.00.

(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 \$233,910.00.

(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.

**(d) Total road expenses year to date are \$80,303.75**

**(e) Total road fund revenues year date are \$86,330.21**

(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) \$44,497.50

(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 are any other projects/issues for 2013.

- i) There were none presented.
- e) The July work assignments for the Twp crew were then discussed.
  - i) Mr. Peck will contact Twp employees with mowing assignments – the road report with assigned work is altered due to other commitments of the part time staff.
  - i) Berm is needed on Bowman road and Mr. Bakle will address this during the upcoming Saturday project with Twp staff.
- 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.
- b) Exhibit 7-b was distributed – this was the notice for the 3<sup>rd</sup> quarter meeting of the Defiance County Twp Association. The session will be held July 25<sup>th</sup> at the Richland Twp Fire Dept 1825 Independence Rd, Jewell, Ohio. Trustees to RSVP.
- c) Trustees then reviewed exhibit 7-c which was the complete OUPS (Ohio Utilities Protections Service) for the 6-29 - Defiance County Rd 10 & Hammersmith road projects.

**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 was asked if there was any update.
  - ii) He responded not at this time - 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 asks if there is any new business to come before the board?
  - i) Trustees reviewed exhibit 9-a -- a notice of annexation – from the Hubbard Law Firm.
    - (1) Property (the Harvest Light Church) is located in the NW corner of the Southwest one-quarter section 29. Twp 4 North, range 4 east, Defiance Twp. containing a total of approx 5.559 acres. (corner of Krouse and Co rd 424 west of Defiance.)
  - ii) There were no comments.
- b) The Chair asked if there was any new business to come before the board?
  - i) There was none.

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**ORDER OF BUSINESS NO. 10 - NEXT MEETING:**

**Date:** Tuesday – July 23<sup>rd</sup>, 2013.  
**Time:** 7:00 p.m.  
**Place:** 2<sup>nd</sup> 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 June 25<sup>th</sup>, 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