

Minutes
DEFIANCE TOWNSHIP TRUSTEES
June 26th, 2012 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, June 26th, 2012 at 7:00 p.m. Following the Pledge of Allegiance the Chair instructed the clerk to call the roll. Answering as present were Daniel Peck, Charles A. Bakle Jr. and Diana Mayer; 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, Michael Daniel 21786 St Rte 637, Ed Young 23013 Watson, & Joe Kolb 16492 Cullen Rd. Defiance, Ohio.

Visitors present: Lee Mansfield 1004 Oakwood Ave, Bryan, Ohio, Bob Wagner 26891 Behrens Rd, Mel Bok 29454 Powers Rd, Ned Speiser 08922 St Rt 66, Mike McKibben 28678 Steinmaier Rd, Scott McKibben 15395 St Rt 66 south, Richard Ankney 19133 Hammersmith Rd, Brian Grant 15168 Williams Rd, Penny Bakle 1204 Wayne Ave, & JoEllen Houck 8 Deville Drive, Defiance, Ohio.

ORDER OF BUSINESS NO. 1

Reviewed and approved the minutes of the previous session.

Chairman Peck requested a motion for the approval of minutes from the May 22nd, regular session.

Bakle moved to approve.

Mayer seconded.

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

The minutes for the May 22nd, 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 \$291,451.83 balance is minus the outstanding checks and Township investment funds.
- b) Receipt report:
 - i) Receipts for June were \$17,064.04.
- c) Payment reports:
 - i) Payments for June 2012 were \$37,201.44.
 - ii) This did not include bills received by the fiscal officer after the accounts were closed for the month. The fiscal officer reported to the Trustees that three such bills were turned in for processing on Monday. These bills were posted to the accounts and are not noted on the monthly reports but will be assimilated in the July reports. The bills were to:
 - (1) Defiance Co Engineer – for catch basin - \$252.00
 - (2) Jason Shaffer – nuisance postage - \$11.05
 - (3) Progressive auto – emergency lamp - \$40.75.
- d) The Cash fund summary through June 30th, 2012, showed an “ending cash balance” of \$973,673.12.
 - i) The unencumbered cash balance “cash available” was \$624,106.46 which is the balance after encumbrances are subtracted from the cash balance.
- e) Appropriation Status showed that through June 30th, 2012, 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 06-30-12 was \$703,702.22.

- g) Trustees reviewed and signed the June bills without comment
- h) Trustees, having prior to the meeting been provided with Twp employee's time cards had reviewed same and then, signed the June 2012 payroll without debate.
- i) The Fiscal officer reviewed a notice from the County Treasurer's Office of a pending disbursement of an estate tax. Trustees were provided with exhibit 3-i – which noted an anticipated amount of \$5,175.30 from Case #17036 now in the Probate Court
 - i) Trustees accepted the information without comment.
- j) Mr. Peck requested a motion to accept the June financial reports.
 MOTION by: Bakle
 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 2012.
 - (1) I received a call and spoke with Brett Keller reference his property loan. He advised that the Bank that he is dealing with needs my signature reference how his property is zoned. I advised him that I would, when paperwork was there.
 - (2) I called Pete Masterson, reference the property on Baltimore Rd. I explained to Pete that it needed mowed, or Court was next step. The next day it was done. I did stop tom talk to him as he mowed, and he advised that Tim Font, did still have property inside of the building, and that it is still in court.
 - (3) I mailed letters to the following reference High Grass.
 - (a) Rodney Rittenhouse for the property at 1726 Ottawa Ave.
 - (b) Elberta Ours for the property at 21791 Parkview Dr.
 - (4) I mailed letters to the following fopr Junk/Junk Vehicles that are on properties on Parkview Dr.
 - (a) To H. Nam
 - (b) Dan & Gail Grimes
 - (c) Juanita Fisher (Has 2 properties)
 - ii) I mailed another letter to the following reference a Semi type trailer.
 - (1) Jay H. & Rebecca K. Smith on Ottawa Ave.
 - iii) According to David Lands Office at County Court. These letters can be done as long as the U.S. Postal Service will give me a Certificate of Mailing.
 - iv) I have not received any mailings from Defiance County Water/Soil as of this date 06/25/2012.

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

- b) Mr. Peck asked if there are 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 eq.
- b) Public Bid opening to sell Twp equipment.
 - i) In the May Twp session Trustees instructed that a public notice be run in the local newspaper soliciting bids for the sale of three pieces of Twp equipment. Bids were to be opened and read aloud with those bidders present at the bid opening, who had submitted a sealed bid, being afford the opportunity to

increase their bid if they wished. The Township offered for sale:

- (1) A 1969 Galon road grader;
- (2) A 1995 Dodge one ton truck
- (3) A 1974 International tractor

ii) Those submitting a written bid on the 69 Galon grader were:

- (1) Scott McKibben - \$501
- (2) Bob Wagner - \$700
- (3) Ned Spieser of Mulligan's Sales - \$500
 - (a) Chairman Peck conducted the auction. The auction high bid was entered by Scott McKibben - \$1,200
 - (b) Mr. Peck noted that the scrap valuve was \$1,800
 - (c) Trustees determined to take this bid under consideration.

iii) Those submitting a written bid on the 1995 Dodge one ton were:

- (1) Scott McKibben - \$995
- (2) Melvin Bok -\$1,800
- (3) Ned Spieser of Mulligan's Sales - \$500
- (4) Chairman Peck conducted the auction. The auction high bid was entered by Ned Spieser of Mulligan's of \$1,950

Mr. Bakle moved to accept the bid

Mrs. Mayer seconded

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

The Trustees approved the sale of the 1995 Dodge one ton to Mulligan's sales of Defiance.

iv) Those submitting a written bid on the 1974 International Tractor were:

- (1) Scott McKibben - \$601
- (2) Bob Wagner - \$1,500
- (3) Ned Spieser of Mulligan's Sales - \$500
- (4) Chairman Peck conducted the auction. The auction high bid was entered by Bob Wagner - \$2,200

Mrs. Mayer moved to accept the bid

Mr. Bakle seconded

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

The Trustees approved the sale of the 1974 International tractor to Bob Wagner of Defiance.

v) Trustees informed the successful bidders that they could pay the fiscal officer and upon confirmation of payment they could then make arrangements to acquire their purchases by contacting one of the Trustees.

c) Trustees then continue their equipment review.

ii) Trustees noted that they had received a report that someone – not a Township employee – was observed working on Twp equipment at the Twp maintenance building.

iii) Trustees asked Twp employees present if anyone could confirm this.

iv) No one could.

v) Trustees reminded all Twp employees present that for other then normal services - only Mike Daniels was approved by the Trustees, to perform maintenance on Twp equipment.

d) The Chair asked if there were any other equipment issues to be discussed?

i) There were none.

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

a) Trustees reviewed exhibit 6-a monthly Twp Rd inspection by Trustee Peck.

- i) The Chair asked if there were any questions.
 - ii) Mr. Bakle noted that John Diemer – Twp operator – had prepared 15 to 20 tons of grindings for placement on Cromley road. These are to be placed over the recently stoned portion of the road. This project was on the July assignment sheet.
 - iii) Mr. Richard Ankney was recognized and suggested that Krouse road needs mowed.
 - (1) Trustees instructed operators to mow as noted on the work assignment sheets.
 - iv) Twp operator Ed Young asked if he should replace “NO TRUCK” signs which were taken down on Hammersmith rd when the ditch was widened.
 - (1) Trustees said yes, but to be sure to contact OUPS before putting the posts in the ground.
 - v) July’s Rd review by Trustee Mayer.
- b) Trustees then reviewed the status of the proposed 2012 projects as of this session.
- i) The Trustees & the Co Engineer have confirmed the project list for 2012 with the County Engineer’s office.
 - ii) As of 06-26-2012 this list is as follows – see co engineer’s exhibit 6-b from the April Twp session:
 - (1) purchase orders of 2012 that will fund the projects are- P.O 9-2012 & P.O. 29-2012
 - (2) Hammersmith road – ditch work – estimated cost \$20k – carryover from 2010-**not part of list – but covered under p.o.’s**
 - (a) For portion of ditch west of Singer rd
 - (b) Project was awarded to Webb Const of Defiance.
 - (c) The project was reported 90% complete as of this session.
 - (3) 2nd Hammersmith ditch proj between St Rt 111 and Twp maintenance building – not scheduled for 2012 – estimate unofficial by Co Eng office in August 2011 – if work is performed by Co Eng crew \$10k – not part of list
 - (a) The Co Engineer has stated that this project will be done by the Co when the road rebuild is done on this section of Hammersmith.
 - (4) Rebuild Hammersmith Rd from its west end Def Twp terminus -- easterly approximately to Singer Rd.
 - (a) The project was bid by the Co Engineer – the project’s estimated cost is \$180,500. This figure includes pavement markings per the engineer’s list:
 - (i) \$80k in OPWC grant dollars &;
 - (ii) \$100,500 from Twp road funds. This is up from the previous estimate of \$70.5k
 - (b) Project funding includes future opwc grant dollars.
 - (c) The fiscal officer reported that the Engineer stated that widening and paving of the 2012 portion is to begin in late summer.
 - (5) The remaining .7 mile of Hammersmith from Singer to State Route 111 was then discussed:
 - (a) The fiscal officer noted that the Co Engineer had asked that the Trustees provide an anticipated schedule regarding the rebuilding of the remaining .7 tenths of a mile of this road.
 - (i) Trustees said they will meet with the County Engineer and will propose to break down the .7 remaining segment into two .35 mile sections. Trustees desire to widen .35 from Singer westerly in 2014 and to do the remaining .35 to State Rte 111 in 2015.
 - (ii) This schedule was devised to assist the Twp’s cash flow in its road accounts and acknowledges the uncertainty of State support via local gov’t funds.
 - (6) Indian Bridge lane: - paving project for 2012 with CDBG grant and OPWC grant - \$5,200 – see agendas of 2011 for details to date.
 - (a) Additional planned upgrades to Indian Bridge lane planned for 2012 are:
 - (i) Paving the west portion of the boulevard.
 - 1. In 2011 the Twp was approved to receive \$15,800 CDBG grant dollars in 2012 towards the paving project in grant funds – grant dollars totaled \$15,800.
 - 2. The Twp is pledged to provide \$5,200 towards paving
 - 3. Paving completed and invoice paid in the June 2012 bills. - \$4,933.41
 - 4. \$3000 for additional drainage pipes placed by co engineer in Jan Feb 2012. (opwc grant)
 - 5. In April 2012 – Trustees hired Vandhey Lawn Care to remove stone from 3 cross-overs in preparation of paving by the County Engineer. This work was completed on 4-1 & 2 –

billing is in this month's invoices. \$2,895

- (b) Future effort - on Indian Bridge lane---
 - (i) Previously, Trustee Bakle had indicated he will support applying for a CDBG grant in 2012 for pavement of the east side of the boulevard. Those grant dollars if acquired would be used in a 2013 project.
 - (i) The Twp was informed by the county that the 2012 application was not funded.
 - 1. Mr. Bakle was critical of this County decision. He noted that CDBG funds were designated for construction of handicapped restroom facilities at the County Airport. Mr. Bakle's contention is that CDBG funds are for use in poverty areas and that "poor people don't have airplanes."
- (7) Ball Road – 2012
 - (a) Hot-mix patching – estimated at \$3,522 (pd \$3,522)
 - (b) A crack-seal –estimated at \$2,377 – completed by Co Engineer in April – invoice is in this month's packet. (Pd \$2,220.59)
 - (c) A chip & seal- estimated cost per the Co Engineer's office - \$9,380.
 - (d) Pavement markings – estimated at \$627
- (8) Cromley Road
 - (a) A chip and seal on the portion from Krouse east for approximately 1450'.- estimated cost \$3,204 – on hold as of this session...
 - (b) Pavement markings - \$326
 - (c) the stone was placed per the Feb assignment – charges posted as part of normal exp. (pd \$205.07)
 - (d) In the March meeting - Trustees indicated they will not widen the road or chip seal the eastern portion in 2012 but will do this when the newly stoned portion of the road is upgraded via cement stabilization possibly in 2013.
 - (e) In the May session – Trustees determined to canvass residents of this road to see if a chip – seal was acceptable.
 - (i) Trustees Bakle and Mayer reported that all residents were contacted and all objected to a chip/seal.

Trustee Bakle moved to table the chip/seal project

Trustee Mayer seconded

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

The motion passed

(ii) Trustees will discuss options with the County Engineer.

(iii) Trustees instructed eq operators Joe Kolb and Ed Young to place grindings on the stoned portion of Cromley during July.

(9) Kiser rd – new from past discussions – on the engineer's list –

(a) A hot-mix patching- Krouse to Keller- \$6,788 – completed (pd \$6,781.00)

c) Financial impact review:

- i) The total amount of expenditures proposed for 2012 special projects by the County Engineer's office is \$226,908. This includes \$81k of OPWC grant funds for Hammersmith and \$18,700 of OPWC grants for Indian Bridge lane.
 - (1) Trustees were reminded that:
 - (a) Regular twp expenses are estimated – base on historical review, at between \$70,000 and \$100,000 annually.
 - (b) Anticipated total projected rd work to be posted to the Twp road funds in 2012 to date are at least - \$226,000 more or less (not including OPWC grant funds.)
 - (c) Anticipated revenues as noted in the 2012 amended certificate from the County Auditor for road

work was \$156,345.00

1. At present it is estimated that exp will exceed rev by about \$70,000 depending on the actual exp posted to the road acc'ts for work done by Twp employees.

- (2) The 2012 OPWC grant status as of the June session. This information was taken from a report update from the Co Engineer's Office – exhibit 6-c of April's session includes carryover funds from previous OPWC grants & documentation of expenses in 2012 on the Indian Bridge lane project –
 - (a) The expenditures from 09 through March 2012 were (\$31,737.00)
 - (b) The grant balance now stands at \$46,428.98
 - (c) The report indicates that the Hammersmith project is to be posted at least in part to future grants from this program.
 - (d) No change from the May twp session.

d) Other projects/issues???

- i) There were none.

e) The July work assignments for the Twp crew – exhibit 6-e- were distributed to staff.

f) Twp cemeteries –

- i) Trustees noted they have assigned the replacement of a catch basin and drain pipe at Taylor cemetery to be done in July.

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

- a) The monthly (June12) GrassRoots clippings was reviewed and distributed as exhibit 7a.

ORDER OF BUSINESS NO. 8 – Personnel

- a) In April's session all Twp employees were provided a receipt of notice of a state of Ohio contact to report fraud. (HB 66)
 - i) Employees were instructed to sign the acknowledgement sheet and provide it to the fiscal officer for record of distribution as required by HB 66.
 - (1) Employees that have not yet returned their sign off sheet are:
 - (a) Diemer
 - (b) Buchholtz
 - (2) Trustees are requested to contact these employees to seek compliance.
 - ii) See State Auditor's bulletin 2012-003.
- b) In the May Twp session, Trustees instructed the fiscal officer to run a public notice in the local paper seeking applications for a part time eq operator position for the Twp., said applicant to have a CDL that allows the applicant to operate the trucks of the Twp.

Trustee Bakle moved to go into executive session to review the applications and interview the candidates present.

Trustee Mayer seconded.

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

The motion passed

Trustees returned from executive session.

Trustee Bakle moved to return to regular session

Trustee Mayer seconded.

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

The motion passed

- iii) Trustees received four applications. Two applicants were present.
- iv) Trustees asked both applicants if they were interested in the position. Both stated they were.
- v) The work expected was described by Trustees.

Trustee Mayer moved to hire as a part time Twp equipment operator Michael McKibben and Brian Grant. Pay per the

Twp policy is \$11.60 during the 90 day probationary period. The probationary period begins June 26th and ends Sept. 25, 2012, at which time the employees will be evaluated.

Trustee Bakle seconded.

YEA(s) 3 NAY(s) 0 Passed X Failed
The motion passed

The fiscal officer noted the new employees cannot be assigned duties until they are entered into the system and posted to OPERS. Houck will email Trustees as soon as that effort is complete.

ORDER OF BUSINESS NO. 9 – Old Business

- a) Mr. Peck then provided an up-date on “Fire-Rescue” regionalization discussion by Twp’s and the City of Defiance.
- i) Mr. Peck said that the ongoing study to determine the interest in a regional fire – rescue service will resume with a scheduled July 2nd meeting. Mr. Peck will attend and update Trustees.
- b) The Chair asked if there was any other old business
- i) There was none.

ORDER OF BUSINESS NO. 10 - New Business.

- 1) The Chair asked if there was any new business to come before the board?
 - a) Trustee Bakle noted that the 3rd quarter Def. Co Twp association meeting will be July 25th in Farmer.
- 2) The chair again asked for any new business.
 - a) There was none

ORDER OF BUSINESS NO. 11 - NEXT MEETING:

Date: **Tuesday – July 24th, 2012.**
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. Peck requested a motion to adjourn the meeting of June 26th, 2012

It was moved by: Bakle
 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