

*Minutes*  
**DEFIANCE TOWNSHIP TRUSTEES**  
**July 25<sup>th</sup>, 2023 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 25<sup>th</sup>, 2023 at 6:30 p.m. Answering as present were John Diemer, Dan Peck, & Jason Shaffer. With three (3) of three (3) members of the BOARD OF TRUSTEES having answered the roll, a quorum was declared.

Township employee(s) present were: Steve Buchholz 1615 S Clinton St., Harry Railing 14951 Power Dam Rd., & Chris Harrow 14143 Karnes Rd., all of Defiance, Ohio.

Visitors present: Stacie Wagner- 308 Tiedeman St. of Defiance, Ohio.

**ORDER OF BUSINESS NO. 1**

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

The Chair requested a motion for the approval of minutes from the June 27<sup>th</sup>, 2023 regular session.

Mr. Peck moved to approve the minutes as presented.

Mr. Diemer 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) None

**ORDER OF BUSINESS NO. 3 - FINANCES –**

- 1) The following financial reports provided to the Board were reviewed.
  - a) The Reconciliation for June - noted a primary checking reconciliation balance of \$419,670.94 - 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 \$9,178.32.
  - c) Payment reports:
    - i) Payments for July (UAN software-) were \$12,851.15.
  - d) The Cash fund summary through- July 24<sup>th</sup>, 2023 (UAN software) showed an "ending fund balance" of \$1,550,031.77.
    - i) The "cash available" for encumbrances (unencumbered fund balance- UAN software) was \$1,006,956.55.
  - e) Appropriation Status showed that through July 24<sup>th</sup>, 2023 (UAN software), 9.8% 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 07-24-2023 was \$1,189,156.43.
  - g) American Rescue Plan Act – Def. Twp – refer to mins of Twp sessions from July 2021 forward for details.
    - i) The Ohio Office of Budget Management (OBM) is managing the grants for many of Ohio's political subdivisions.
      - (1) As of this session we await final close out which will take place with the filing of the annual report with the US Treasury dept in April 2024.
      - (2) The chair asks if there are any questions?
        - (a) There were none.
  - h) ODOT grant "Twp Stimulus Program". Funding provided by Federal government – part of covid relief to states. See mins of sessions from August 2021 forward for details.
    - i) On November 23<sup>rd</sup>, 2021, the County engineer prepared grant applications:

- (1) The Twp was awarded a grant of \$175k for the reconstruction of Ginter Rd. (joint project with the City of Defiance).
- (2) The fund line in the UAN system has been set up and the award/grant has been posted to the fund.
- ii) As of this session:
  - (1) The money is appropriated as the project is to take place in 2023.
  - (2) The Trustees are utilizing the County Engineer as project coordinator.
  - (3) The County Engineer is working with the City of Defiance on this project.
    - (a) The Engineer's Jeff Timbrook stated there was no work on the project in July.
    - (b) The chair asks for any discussion?
      - (i) There was none
- i) Pay check issues – due to the passing of Trustee Diane Mayer and the appointment of John Diemer to the unexpired term through Dec. 2023.
  - i) In June pay checks 6520 and 6515 were prepared and issued to Trustee Mayer (died June 21<sup>st</sup>) and a zoning check for June to John Diemer.
  - ii) Refer to exhibit 3-g – contains questions to Prosecutor and Prosecutor response.
    - (1) Summation of exhibit:
      - (a) Check to Mayer should have been pro-rated for 21 days.
      - (b) Check to Diemer should have been paid for zoning work for 26 days & 4 days for Trustee.
    - (2) Solution:
      - (a) The net of both checks was paid back to the Twp and the fiscal officer has deposited these funds into the Twp accounts.
      - (b) Both June pay checks will be voided and reissued with the appropriate break out as noted in the Prosecutor's email.
      - (c) Federal quarterly tax and tax to City of Def will be reissued.
        - (i) UAN will work with the fiscal officer to place the funds in the appropriate lines and void the taxes and re issue the taxes.
        - (ii) This affects the 2<sup>nd</sup> qrt taxes which will be re-issued as required by the end of July.
        - (iii) Questions.
          - 1. There were none.
  - b) July bills through the 24<sup>th</sup>, – Trustees Review – Discussion and Signature.
  - c) Payroll & July time cards – Trustees Review – Discussion and Signature.
  - d) Mr. Peck requested a motion to accept the July financial reports.

MOTION by: Shaffer

SECOND by: Diemer

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) July Monthly report - Mr. Chris Harrow
  - i) permits issued:
    - (1) -Rick Sanford has returned zoning application for new home construction. contact will be made with him to collect applicable permit fee. This will be added to permit #1936 -Josh Schlegel has been issued a permit for a home addition.
    - (2) 1965 to Mark Lampert pond St Rt 15
    - (3) 1966 to Chase Black Pond Bowman rd
    - (4) 1967 to Brad Beining shelter house – Power Dam rd
  - ii) Zoning issues:
    - (1) -spoke with Evan ref. zoning for property at 14196 Singer Rd.
    - (2) - spoke w/ Scott Williams ref. 24723 Watson Rd., Property w/ home is zoned R-1, rear is zoned Ag.
  - iii) Nuisance violations:
    - (1) -Charlene Grant-
      - (a) Notice of Zoning Violation sent 7-17-23. She called requesting a 30 day extension due to not being able to open the door to get her mower out. Asst. Prosecutor consulted and advised it is up to

Inspector and trustees whether or not to give extension. She was advised of violation of Rules 1034- weed control, and 1035- noxious weeds. Rule

- (b) 1035 calls for 5 days for remediation. Also Rule 1008, junk, applies to her properties. Too What extent do the Trustees want her properties cleaned up? Evidence of animals digging under the buildings has also been observed and documented. There are other problems noted with her properties. A meeting w/ Asst. fire Chief Bowling will be made soon to discuss w/ him possible OFC violations- specifically OFC rule 3 (k) 311.2.1, (k) 311.3, and 311.5
  - (2) -21271 Powers rd. Observed building materials in the front yard.
  - (3) Structure is open to the elements. Violation of Rule 1008 suggested.
  - (4) Neighbors have been complaining
    - (a) A violation notice will be sent. Trustees approved the Zoning Inspector to allow 30 days for the violations to be addressed.
- iv) Site reviews:  
(1) Josh Schlegel
- v) Misc :  
(1) -Nuisance violation signs- example of what the City of Defiance uses obtained. Rules 1008, 1034, 1035 most common to be used. We already have the signs. We would need to get violation forms similar to the City's printed.
- i) Discussion .....  
(1) Forms will be ordered from Hilltop printing of Defiance.

Respectfully submitted  
Chris Harrow, Twp. Zoning Inspector

- b) The Chair again asked if there were any other zoning or nuisance issues to come before the Board.
  - (a) There were none.

#### **ORDER OF BUSINESS NO. 5 -- Equipment;**

- a) Comments or concerns from Twp employees/Trustees on current or proposed new eq &/or safety items.
  - i) Possible new truck to replace 2005 F550 – refer to mins from July 2022 Twp session forward for details.
    - (a) As of this session:
      - (i) An ad for sealed bids and specifications for:
        - 1. a cab and chassis 1.5 ton truck
        - 2. A stainless steel dump bed
        - 3. A snow plow
        - 4. A salt spreader and
        - 5. Safety lights
          - a. Was placed in the Def. Crescent news 7-4 and 7-11
          - b. Bids to be opened at the July 25<sup>th</sup> session – opening and reading of bids:
      - (ii) Discussion
        - 1. Sealed bids for a truck cab and chassis was received and opened from Estle Chevrolet-Cadillac, Inc – 1515 N. Clinton St. Defiance, Ohio 43512
          - a. The bid amount was \$66,945.00
          - b. There were no other bids received.
        - 2. Trustee Shaffer moved to approve the purchase of the bid – see resolution 17.
        - 3. Trustee Diemer seconded

The roll was called:

Deimer yea Shaffer yea Peck yea  
The resolution to purchase the bid for the cab and chassis was approved.

- (iii) Two bids were received for the components ( stainless steel dump bed, snow plow, salt spreader and safety lighting-
  - 1. The bid from ABCO Truck Equipment – 701 N. Westwood Ave., Toledo, Ohio 43607 was for \$39,789.00
  - 2. The bid from Kalida Truck Equipment – 515 South Broad St., Kalida, Ohio 45853 was for \$62,000.00
  - 3. Jeremy Magum of Kalida Truck was present via phone and informed the Trustees that the bid from ABCO was for a battery powered (electric) dump, plow and spreader system.

Whereas the Kalida bid was for a hydraulic system.

4. Trustees believe the hydraulic system is superior and would provide greater longevity for the system.
  - a. Trustees determined to take the quotes under advisement and will consult with the Prosecutor's Office.

- ii) The Chair asked if there are any other equipment or safety concerns.
  - (1) 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 Peck.
  - i) There was no report.
  - ii) The August review is to be by Trustee Diemer.
- b) 2023 Road projects:
  - i) Trustees are to refer to exhibit 6-b dated 4-11-23 of the 4-25-23 session, which is an update to the project list dated 1-20-23 from the Co. Engineer's office. This is the 2023 list of projects for the Co. Engineer & includes the estimates of expenses for the 2023 4<sup>th</sup> mile of the Bowman Rd rebuild project.
  - ii) The road maintenance program is tracked separately in this agenda from the Bowman Rd rebuild or other Twp road expenses assigned by Trustees to Twp personnel or other private contractors.

(1) Co. Engineer road maintenance projects approved are as follows for 2023:

|   | <b>Est.</b>        | <b>Actual cost</b> |
|---|--------------------|--------------------|
| (a) <b>Paving:</b> - no paving projects for 2023. |                    |                    |
| (i) Total paving                                  | <b>\$0</b>         |                    |
| <br>(b) <b>Chipseal:</b>                          |                    |                    |
| (i) Kiser Road – from Krouse to Keller - 5325'    | \$12,998.00        | \$                 |
| (ii) Kiser Road – from Keller to Canal – 5,316'   | \$12,982.00        | \$                 |
| (iii) Parkview Drive – 2,560'                     | \$ 3,389.00        | \$                 |
| (iv) Schroeder Street – 1,182'                    | \$ 1,562.00        | \$                 |
| (v) Estimated total exp. of chip seals            | <b>\$30,931.00</b> | <b>\$</b>          |
| <br>(c) <b>Patching:</b> for 2023 –               |                    |                    |
| (i) none proposed.                                |                    |                    |
| <br>(d) <b>Crack Seal-</b> none in 2023           |                    |                    |
| <br>(e) <b>Pavement Markings:</b>                 |                    |                    |
| (i) Kiser rd – Krouse to Canal – 10,641;          | <b>\$6,321.00</b>  | \$                 |
| <b>(f) Total est and final expenses for 2023-</b> | <b>\$37,252.00</b> | <b>\$</b>          |

- iii) Re-build and widen 4 miles of Twp's portion of Bowman Rd. – see mins from Feb. 2018 for history.
  - (a) There was no construction work done in 2019 due to scheduling issues.
  - (b) Approximately 1 mile of the 4 mile project was completed in 2020:
  - (c) Approximately 1 mile of the 4 mile project was completed in 2021.
  - (d) Approximately 1 mile of the 4 mile project was completed in 2022.

(e) TOTAL ESTIMATED ON BOWMAN PROJECT IN 2023 is \$160,895.00

(f) Proposed 2023 effort is the final mile of this project - **5448'** or approximately the 4<sup>th</sup> mile.- Campbell to Power Dam

(i) **Prep work by Co Eng.** Warren est. 30k +/- will be posted to OPWC

|                     |                    |
|---------------------|--------------------|
| a. <b>Est. cost</b> | <b>Actual cost</b> |
| i. 30k +/-          | \$                 |

(ii) **PAVING:** -

|                     |                    |
|---------------------|--------------------|
| a. <b>Est. cost</b> | <b>Actual cost</b> |
| i. \$107,286.00     | \$                 |

|                                   |                    |
|-----------------------------------|--------------------|
| (iii) <b>Pavement Markings:</b> - | <b>Actual cost</b> |
|-----------------------------------|--------------------|

|                         |                                    |
|-------------------------|------------------------------------|
| i. \$2,979.00 -         | \$                                 |
| (iv) <b>WIDENING:</b> - |                                    |
| a. <b>Estimate</b>      | <b>Actual cost</b>                 |
| i. \$50,630.00          | \$42,602.08 – completed June 2023. |

(v) TOTAL CASH ESTIMATED ON BOWMAN PROJECT IN 2023 is \$160,895.00

1. Trustees have determined to dedicate the Twp’s remaining American Rescue Plan grant to this project. Paid in June.

**(2)** Per past practice, the County Engineer’s Office will coordinate all activity.

iv) Twp projects by Twp staff or other contractors for 2023:

- (1) The Chair asked if there are any proposed or in progress projects for the Twp staff or private contractors for 2023?
- (2) Re-build Ginter Rd. from Jefferson Ave. (St. Rt 66) to Carter Rd - see mins from Jan 2020 forward for details.
  - (a)** Trustees and the City agreed to a rebuild project. An agreement is on file and prints out a summary of the work to be performed.
    - (i) Estimated project cost is: \$162,296.49.
    - (ii)** this is for road reconstruction only – the City has agreed to pay for the proposed sidewalk-bike path.
    - (iii)** As of 03-29-22 an ODOT stimulus grant written by Co. Eng. Schlatter on the Twp’s behalf was approved for funding this project.
      1. The grant award is for \$175k
    - (iv)** This grant has been posted to Twp fund lines as of this session.
  - (b) This project is scheduled for 2023.
  - (c) The County Engineer and the City of Def are working on a bid spec packet as of this session.
  - (d) Jeff Timbrook of the Co Eng staff stated no work was done in July.
  - (e) Discussion:
    - (i) none
- (3) Rebuild of Carter Rd. refer to mins of 8-24-21 Twp session.
  - (a) Trustees to determine timeframe based on available road dollars in the Twp road funds:
  - (b) Discussion:
    - (i) none
- (4) Trustee Shaffer noted in the May 2023 session that there is a drainage issue at Lowel and Brand Rds. The County Engineer can no longer take on these efforts per Mr. Shaffer. Shaffer suggests the Twp contract with Russ Steffel Excavating.
  - (a) Project update:
    - (i) Operator Steve Buchholz stated that the project was completed in July – Twp personnel were assisted by Russ Steffel Excavating.

c) **2023 financial impact review by the fiscal officer:**

- i) The fiscal officer reported:
 

|  |                     |
|--|---------------------|
| (1) Total road fund revenues year date are           | <b>\$137,207.41</b> |
| <b>(2)</b> Total road fund expenses year to date are | <b>\$ 25,552.28</b> |

  - (a)** These figures are tracking road tax revenues regularly received and expended by the Twp.
  - (b) These figures do not include the grant money- American Rescue Plan or ODOT stimulus.**
  - (c) Road salt purchased - 2023– total \$0
- ii) Anticipated road funds revenue (tax receipts) for 2023 – based on the January 6th, 2023 1st Twp amended certificate was:
  - (1) \$227,400 more or less
- iii) Anticipated expenses for 2023 – as of this session:
  - (1) Regular twp. expenses anticipated for the year, baring emergencies. The estimate for 2023 – based on historical review, is placed at between \$70,000 and \$100,000 – would include Twp projects estimated or completed so far this year.:
  - (2) 37k +/- Road maintenance program by Co. Engineer - has been estimated by Co Engineer refer to

- item 6-b of this agenda - proposal from Co. engineer.
- (3) \$160k – estimated for Bowman Rd rebuild in 2023 – refer to exhibit 6-B dated 4-11-23.
  - (a) To be funded in part by American Rescue Plan grant per Trustee resolution 10-2023.
- (4) 40k savings towards Carter rd rebuild - project - unless Trustees determine another project.
  - (a) 40k was earmark in the 2022 budget so at end of 2023 80k should be available.
- (5) Possible truck purchase to replaces F550 – set aside is \$165k
- iv) Total est. exp for 2023 is between \$380 and \$500k –
- v) Discussion;
  - (1) none

- d) **A recap of the OPWC grants (LTIP & Issue 2)**– see minutes of previous sessions for history. An update was last received from the Co Engineer’s Office dated 2-8-23- refer to exhibit 6-d of the February 28<sup>th</sup> meeting.
  - i) Current status as reported by the fiscal officer
    - (1) The Engineer had 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 2 years (2023 & 24) or a total of \$50k remaining give or take.
    - (2) The 2023 grant of \$18,000.00 is posted to Twp grant as of 2-8-23 as noted on the 2-8-23 exhibit.
      - (a) Grant fund balance as of 02-08-23 is minus (\$9,910.73) as noted on the exhibit.
    - (3) –OPWC grant work anticipated for 2023
    - (4) Prep by co eng staff on final mile of the Bowman rd rebuild project.
      - (a) Trustees are reminded that there is no longer a discount in effect from the Co. Engineer for work done on the Twp’s behalf by Engineer staff.. Use of funds is 100%.
    - (5) Discussion:
      - (a) none
- e) The Chair asked if there was any other discussion regarding the fiscal impact report or other road issues?
  - i) There was none.

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

- b) The Chair asked if there are any cemetery issues for discussion?
  - i) There was none.

**ORDER OF BUSINESS NO. 8 – PERSONNEL**

- a) The Chair asks if there are any personnel issues for discussion.
  - i) Zoning Commission – appoint to alternate Bd. position. This opening occurred when Trustees appointed Patti Diemer to the regular Board to fill the seat of Richard Wagner who had passed away.
  - ii) Nominations if any to fill the unexpired Alternate term of Patti Diemer?
  - iii) ZONING COMMISSION

|                   |  |   |  |          |
|-------------------|--|---|--|----------|
| Randy Wilde       | 14726 St Rte 111-<br>Defiance                                      | 419-393-2897                              | <a href="mailto:jjyold@artelco.com">jjyold@artelco.com</a>       | 12-31-25 |
| Sam Bok           | 11310 Krouse Rd -<br>Defiance                                      | 419-782-0012                              | <a href="mailto:jawscows@defnet.com">jawscows@defnet.com</a>     | 12-31-25 |
| Ed Steffel        | 15829 State Rt. 111<br>Defiance, Ohio<br>43512                     | 419 393 2357<br>home                      |  | 12-31-23 |
| Tom Mick          | 21389<br>Hammersmith Road<br>- Defiance                            |   | <a href="mailto:twmick@defnet.com">twmick@defnet.com</a>         | 12-31-23 |
| Patti Diemer      | 23361 Def.<br>Paulding Co. Line<br>Rd 10 – Defiance,<br>Ohio 43512 | 419-439-3181 cell<br>419-393-2009<br>home | <a href="mailto:Pdiemer1961@gmail.com">Pdiemer1961@gmail.com</a> | 12-31-24 |
| <b>ALTERNATES</b> |  |   |  |          |
| Donald Gorrell    | 15656 South St. Rt.<br>66 – Defiance, Ohio<br>43512                | 419 399 7699 cell<br>419 393 2076<br>home | <a href="mailto:Gorrell1155@gmail.com">Gorrell1155@gmail.com</a> | 12-31-23 |
| Open position     |  |   |  | 12-31-24 |

- (1) Trustee Peck was appointed to consult with the Def. High School to get a recommendation of a student for this position. Trustees believe this to be an educational opportunity for the named student.
- (2) Update-
  - (a) Mr. Peck is awaiting the return of school in August.
- b) Mr. Peck asked if there were any other personnel issues.
  - i) There were none.

**ORDER OF BUSINESS NO. 9 - Handouts.**

- a) Monthly (July 23) GrassRoots clippings – **exhibit 9-a**
  - i) Discussion.
    - (1) There was none.

**ORDER OF BUSINESS NO. 10 - Old Business**

- a) The Chair asks if there is any old business to come before the Board?
  - i) There was none.

**ORDER OF BUSINESS NO. 11 - New Business.**

- a) The Chair asked if there is any new business to come before the Board?
  - i) There was none.

**ORDER OF BUSINESS NO. 12 - NEXT MEETING:**

- 1) The next regular session.
  - a) The next session.

**Date:** Tuesday, August 22<sup>nd</sup>, 2023 regular business session.  
**Time:** 6:30 p.m.  
**Place:** Defiance County Commissioners building  
 2nd floor conference room  
 500 Court St.  
 Defiance, Ohio 43512

**ORDER OF BUSINESS NO. 13 – Adjournment:**

- 1) Mr. Peck requested a motion to adjourn this meeting of – July 25<sup>th</sup>, 2023.  
 It was moved by: Shaffer  
 SECOND by: Diemer

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