

Minutes
DEFIANCE TOWNSHIP TRUSTEES
July 27th, 2021 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 27th, 2021 at 6:30 p.m. Answering as present were Dan Peck, Diane Mayer & Jason Shaffer, with all three (3) members of the BOARD OF TRUSTEES having answered the roll, a quorum was declared.

Township employee(s) present were: John Diemer 23361 Defiance County Paulding County Line Rd #10, Steve Buchholtz 1615 South Clinton St. and Harry Railing 14951 Power Dam Rd., all of Defiance, Ohio.

Visitors present: Patti Diemer 23361 Defiance Paulding County Line Rd. #10, and JoEllen Houck 8 DeVille Dr., all of Defiance, Ohio.

Also present were: Bill Wiles - Auglaize Twp (Paulding Co.) Trustee -19706 Co. Rd. 1040 Oakwood, Ohio; Everett Bennett - Auglaize Twp (Paulding Co.) Trustee 14372 Rd 17, Defiance, Ohio; Betty Bennett, 14372 Rd 17, Defiance, Ohio, and Gene Widenhammer - Auglaize Twp (Paulding Co.) Trustee - 18138 Rd 218, 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 22nd, 2021 regular 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 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 –

- 1) The following financial reports provided to the Board were reviewed.
 - a) The Reconciliation for June - noted a primary checking reconciliation balance of \$333,034.95-- 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 \$40,110.87.
 - c) Payment reports:
 - i) Payments for July (UAN software-) were \$10,601.63.
 - d) The Cash fund summary through- July 26th, 2021, (UAN software) showed an "ending fund balance" of \$1,084,059.62.
 - i) The "cash available" for encumbrances (unencumbered fund balance- UAN software) was \$623,517.09.
 - e) Appropriation Status showed that through July 26th, 2021 (UAN software), 14.5% 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 06-26-2021 was \$741,952.84.
 - g) July bills through the 21st, were then reviewed and signed by Trustees.
 - h) Payroll & May time cards (time cards provided trustees prior to session) – Trustees Reviewed & signed
 - i) There was no discussion.
 - i) The fiscal officer reported that the Audit of Twp funds for years 2019 and 2020 is underway.
 - i) State Auditor is Deb Mack

- ii) Audit is AUP – est cost is \$2,700
 - iii) State has all requested records
- j) Mr. Shaffer 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 financial reports were approved.

ORDER OF BUSINESS NO. 4 – Zoning - Status update on the following zoning Issues as of this session:

- a) July Monthly Zoning report -
 - i) permits issued:
 - (1) Cher Raub - room addition on power dam rd
 - (2) Chris Stack - home on bowman road
 - (3) Mark Janowiekici- for pole barn ball road
 - ii) Zoning issues:
 - (1) signed 2 land splits-
 - (a) Jermeij Seip on bowman road
 - (b) Matt Killionn State Route 111
 - (c) Ted Walbolt - conditional hearing for home on Campbell Road
 - iii) Nuisance violations:
 - (1) None
 - iv) Site reviews:
 - (1) Site review for Brandon Osborn- garage on bowman road
 - v) Misc :
 - (1) none

Respectfully submitted
 John Diemer, Twp. Zoning Inspector

- b) Zoning Bd. of Appeals met at 6p. 7-27
 - i) A request for a “conditional use” permit for the construction of a new home on parcel B11-0016-0-015-03, of approximately 5 acres of Defiance Township currently zoned “agricultural” has been made by Theodore & Diana Walbolt. The parcel is located in Def. Twp. section 16 – in the NE quarter section, Twp 3 North range 4 east split from parcel B11-1600-0-015-02 with an issued house number of 15190.
 - (1) The Zoning Bd approved the request.
- c) Steve Buchholtz was recognized, he stated that he believes a nuisance issue exists on a Hammersmith rd property on which is a house trailer. He noted there are high weeds and grass and what appears to be an abandoned couch.
 - i) Zoning – Nuisance officer Diemer will investigate.
 - ii) The Chair asked if there were any other zoning issues to come before the Board.
 - (1) None were presented.

ORDER OF BUSINESS NO. 5 -- Equipment;

- a) Comments or concerns from Twp employees/Trustees on current or proposed new eq &/or safety items.
 - i) At the June 2021 regular Twp session Trustees approved the purchase of a dump insert bed for the 2019 GMC. Two quotes were to have been acquired by operator Buchholtz.
 - ii) One quote was rec'd from Kalida Truck – \$4,600 – presented as exhibit 5-1 of this session.
 - iii) A second quote was requested from W. A. Jone eq of Columbia City, Indiana - the Twp did not receive this quote.
 - (1) Per Buchholtz a verbal quote was given of \$3,600 – the Twp never rec'd a written quote.
 - iv) During July - Trustees determined to purchase the dump bed from Kalida Truck.
 - v) As of this session the Twp. awaits the invoice.
- b) The chair asked if there was any other equipment or safety item discussion?
 - i) There was 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) Discussion of July review:
 - (1) Operators are to refer to the inspection report for August work.
 - ii) It was noted that certain catch basins on Singer and Hammersmith are filled with field debris and not draining.
 - iii) The July review is to be by Trustee Shaffer.
- a) **2021 Road projects:**
- i) Trustees approved the 2021 Twp. Rd maintenance program as provided by the County Engineer's Office at the Trustees' Jan. 26th session. Refer to exhibit 6-b – of the Jan. Twp session.
 - ii) The Engineer's office submitted an updated project cost estimate which was presented as Exhibit 6-1 dated 4-8-21, provided at the 4-27 session.
 - (1) The exhibit-cost updates included the 2021 Bowman rd rebuild section.
 - (2) 1-26-21 projected total cost for all projects is \$168,430.89
 - (3) 4-26-21 projected total cost for all projects is \$168,550.00
 - iii) 2021 Def. Twp. rd. maintenance program by County Engineer- from 4-8 estimate.
 - (1) The road maintenance program does not include major reconstruction projects – i.e. Bowman Rd rebuild, or other Twp road expenses assigned by Trustees to Twp personnel or other private contractors.
 - (a) **Chipseal: not yet started per co eng office 7-21**

| | Est. | Actual cost |
|---|-----------------|--------------------|
| (i) Singer – from St. Rt 111 to Hammersmith - 2639' | \$4,100 | |
| (ii) Garman – from Harding to Wilhelm – 2639' | \$4,100 | |
| (iii) McCollister – Wilhelm to dead end – 2619' | \$4,400 | |
| (iv) Wilhelm – from McCollister to Garman -961' | \$4,100 | |
| (v) <u>Wilhelm – from Watson to McCollister – 2640'</u> | <u>\$1,500</u> | |
| (vi) Estimated total exp. of chip seals | \$18,200 | |
 - (b) **Patching: completed as of 5-25-21 – invoiced processed for 6-22 review:**

| | | |
|------------------------------------|-----------------|--------------------|
| (i) Estimated total patching exp - | \$19,300 | \$20,572.57 |
|------------------------------------|-----------------|--------------------|
 - (c) **Crack Seal- completed and invoiced as of June 22nd twp session**

| | | |
|-------------------------------------|-----------------|--------------------|
| (i) Estimated total exp. crack seal | \$10,800 | \$11,613.41 |
|-------------------------------------|-----------------|--------------------|
 - (d) **Pavement Markings:**
 - (i) None in 2021
 - (e) **Total est and final expenses for 2021-**

| | |
|--|-----------------|
| | \$48,300 |
|--|-----------------|
 - iv) Re-build and widen 4 miles of Twp's portion of Bowman Rd. – see mins from Feb. 2018 for history.
 - (1) In 2021 as of this session – 3 miles of the 4 mile project remain to be completed:
 - (a) Proposed 2021 effort is 5317' or approximately the 2nd mile.
 - (i) **PAVING: - not yet started as of 7-27 per ph w engineer's office.**
 1. Williams to karnes – 2655' est cost \$42,500
 2. Karnes to st rt 66 – 2666' est cost \$42,500

| | |
|---------------------|----------------------|
| a. Est. cost | Actual cost – |
| i. \$85,000 | |
 - (ii) **Pavement Markings: - Williams to st rt 66 5321'**

| | |
|-------------------|--|
| a. \$2,500 | |
|-------------------|--|
 - (iii) **WIDENING: - f Williams to St rt 66 – 5317' – completed and inv 5-25-21**

| | |
|--------------------|--------------------|
| a. Estimate | Actual cost |
| b. \$32,750 | \$37,620.00 |
 - (iv) TOTAL ESTIMATED ON BOWMAN PROJECT IN 2021 is anticipated to be \$120,250
 - (b) Per past practice, the County Engineer's Office will coordinate all activity.
 - (c) The Chair asked if there was any discussion?
 - (i) There was none.
- b) **Twp projects by Twp staff or other contractors for 2021:**
- i) The Chair asked if there were any proposed projects for the Twp staff or private contractors for 2021?
 - (1) Trustees in past sessions have noted that trees along Cromley need trimmed and or removed. See past agenda from Oct 2020 session forward for details.
 - (i) In April 2021 Trustees had hired A Cut Above tree service of Defiance to address the project.

- (a) May update:
 - (i) No work in May.
 - (b) June update:
 - (i) No work in June.
 - (c) July update:
 - (i) 3 of 5 trees have been taken down.
 - (2) At the June 22nd session it was noted by Railing that tree branches were hanging over the road at Garman and Krouse.
 - (a) Buchholtz and Railing were to check and determine if they can trim back. If not then Trustees will contact the Co. Engineer's for assistance on this issue.
 - (b) July update:
 - (i) No work on this issue in July.
 - (3) It was reported that in July - stone was added to May road and was graded using the Delaware Twp grader. The grader has been returned to Delaware Twp.
- c) Re-build Ginter/Carter Rd. from Jefferson Ave. (St. Rt 66) to at Carter Rd to Ginter and Jefferson (St. Rt 66)- see mins from Jan 2020 forward for details.
- i) At the April 2021 Twp session the issue was brought forth from the table:
 - ii) Mr. Peck reported that the City will soon be forthcoming with a proposal for a joint venture to widen and add a sidewalk to this road which will include that portion of the road that belongs to the Twp.
 - (1) May updated?
 - (a) There was none.
 - (2) June update?
 - (a) There was none.
 - (3) July update?
 - (a) There was none.
- d) **2021 financial impact review by the fiscal officer:**
- i) The fiscal officer reported:

| | |
|---|------------------|
| (1) Total road fund revenues year date are | \$150,796 |
| (2) Total road fund expenses year to date are | \$ 96,351 |

 - (a) Road salt purchased - 2021– total \$5,460
 - ii) Anticipated road funds revenue for 2021 – based on the January 8th, 2021 1st Twp amended certificate was:
 - (1) \$208,350 more or less
 - iii) Anticipated expenses for 2021 – as of this session:
 - (1) Regular twp. expenses anticipated for the year, baring emergencies. The estimate for 2021 – 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) \$48k as of this session for Co Eng work- in 2021 – refer to item 6-1 of the April 2021 agenda – (other than Bowman Rd. rebuild).
 - (3) \$120,250 – refer to exhibit 6-1 of this session - Bowman Rd. rebuild –
 - (4) ??? - savings towards the Carter/Ginter rd project.
 - iv) Total estimated expenses from Twp rd acc'ts for 2021 - \$230k to \$269 if projects currently proposed are completed and Twp reg expense is 100k.
- 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 01-07-2021 (exhibit 6-f) part of annual public officials meeting held in Feb.
- i) Current status as reported by the fiscal officer
 - (1) –OPWC grant work for 2021- no known activity as of this session.
 - (a) The amount of OPWC grant funds spent on the Twp's behalf in 2021 –none as of this session.
 - (b) The amount of funds for Twp. use is \$52,332.42 plus remaining grants over the next 4 years.
 - (c) 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%.
 - ii) 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 4 years or a total of \$100k remaining give or take.
 - iii) As of this session:

(1) Trustees stated their intent is to use OPWC grant funds for the Twp's portion of the Ginter rd project noted above.

- f) 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.

- a) The Chair asks if there are any cemetery issues for discussion?
i) At the June 22nd meeting, Steve Buchholtz stated there was a large dead tree in Taylor cemetery that needed trimmed of dead branches which might fall and damage tombstones.
(1) Buchholtz and Railing were assigned to attempt this effort if they thought they could.
(2) July update-
(a) No work in July.

ORDER OF BUSINESS NO. 8 – PERSONNEL

- a) The Chair asked if there are any personnel issues for discussion.
i) The fiscal officer presented Trustees with Exhibit 8-1 – an email resignation from Def. Twp. operator-scheduler Brain Grant. The email stated his resignation would be effective August 10, 2021.
(1) Trustee Peck moved to accept the resignation
(2) Trustee Mayer seconded
YEA(s) 3 NAY(s) 0 Passed X Failed
The motion to accept was approved.
(3) Trustees noted their gratitude to Mr. Grant for his service.
ii) Trustees asked Operator Steve Buchholtz if he would take the position of Twp. Operator-scheduler with the current pay rate of \$25 per hour.
(1) Buchholtz said he would like to think about this and would let Trustees know at or before the August session.
iii) The Chair asked if there were any other personnel issues.
(1) There were none presented.

ORDER OF BUSINESS NO. 9 - Handouts.

- a) Monthly (July 21) GrassRoots clippings – **exhibit 9-a**
b) Notice from Shelly Co. (Stone-co) of price increase effective August 2nd, 2021. **Exhibit 9-b**
c) Notice from the Co. Comm. That the charges for CDL testing will increase by \$4.50 in mid – July 2021. Costs for tests will be \$19.00. – exhibit 9-c.

ORDER OF BUSINESS NO. 10 - Old Business

- a) The Chair asks if there is any old business to come before the Board?
i) At the June Twp session - the fiscal officer stated that the Paulding Co. Auglaize Twp fiscal officer and asked if Def. Twp. had documentation of a maintenance agreement between Auglaize Twp. and Def; Twp. regarding the Twp section of Def. Co. Line Rd. 10.
(1) Def. Twp. has no such agreement on file.
(2) Auglaize Twp Trustees wish to discuss a drainage issue and other possible maintenance items such as snow removal and mowing.
(1) Auglaize Trustee Widenhammer stated there is presently a drainage issue on this road and that Auglaize twp has been mowing both sides of the road.
(a) Def. Twp noted its operators have also mowed and plowed both sides of the road.
(2) the Auglaize Trustees state that it might be beneficial if there was a written agreement which would state the responsibilities of each Twp on what portion and what types of maintenance would be done.
(3) All Trustees of Auglaize and Defiance Township agreed that a written maintenance agreement was desirable. Further, all Trustees agreed that Auglaize Twp Trustees would have such an agreement prepared by their County Prosecutor. The agreement would be provided to Defiance Twp Trustees and Def. Trustees stated that they would have the Defiance Co. Prosecutor review.
(a) If Defiance Twp desired edits to the Auglaize document – these edits would be made and the revised document would be sent to the Auglaize Trustees for review and comments.
(4) Defiance Twp. Trustees thanked the Auglaize Twp Trustees for the effort on this issue.
ii) The Chair asked if there was any other old business for discussion.

(1) There was none.

ORDER OF BUSINESS NO. 11 - New Business.

a) The Chair asked if there is any new business to be discussed....

i) The fiscal officer is recognized.

(1) **Exhibit 11-1** is information relative to applying for America Recovery Act funds.

(a) Exhibit includes – application requirements, use of funds, tracking of use of funds, budgeting use of funds and time period funds are available. (as of receipt and must be spent by Dec 31, 2026. And a proposal to possibly partner with the Co. Comm on a project in Def Twp to be determined.

(b) Discussion..

(i) Mr. Peck moved that the Twp apply for the funds

(ii) Mrs. Mayer seconded

The roll was called and the vote was:

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

(iii) Trustees approved that the Twp should apply for the funds and a project would be determined if funds were granted.

b) The Chair again asked for any other new business.

i) There was none.

ORDER OF BUSINESS NO. 12 - NEXT MEETING:

1) The next regular session.

a) The next session.

Date: Tuesday, August 24th, 2021 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. Shaffer requested a motion to adjourn this meeting of – July 27th, 2021.

It was moved by: Mayer

SECOND by: Peck

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