

*Minutes*  
**DEFIANCE TOWNSHIP TRUSTEES**  
**July 24<sup>th</sup>, 2012 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, July 24<sup>th</sup>, 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, Ed Young 23013 Watson, Brian Grant 15168 Williams Rd & Joe Kolb 16492 Cullen Rd. Defiance, Ohio.

Visitors present: Matt Seibert 13125 State Rte 15, 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 June 26<sup>th</sup>, regular session.

Bakle moved to approve.

Mayer seconded.

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

The minutes for the June 26<sup>th</sup>, 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 June – noted a primary checking reconciliation balance of \$269,686.02 balance is minus the outstanding checks and Township investment funds.
- b) Receipt report:
  - i) Receipts for July were \$21,960.17.
- c) Payment reports:
  - i) Payments for July 2012 were \$22,832.56.
- d) The Cash fund summary through July 31<sup>st</sup>, 2012, showed an “ending cash balance” of \$971,104.19.
  - i) The unencumbered cash balance “cash available” was \$638,929.98 which is the balance after encumbrances are subtracted from the cash balance.
- e) Appropriation Status showed that through July 31<sup>st</sup>, 2012, 13% 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 07-31-12 was \$703,752.54.
- g) Trustees reviewed and signed the July 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 July 2012 payroll without debate.
- i) Mr. Peck requested a motion to accept the July financial reports.

MOTION by: Bakle

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) report for July 2012.
    - (1) Jay Smith at 1664 Ottawa Ave, Defiance, is under the Grandfather act, reference the semi type container that is located in his back yard. The residence was built in 2004, and the Zoning Code/Regulations was in action in September of 2005. But did state that it will be removed this spring, and build a new barn.
    - (2) The issue of chickens at David Jebb residence at 15732 Power Dam Rd. has been resolved. David Land and his attorney (Weaner) have resolved the issue, and the chickens is to be removed. Unknown as to the date of removal.
    - (3) Talked to Amy Schegel, Juanita Fishers daughter. She stated that she is the power of attorney for Fisher, and that she was not aware of any issues at the residence. She asked for an extension, and was given until 08/12/12. I will then seek legal actions.
    - (4) David Glick has stopped the removal of his trailer. I will advise him of the issue and seek legal actions.
    - (5) ADOT Appraisal has called with questions on a couple of classifications on residences in the City. I gave her the number to the city.
    - (6) Mike Gomez called on a classification on a residence at 20503 CR 424, Defiance, . and I gave him the zoning code.

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.
  - i) Trustees had tabled the bid on the 1969 Galon during the June session.
    - (1) Those submitting a written bid on the 69 Galon grader were:
      - (a) Scott McKibben - \$501
      - (b) Bob Wagner - \$700
      - (c) Ned Spieser of Mulligan's Sales - \$500
    - (2) Chairman Peck conducted the auction. The auction high bid was entered by Scott McKibben - \$1,200
      - (a) Mr. Peck noted that the scrap valuve was \$1,800
    - (3) At this session the Chair stated he had been contacted by representatives of Auglaize Village (a nonprofit historical society in Defiance County located on Krouse road). They asked if the Twp would donate the grader to them for use at their facility.
      - (a) The Chair asked for comments from the Board.
        - (i) Mrs. Mayer said she was in favor of donating the grader, under the condition that it stays at Auglaize Village (for use by the Village on its property) and that the grader is transferred as is and the Village has maintenance and repair responsibilities.

Mrs. Mayer moved to donate the 1969 galon grader to Auglize Village Historical Society of Defiance under the stipulations noted above.

Mr. seconded.

YEA(s) 2      NAY(s) 0      Passed X      Failed – Mr. Bakle did not record a vote.

The motion to donate the grade to Auglaize Village was approved.

- ii) The Chair then asked the fiscal officer to prepare a transfer/bill of sale to document the donation. This will be kept in the Twp recorders.
- iii) It was noted that Auglaize Village personnel will be responsible to moving the grader from the Twp maintenance building to Auglaize Village.
- iv) In the May Twp session Trustees determined to search for a used dump truck to replace the 1995 Dodge 1 ton that was sold in the June session.
  - (1) Trustees were to acquire prices limiting any proposed purchase to a total not to exceed \$25k. These informal quotes would be reviewed by Trustees at the June/July sessions for possible action to purchase.
  - (2) Chairman Peck noted that no bids were yet acquired as of this (June's) session.
  - (3) Trustees determined to continue to search for a one ton.
- v) Jason Shaffer Twp Zoning Inspector and eq operator was recognized.
  - (1) Jason noted he purchased (with Trustee approval) two new chain saws in July. He said the chain saw the Twp had – had burned up due to the fact that someone had put straight gas in it, instead of the mixed gas.
  - (2) Shaffer noted he has since marked all gas cans as regular gas or mixed.
- b) 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 Mayer.
  - i) Mrs. Mayer noted that the work orders for August were created from this review.
  - ii) Trustee Bakle will be conducting the monthly road inspection for August.
- b) Trustees the reviewed and 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 07-24-2012 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 listed are:
      - (a) P.O. 9-2012 &
      - (b) 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) This project is for the portion of ditch west of Singer rd
      - (b) Project was awarded to Webb Const of Defiance.
      - (c) The project is complete as of this session and the Twp awaits billing through the Co Engineer's Office.
    - (3) 2nd Hammersmith ditch proj between St Rt 111 and Twp maintenance building – not scheduled for 2012 – estimate unofficial cost by Co Eng office in August 2011 – if work is performed by Co Eng crew \$10k – not part of fiscal review 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) This project is underway.
        - (i) The Twp crew reported that the paving has been completed as of this session.
    - (5) The remaining .7 mile of Hammersmith from Singer to State Route 111:

- (a) In the June session 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 would 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.
  - (iii) Trustee Bakle stated he had discussed this with the Co Engineer and proposes to break the remaining rebuild of Hammersmith road into two sections of .4 and .3. One section to be done in 2013 and one to be done in 2014 if budget allows.
  - (iv) There was no further discussion...
  
- (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 east 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 provided \$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- posted)
      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 of \$2,895 paid from twp acc'ts.
  - (b) Future effort - on Indian Bridge lane---
    - (i) Pavement of the east side of the boulevard.
    - (ii) Mr. Bakle noted the Twp's CDBG grant of 2012 was denied. He stated that the Twp could apply for another CDBG grant in 2013 for work to be done in 2014.
    - (iii) Mr. Bakle stated he has contacted vendors to acquire quotes on the use of asphalt micro surfacing. Mr. Bakle believes this material will lower the cost and make the project more acceptable to the Bd of County Commissioners.
    - (iv) Mr. Bakle noted that Perry Corporation from Columbus, Ohio, will address a Defiance County Twp Association meeting in Oct to present information on micro surfacing. The meeting will be held in Hicksville.
  
- (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 – invoiced and paid in June. (Pd \$2,220.59)
  - (c) A chip & seal- estimated cost per the Co Engineer's office - \$9,380 – to be billed.
  - (d) Pavement markings – estimated at \$627- to be billed.
    - (i) There was no further discussion...
  
- (8) Cromley Road
  - (a) A chip and seal on the portion from Krouse east for approximately 1450' - estimated cost \$3,204 – was tabled in the June session. Trustees were to address this project with the Co Engineer
    - (i) Trustees determined in the July session to cancel this project for 2012.
    - (ii) Trustees will discuss alternative material with the Co Engineer as residents of the road – having been canvassed by Trustees - are opposed to the use of a chip and seal.
  - (b) Stone on the dirt portion of the road from pavements end to road terminus.
    - (i) the stone was placed per the Feb assignment – charges posted as part of normal exp. (pd \$205.07)
  
- (9) Kiser rd – added to 2012 list of projects after the April Twp session.
  - (a) A hot-mix patching- Krouse to Keller- \$6,788 – completed (pd \$6,781.00)

2. A financial impact review was presented by the fiscal officer:
  - i) The total amount of expenditures proposed for 2012 special projects by the County Engineer's office is \$226,908. This includes \$81 grant funds for Hammersmith and \$18,700 in grants for Indian Bridge lane.
    - (1) Trustees are reminded that:
      - (a) Regular twp expenses are estimated – base on historical review, at between \$70,000 and \$100,000
      - (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.
      - (d) No projected change from the June session ...
      - (2) The 2012 OPWC grant report update from the Co Engineer's Office – exhibit 6-c of April's session included carryover funds from previous OPWC grants. This report documents expenses in 2012. There were no updates from the Co Eng for the July session. The report lists;
        - (a) The opwc grants by year of unspent portions of twp grants between 2009 through 2011
        - (b) The expenditures from 09 through March 2012 were (\$31,737.00)
        - (c) The grant balance now stands at \$46,428.98
        - (d) The report indicates that the Hammersmith project is to be posted at least in part to future grants from this program.
        - (e) There was no further discussion.....
3. The Chair asked if there were any other projects/issues???
  - i) There were none.
4. The Trustees noted that the August work assignments for the Twp crew – **exhibit 6-e**- were handed out to staff.
  - i) There were no discussions.
5. The Chair asked if there were any Twp cemeteries issues–
  - i) Work was noted in the monthly road report and assigned in the monthly work assignments.

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

- a) The monthly (August 12) GrassRoots clippings – exhibit 7a was distributed.
- b) A notice from the County Twp Association of the organization's 3<sup>rd</sup> qrt session – exhibit 7-b was reviewed.
  - i) The session is to take place on July 25<sup>th</sup> – 6 p.m. at Farmer American legion
  - ii) Trustees to rsvp if attending – 419-298-3307.
- c) The County Commissioners Office sent notice (exhibit 7-c) of grant opportunity through Maumee Valley Planning, said grants for use to demolish blighted residential structures.
  - i) Discussion..

**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 records 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 were requested to contact these employees to seek compliance.
      - (a) See State Auditor's bulletin 2012-003.
      - (b) Trustee Bakle said he would contact both employees.

- b) Exhibit 8-b was a notice that Twp employee Ed Young was selected randomly for a cdl drug –alcohol test. This testing prog is run in affiliation with the Co EMA Office and is part of the Twp's safety prog to be eligible for insurance prog discounts. Also, Ohio law requires this program for cdl drivers.
- c) Trustees hired two employees in June. Tjh sent trustees an email 7-3 (exhibit 8-c of the July session) noting both were signed up and posted to OPERS and eligible for work assignments. Resolution for hiring is in each person's file.

**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 within the next 30 days a meeting is to be held where the consultant (Kramer & Associates) will present to the Twps and City their assessment of the costs and savings of a regionalized fire – rescue system.
- b) Mr. Peck also noted that he has spoken with Kramer representatives and they would be willing to assist Def Twp in setting up its own volunteer fire department. Trustees noted that several citizens have suggested that the Twp look into this possibility.
- c) 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 Peck noted that he will be out of Town from August 8<sup>th</sup> to the 17<sup>th</sup>.
- b) Trustee Bakle stated he would be out of Town from August 4<sup>th</sup> to the 12<sup>th</sup>.
- c) Trustee Mayer state she would be out of Town from August 5<sup>th</sup> to the 10<sup>th</sup>.
- d) All Trustees will be available via cell phone.

2) The chair again asked for any new business.

- a) There was none

**ORDER OF BUSINESS NO. 11 - NEXT MEETING:**

**Date:** Tuesday – August 28<sup>th</sup>, 2012.  
**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. 12 – Adjournment:**

Mr. Peck requested a motion to adjourn the meeting of July 24<sup>th</sup>, 2012

It was moved by: Mayer  
 SECOND by: Bakle

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