

Minutes
DEFIANCE TOWNSHIP TRUSTEES
June 25th, 2019 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 Tuesday, June 25th, 2019 at 6:30 p.m. Answering as present were Dan Peck, Diana Mayer & Jason Shaffer. With three 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, Steve Buchholz 1615 S. Clinton st. & Harry Railing 14951 Power Dam Rd. - Defiance, Ohio.

Visitors present: Stan Strausbaugh Defiance County Deputy Sherriff assigned to Def. Twp., Matt Spiess of Maumee Valley Planning & Patti Diemer 23361 Defiance-Paulding Co. Line Rd 10, all from Defiance, Ohio.

ORDER OF BUSINESS NO. 1

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

Mr. Shaffer requested a motion for the approval of minutes from the May 21st, 2019, regular session.

Mrs. Mayer moved to approve the minutes as presented.

Mr. Peck 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.
- 2) The Chair asked if Deputy Strausbaugh wished to comment.
 - a) Deputy Strausbaugh stated – it was his desire to ask the Trustees if they had any issues for him to address.
 - i) Trustees noted there was nothing at this time.

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 \$263,405.53-- 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 \$19,333.18.
- c) Payment reports:
 - i) Payments for June (UAN software-) were \$7,817.67.
- d) The Cash fund summary through June 24th, 2019, (UAN software) showed an "ending fund balance" of \$983,940.99.
 - i) The "cash available" for encumbrances (unencumbered fund balance- UAN software) was \$551,034.81.
- e) Appropriation Status showed that through June 24th, 2019 (UAN software), 10.4% 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 06-24-19 was \$726,351.38.
- g) Trustees signed and reviewed June bills.
- h) Payroll & June time cards (time cards provided trustees prior to session) – Trustees Reviewed & Signed.

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

MOTION by: Mayer

SECOND by: Peck

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) June report
 - i) Permits:
 - (1) Ed Wisda for storage barn on St Rt 111
 - ii) Site reviews:
 - (1) Site review for Ed Steffel on St Rt 1111 for a barn
 - (2) Signed a land split for Mark Noffsinger on Bowman Road
 - iii) Zoning/nuisance issues
 - (1) Sent letter for High Grass for Regina Newsome on Power Dam Road

Respectfully submitted
John Diemer, Twp. Zoning Inspector

- b) 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) Trustees discussed mechanical issues of the Twp's 2010 John Deere Zero Turn – mower
 - (1) Engine issues reported by Twp Operators May 2019
 - (2) Engine was replaced in Sept. 2016
 - (3) This is beginning of 3rd mowing season on this unit.
 - (4) Shaffer requested quote for replacement
 - (a) Trustees reviewed **exhibit 5-1** – a quote for a replacement unit from Kenn-Feld group – Napoleon, Ohio store.
 - (b) The quote was for \$6,728.48 and included a (KFG 3 year warranty.
 - (c) Trustee Shaffer also provided at the session a quote from Arps Hardware of Defiance on a Champion series – Simplicity zero turn mower.
 - (i) Quote was for \$4,399. Price included a \$300 discount & \$500 for the trade-in of the 2010 zero turn John Deere mower.
 - (5) The Chair asks for discussion....
 - (a) Trustees agreed that the purchase of a replacement mower would best serve the Twp's needs.

Trustee Mayer moved to accept the Arps bid.
Trustee Peck seconded.

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

The Twp will purchase the Simplicity from Arp's Hardware as quoted and described above. All paper work on this purchase will be on file with the fiscal officer.

- ii) During the May Twp meeting – Trustees had asked that road signage be purchased – so that when funerals take place at Twp cemeteries – said signage is to be erected on the roads before Twp cemetery entrances to info drivers that a funeral is in progress and to slow down for safety purposes.
 - (1) Signage was order from Hall signs, "Slow- Funeral" 2 signs and stands.
 - (2) Quote was for \$415 more or less.
 - (3) The Chair as if there was any discussion.
 - (a) There was none.

- b) Mr. Shaffer asked if there were any other equipment or safety issues.
 - i) 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 Mayer.
 - i) Mrs. Mayer noted Twp operator's should continue filling pot holes & berming where needed. Issues

caused by recent heavy rain events.

- (1) Mayer also questioned the culvert at Carter & Ginter rds.
 - (a) Trustees Peck and Shaffer noted the Engineer is aware of the issue.
- ii) Operators are to use the report as a work order in July.
- iii) The July Rd review is to be by Trustee Peck.

b) **2019 Road projects:**

- i) Trustees had approved the Co. Engineer's proposed Twp road maintenance projects for 2019 at the March 19th Trustee session. Trustees should refer to past minutes for history of changes to the March 19th project list. The current 2019 project cost estimate is for \$51,341. (this is the Twp. road maintenance program and does not include major reconstruction projects – i.e. Bowman Rd re-build.

- (1) 2019 Def. Twp. rd. maintenance program from Eng. estimates dated April 2:

(a) Chipseal:	Est.	Actual Cost
(i) Cromley – from st. rte 111 to dead end - 4473'		
1. double chip seal 3400'	\$17,801.76	
2. single layer of chip seal - 1073'	\$ 1,752.36	
(ii) Def. Paul. Line rd #8 - .45 n of hammersmith to powers		
1. 2,407'	\$3,811.70	
(iii) Haviland – from co rd 424 to May rd –		
1. 1,958'	\$2,807.36	
(iv) Estimated total exp. of chip seals	\$26,173.18	

(b) Patching: patching was completed in May for 2019.

- (i) total exp. patching **\$17,598.74** **\$16,681.66**
- (ii) 2019 Patching exp was \$917.08 below estimate. Completed by contractor.

(c) Crack Seal:

- (i) Ball rd – from krouse to canal- 5,338' \$3,397.21
- (ii) Kibble rd – from canal to winn – 2,652' \$1,500.51
- (iii) Winn rd – from kibble to dead end – 718' \$ 406.33
- (iv) Singer rd – from st. 111 to hammersmith – 2,639' \$1,306.51
- (v) Estimated total exp. crack seal **\$6,610.56**

(d) Pavement Markings:

- (i) Cromley from St. Rt. 111 – 4,473' \$680.75
- (ii) Patches on Ball, Bowman, & Karnes \$247.93
- (iii) Estimated total exp for pavement marking **\$928.68**

(e) Total est. expenses for 2019- as of May 2019 **\$51,311.16**

- ii) Re-build of 4 miles of Twp's portion of Bowman Rd. – see mins from Feb. 2018 for history.
 - (1) As of this session Trustees approved the Co. Engineer to manage a rebuild of up to 1 mile of Bowman Rd. of the four (4) miles of Twp responsibility; or what the Engineer can accomplish in 2019.
 - (a) the following information and cost estimates had previously been provided to Trustees by the Co. Eng.
 - (i) There is no need to acquire right of way.
 - (ii) The Engineer's office has sent out construction notices (Jan./Feb. 2019) to all residents of Bowman Rd. along the 4 miles of Twp. responsibility.
 - (iii) Grading and seeding will cost approximately \$30k per mile and can be done in sections.
 - (iv) Widening & grading of the road will cost an estimated \$55k per mile – 20' width.
 - (v) Engineer noted that the Twp could break this down 1 side at a time.
 - (b) Paving and striping is estimated to cost \$55k per mile –
 - (i) Again, this can be broken into sections.
 - (2) The engineer is aware of the dollar limit (\$140k) set by the Trustees via an email from the fiscal officer on Jan. 18th, 2019, to the Engineer and Trustees documenting the Trustees' desires and budgeted funds.
 - (3) Trustees will budget as funds allow to rebuild all four miles over a yet to be determined number of years dependent upon available funds.
 - (4) Co. Engineer Schlatter has informed the Trustees that:
 - (a) his office has sent out notification letters to all residents. There has been no major opposition

response from any of the residents as of this date.

(b) Also,

- (i) He would anticipate grading at least parts of the entire length of the project (4 miles) this summer(2019).
 - (ii) He thought – as the bids for projects and materials have already been let for 2019 by his office - it would be difficult to place any pavement this year.
- (5) Trustees have approved his recommendation to widen the road to 20’.
- (6) Trustees also agreed to adopt the engineer’s office policy regarding the moving of drive drain pipes.
- (a) Drive pipes replaced free – if pipe is for drive only. (open ditch on remainder of property.)
 - (i) \$1 per foot for a 12” diameter pipe - if land owner wants pipe instead of open ditch across the property.
 - (b) Trustees agreed that the Engineer will manage the project based on the funding the Twp commits, at the Engineer’s discretion.
- (7) Mr. Shaffer asked if there was any additional discussion regarding the Bowman Rd re-build project?
- (a) There was none.

iii) From past 2018/2019 sessions, Trustees had approved the Co Engineer to do the following:

(1) Repair street drain covers in the Lakeview addition.

(a) No cost estimate provided.

(i) In May - Mr. Shaffer proposed to rent a saw and cut loose the grating. This will be done utilizing Twp. personnel.

(ii) Trustees approved.

(iii) June update...

- 1. Trustees noted that Twp operators have completed this project as of the June Twp meeting.
- 2. This item will be removed from future agendas.

(2) During the May 2019 session, Mayer suggested a dura patch to repair wash out of berm at corner of Carter and Ginter.

(a) Shaffer was to contact Co. Engineer to have this addressed.

(b) Update...

(i) Trustees noted that the Engineer is aware of the issue.

(3) Twp operators reported that they have patched holes in May rd. during June.

iv) Total est . expenses for co Eng work on twp behalf in 2019 as of this session is \$140k + \$51,311.00 from project list from the Co. Engineer – see exhibit 6-b of the April 23rd, 2019 session.

c) Twp projects by Twp staff or other contractors for 2019:

- i) The Chair asks if there were any proposed projects other than those noted above.
 - (1) None were offered.

d) 2019 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	\$91,073.61
(2) Total road fund expenses year to date are	\$44,900.76

ii) Anticipated revenue for 2019 – based on the January 2nd, Twp amended certificate was:

(1) \$177,700.00 more or less

iii) Anticipated expenses for 2019 – 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 & also completed so far this year.:

(2) \$51,311.00 as of this session for Co Eng work- in 2019 – refer to item 6-b-1 of this minute – (other than Bowman Rd. rebuild).

(3) Bowman Rd. rebuild - \$140,000

(4) Total anticipated road fund(s) expenses based on the above:

(a) from \$240,000 to 290,000k if there are no additional projects added..

- e) **A recap of the OPWC grants** – see minutes of previous sessions for history. An update was last received from the Co Engineer’s Office dated 02-20-2019 provided at the March 2019 session as exhibit 6-c.
 - i) Current status as reported by the fiscal officer
 - (1) – the OPWC report from the County Engineer’s office as of 02-20-2019 indicates that:
 - (a) any grant work done in 2019 will be posted to Twp. fund lines as pass through money.
 - (b) The Engineer’s Office has posted to Def Twp. grant in 2019 so far –
 - (i) An expense of \$600.00 (1-7-19) dura patch on Krouse rd.
 - (ii) an expense of \$408.54 (2-15-19) for tree trimming and chipping on Garman Rd.
 - (iii) Total grant dollars used by the Co. Eng. on behalf of the Twp. to date in 2019 is \$1,008.54.
 - (c) As of the Engineer’s last posted work to the 2019 grant dated 2-7-19 – provided to Trustees at the Feb. Twp. session - the Twp. has \$19,410.79 grant funds unspent from previous grants.
 - (d) An amended certificate will be needed in the fall of 2019 to account for the expenditures of these and any additional grant funds used on behalf of the Twp.
 - ii) The Engineer has 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 6 years or a total of \$150k remaining give or take.
- f) The Chair asked if there is any other discussion regarding the fiscal impact report?
 - i) There was none.

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

- a) The Chair asked if there were any cemetery issues for discussion
 - i) Trustees have noted that during the August 2018 session Trustees were requested to sell burial lots in Taylor cemetery. Trustees adopted lot fees passing resolution 14-2018 on August 28th, 2018. This resolution established lot sale prices for all Twp. cemeteries.
 - ii) Rhonda Kastler made the request for lot purchases in Taylor in August, 2018, on behalf of her father and mother Mr. and Mrs. Raymond & Rose Hussey 14721 Williams rd, Def. Twp. Defiance, Ohio.
 - iii) Lots have been surveyed and numbered in Taylor cemetery.
 - iv) During the March 2019 Twp session, Trustees adopted resolution 10-2019 which is the deed format that was reviewed and approved as to form by the Prosecutor.
 - v) During the April 2019 session,
 - (1) Mr. Peck noted that Merl Butler (surveyed the lots in Taylor) will work with Twp. operators to place iron pins with tag numbers on the surveyed lots in Taylor. When this is complete Trustees will review the Taylor drawing and have Mrs. Kastler and or Hussey select the lots they wish to purchase.
 - (2) Mrs. Kastler 419 739 6202 or Mrs. Hussey 419 393 2207.
 - (3) The fiscal officer will then prepare the deed(s) and sales invoices.
 - vi) The Chair asks if there is any further discussion???
 - (1) The fiscal officer reports:
 - (a) On June 11th, an email was sent to all Trustees with the invoice and sales letter that was sent to Mrs. Hussey.
 - (b) The Twp. awaits the check and then will issue the deeds for the lots under the Chair’s signature.
 - (c) Discussion if any..
 - (i) There was none.
- b) The Chair asks if there were any other cemetery issues for discussion?
 - i) At the April 2019 session it was noted that there were several (3 or 4) dead or dying trees at Cromley cemetery.
 - (1) Trustee Shaffer noted he contacted ODOT to determine which entity has responsibility for the trees in question.
 - (a) ODOT confirmed the trees are on Twp. property.
 - (b) There was no work done in May due to weather. These trees will be taken down in June if weather and time permits.
 - (c) June update....
 - (i) No work in June, to be done in July – weather and time permitting.
- c) The Chair again asked if there were any other cemetery issues for discussion?
 - i) There were none.

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

- a) Monthly (June 19) GrassRoots clippings – **exhibit 8a**
- b) **Exhibit 8-b** was an email from Palmer Energy sales representative Phillip Dysard.
 - i) Would Trustees wish to hear about an electric aggregate program. He is willing to present at a Twp meeting.
 - ii) Discussion
 - (1) Trustees noted the Twp had rejected an aggregate program in the past as most of the discount was provided to local gov't and not the citizens.
 - (a) In the past citizens reductions were under \$25 per year.
 - (2) Trustees again determined not to participate.
- c) **Exhibit 8-c** was a notice from the Fulton-Henry-Williams-Defiance Counties Farm Bureau-
 - i) Trustees are invited to attend a Farm Bureau policy development breakfast
 - (1) Thursday June 27th
 - (2) Kissner's in Def.
 - (3) 7:30 a.m.
- d) **Exhibit 8-d** – a notice from the Ohio Dept. of Liquor Control –
 - i) Asked if Trustees desired a public hearing for the renewal of a liquor license for the "Rollin thunder Motorcycle Club located at 24514 Watson Rd.
 - (1) Trustees noted they have never received a complaint concerning this club and therefore do not desire a public hearing regarding the Club's liquor license renewal.

ORDER OF BUSINESS NO. 9- Old Business

- a) The Chair asked if there was any old business to come before the Board?
 - i) Dead Tree issue – Hammersmith Twp building from August 2017:
 - (1) Litigation – issue:
 - (a) Jilene Richards, Attorney at Law – has filed a lawsuit naming the Defiance County Commissioners and the Def. Twp. Trustees as defendants – alleging property damage caused by Twp. snow and ice removal operations to property owned by Mary and Larry Mick on Hammersmith rd in Def. Twp.
 - (b) Trustees have hired Marc Warncke ESQ. of the Clemens, Korhn, Liming & Warncke Law Office, Defiance, Ohio, to represent the Twp.
 - (c) Update if any?
 - (i) There was none.
 - ii) The fiscal officer emailed Trustees on May 9th a form from Maumee Valley Planning, which asked if there were any "Long Range Transportation Plan projects" desired by the Trustees for Def. Twp. The response required an electronic PDF form be filled out and submitted to MVP.
 - (1) Discussion if any??
 - (a) There was none.
- b) The Chair asked if there was any other old business to be discussed....
 - i) There was none.

ORDER OF BUSINESS NO. 10 - New Business.

- a) Mr. Shaffer asked if there was any new business to be discussed....
 - i) The fiscal officer noted that OTRMA loss control coordinator kim Arnold will review the Twp's safety program (policies and practices) on July 23rd 11 a.m. She will also conduct a safety review of the Twp building on Hammersmith rd. She will submit to the Twp recommendations.
 - (1) Emails were exchanged in June regarding this issue –.
 - (2) The Chair asked if there was any discussion...
 - (a) There was none.
 - ii) 2019 Possible Grant notice regarding flood mitigation – from def. Co. EMA:
 - (1) Ohio has a Presidential Disaster Declaration for all 88 counties. Because of that, it opens up mitigation grant funding to all counties. There are a few webinars coming up that explain what is an allowable project. Matt Spiess, Maumee Valley Planning, has managed mitigation grants for the City

of Defiance for years. He is paid through administration of the grant. He would be a good person if you have questions locally. His information is programadm@mvpo.org <mailto:programadm@mvpo.org> Application Period Open STATEWIDE for Hazard Mitigation Grant Program Funds Made Available from Ohio Flooding in February 2019

- (2) The fiscal officer emailed Trustees on June 19th, the notice from Defiance County EMA of a possible grant for flood mitigation from the Federal Gov't.
 - (a) A pre grant project form was provided which Trustees need to fill out.
 - (b) Maumee Valley Guidance Matt Spiess may write the grant for the Twp.
 - (c) Trustees need to determine the project and not on the pre- grant form.
- (3) Matt Spiess was asked if a grant could be used for tornado sirens for rural Twp precincts A & B.
 - (a) He replied yes, however, this grant is simply a continuation of an annual process that covers the same issues.
 - (b) Spiess noted that the typical approved project is \$1 million or more.
 - (i) Most grants are for funds to:
 1. Demolish structures built in a flood plain- with the proviso that no new structures are allowed to be built.
 2. A safe room for citizens during emergency or sever weather related events.
 3. Elevate homes in flood plains above flood levels
 4. Raise roads prone to flood and place culverts to handle flood storm waters.
 - (c) Trustees then asked if Spiess could write a grant for:
 - (i) 3 tornado sirens
 - (ii) A safe room near the Twp equipment building on property leased from the Co.
 - (iii) Or infrastructure improvements.
 1. Spiess stated there is a very short time limit on this current grant process but all proposed projects can be submitted for grant approvals in 2020.
 2. Spiess also informed Trustees these grants are generally a multi-year process, and;
 3. There is a 12% match in cash or in-kind acceptable contributions.
 4. Maumee Valley Planning acquires 5% of grant award for writing the grant.
 - (iv) Trustees will work with Maumee Valley on planning a grant application, possibility for 2020.
- b) The Chair asked if there is any other new business to be discussed....
 - i) There was none.

ORDER OF BUSINESS NO. 11 - NEXT MEETING:

- a) The next regular session.

Date: Tuesday – July 23rd, 2019 regular session.

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. Shaffer requested a motion to adjourn the meeting of June 25th, 2019.

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