

Minutes
DEFIANCE TOWNSHIP TRUSTEES
July 23rd, 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, July 23rd, 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. John Diemer eq operator – 23361 Defiance-Paulding Co Line Rd, #10 & Mike Daniels – 28678 St Rte 637 eq mechanic - Defiance, Ohio.

Visitors present: Rhonda Shaffer 13386 St Rte 15, Patty Diemer 23361 Defiance-Paulding Co Line Rd, #10, Greg Murphy 15779 Sponseller Rd, & 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 June 25th, 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 June 25th, regular session were approved.

ORDER OF BUSINESS NO. 2 - Citizen concerns:

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

a) Greg Murphy 15779 Sponseller Rd (ph 419-393-2474) was recognized:

i) Mr. Murphy stated there is a flooding issue on Sponseller Rd. After certain heavier than normal rain events the road has storm water flowing over it – instead of through a properly functioning drainage system. Mr. Murphy further stated this is particularly troublesome in front of his residence.

(1) Trustees responded that they were aware of the problem and have held several discussions with other residents on this road. There is objection to the proposal to cut a drainage swale which would be through a neighbor's property.

(2) Mr. Bakle suggested that Mr. Murphy contact Soil and Water. They will assess the problem and prepare a plan of action in which all land owners will participate.

ORDER OF BUSINESS NO. 3 - FINANCES –

The following financial reports provided to the Board were reviewed.

a) The Reconciliation for June – noted a primary checking reconciliation balance of \$303,170.37-- balance is minus the outstanding checks and Township investment funds & is taken from the Bank's monthly statement.

b) Receipt report:

i) Receipts for July (UAN software) were \$14,153.29.

c) Payment reports:

i) Payments for July (UAN software) 2013 were \$9,199.22.

d) The Cash fund summary through July, 2013, (UAN software) showed an "ending fund balance" of \$994,571.64.

i) The "cash available" for encumbrances (current reserve- UAN software) was \$504,785.36.

e) Appropriation Status showed that through July 21st, 2013 (UAN software), 14% 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 07-21-13 was \$704,296.44.

- g) Trustees reviewed and signed the July bills.
- h) Payroll & July's time cards (time cards provided trustees prior to session) were reviewed without comment and signed .
- i) The fiscal officer reported that the Twp has received from the Def Co Auditor's office the 2014 anticipated and approved amount the Twp is to receive from the County's General Property tax receipts & the Twp's fire levy. These amounts are to fund the Twp's Gen fund, fire fund & Road and Bridge Fund. The notice estimates the amount the Twp can expect from Inside the 10 mill limitation and from outside the 10 mill limitation (see schedule A of the resolution.) The Twp can expect to receive a total for both the general fund and road and bridge (road funds) of \$89,700.00 from the inside millage in 2014. This is \$1,000 down from the amount received in 2013 – (\$90,700.00) and \$3,500 down from the 2012 amount of(\$92,500).
 - i) Recent history of this revenue source: shows a slight continued decline over a four year period.
 - (1) The road and bridge fund – shows a slight decline over this period.
 - (a) **2014 \$67,900**
 - (b) 2013 \$68,900
 - (c) 2012 \$70,000
 - (d) 2011 \$69,500
 - (2) The general fund
 - (a) **2014 \$21,800**
 - (b) 2013 \$21,800
 - (c) 2012 \$22,500
 - (d) 2011 \$23,000
 - (3) The fire fund: - shows a slight decline with this year's estimate and is at the 2011 level
 - (a) **2014 \$71,500**
 - (b) 2013 \$72,600
 - (c) 2012 \$72,500
 - (d) 2011 \$71,500
 - ii) Trustees reviewed **exhibit 3-i** which is – **resolution 2013-11**.

Mr. Bakle requested a motion to adopt **resolution 2013-11** (attached) accepting the amounts and rates as determined by the Co Budget committee and authorizing the necessary tax levies and certifying them to the County auditor.

The resolution was moved for approval by Mayer;

Seconded by Peck

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

Resolution 2013-11 accepting the funds and rates as provided by the County Budget Committee for the Twp in 2013 was approved.

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

MOTION by: Peck

SECOND by: Mayer

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

The July 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) Monthly report for July:
 - (1) Building Permits were issued ton the following:

- (a) Jerry Shaffer 14475 Power Dam Rd, for a fence, and siding.
- (b) John Carman 13824 Harding Rd, for a pole barn.
- (c) Bill Virol 13726 Harding Rd, for a pond, pending paper work from Soil/Water.
- (2) High Grass letters were sent to the following:
 - (a) Robert Myrick 13768 SR15.
 - (b) David/Rosselyn Wachtman 13574 SR15.
 - (c) Paul Coy 22698 Watson Rd.
 - (d) I made contact with Hostess Real Estate reference there lot on SR15/Watson Rd. They mowed the wrong place. Mowed the lot in the City of Defiance.
- (3) Per Defiance Municipal Court. I was to check on the Juanita Fisher property on Parkview Dr. They have yet to respond to the Courts ruling, of cleaning up the property, and have the disabled vehicle removed or have it legally licensed.
- (4) Martin Appraisal Group has called, reference property zoning outside Defiance Township. I referred them the right Township representatives.
- (5) Several agencies has called reference parcel splits of properties. I referred them to Maumee Valley Planning, along with the county Auditor.

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

- b) Nuisance issue – high grass and weeds at 905 Indian Bridge Lane.
 - i) Mr. Shaffer as the Twp’s nuisance control officer requested a resolution to have Twp personnel and equipment abate this nuisance by mowing the property and placing the expense on the property tax schedule.
 - (1) Trustees concurred without debate.

Mr. Bakle requested a motion to adopt **resolution 2013-10** (exhibit #4-b) which authorizes Twp employees and equipment to abate the high grass and weeds on the property at 905 Indian Bridge lane and to place the expenses (upon review by the Trustees) on the property taxes of this parcel.

MOTION by: Mayer
 SECOND by: Peck
 YEA(s) 3 NAY(s) 0 Passed X Failed

Resolution 2013-10 was passed as presented.

- ii) Twp personnel will mow the property and provide the fiscal officer with an expense report. The fiscal officer will prepare the documentation for Trustee review (for approval) at their August meeting.
- c) The Fiscal officer reported that an Appeals Board meeting is scheduled for July 30th at 7p.m. The meeting will be held on the 2nd floor of the Defiance County Commissioners building – conf room EMOC 500 Court Street - Defiance, Ohio
 - i) The Appeals Bd will hear a request from John Grimes.
 - (1) Mr. John Grimes has requested a “conditional use” permit for the purpose of operating a business from his residence. The residence is owned by Mr. Grimes and is located at 12458 State Rt 111, Defiance, Ohio, 43512. The parcel on which the residence is located is on the Northwest quarter (1/4) of section 3 and the northeast quarter (1/4) of section 4 on 1.731 acres on the west side of St Rte 111 south of the Defiance City limits, in Defiance Township, Defiance, County, Ohio. The parcel ID is B1100-04-001-000.
 - d) 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) Mike Daniels reported the Twp backhoe is now repaired and ready for use.
 - ii) Mr. Bakle suggested that the Twp acquire a mud bucket for the backhoe.
 - (1) After discussion with the Twp Operators and mechanic (Mr. Daniel) it was determined that Mr. Daniel will modify one of the two buckets acquired with the purchase of the backhoe for this purpose.

- iii) Mr. Diemer stated that a "Stop ahead" sign on Defiance-Paulding Co Line Rd #10 is turned.
 - (1) Employees were instructed to correct the sign so it faces the correct way.
- iv) There were no other equipment or safety issues noted.

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

- a) Trustee Report (exhibit 6-a) – Monthly Twp Rd inspection by Trustee Mayer.
 - i) Operators were instructed to use this report as the monthly work assignment.
 - ii) Mr. Peck asked if the "slow for pedestrian" sign was ordered for Cromley Rd.
 - (1) He was informed that the Twp had several stored in the maintenance building and one of these will be set.
 - (2) Jason Shaffer will contact Ohio Utilities Protection Service (OUPS) and set the sign in August.
 - iii) The August Rd review by Trustee Bakle.
- b) Trustees review of 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. In the April Twp session Trustees delayed some projects and added others. All proposed 2013 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
 - iii) As of 07-23-13 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 widened & rough paved 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.
 - 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) 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) See Twp Trustee mins of February through July 2013 for details.
 - (ii) The Engineer estimated the project cost at \$85,000 initially if done as a standalone project. In the June meeting the Engineer reported that they were able to coordinate this project with another project and the new cost estimate was reduced to \$45,000.
 - 1. However, the project now is scheduled to be constructed in September or October as the other project is larger and is the priority.
 - (3) 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.
 - (ii) Trustees desired to remove this item from remaining agendas in 2013.
 - (4) 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 July 2013 for project details.
 - (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)
 - (b) as of this session the project awaits crop harvest.
- (5) 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 earlier this year and determined that dura patching will be done in July to address the issue.
 - (b) At the July session – Trustees reported that there is a hold on this project and Chairman Bakle will discuss the issue with County Engineer's and report back at the August Trustee's session.
- (6) 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) In the June session - Mr. Bakle stated this work was scheduled for Saturday June 29th.
 - (ii) During the July session, Mr. Bakle reported the work was completed.
- (7) Trustees approved during their April session to add floors to the salt bins.
- (a) In June the 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 cement-
 - (c) During the July session – Trustees said this would be work done during weather that prevented current higher prioritized road work including roadside mowing...(probably early fall)
- (8) 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) As of this session the project will be addressed by the County Engineer's - per the Trustees the County Engineer generally addresses this work in the fall or early winter.
- 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.
 - (2) A total estimated cost of the items not on the April engineer's list as of this session is \$51,000.
 - 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 \$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 **\$82,856.00**

(e) Total road fund revenues year date are **\$94,475.00**

(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) John Diemer was recognized and stated that the Twp portion of Def-Paulding Co line rd #10 was chip sealed several years ago and there are numerous cracks in the surface. He wanted to know if the Trustees would contact the Co Engineer to determine if repairs were necessary.

(1) Mr. Bakle will confer the the engineer and report back at the Twp August session.

e) The July work assignments for the Twp crew were then discussed.

i) Trustees instructed Twp operators present to use the monthly road inspection report as their work assignments. Each operator's name is assigned to a Twp road and work that needs done is noted on the report.

f) Twp cemeteries –

i) Trustees stated the Twp operator Buchholtz will be instructed to cut down small trees from around a number of head stones in Cromley cemetery.

ii) No other issues were raised..

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

a) Monthly (August 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 was asked if there was any update.

(1) He responded that a meeting is scheduled for August 6th. He had requested a date change as no Defiance Trustees were available to attend. As of this session he was awaiting a reply.

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) There was none brought forth.

ORDER OF BUSINESS NO. 10 - NEXT MEETING:

Date: Tuesday – August 27th, 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 July 23rd, 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