

Minutes
DEFIANCE TOWNSHIP TRUSTEES
August 26th, 2008 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 August 26th, 2008 at 7:30 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 Richard Ankney; also present was Tim Houck, Township Fiscal Officer-Clerk. All three (3) members of the BOARD OF TRUSTEES having answered the roll, a quorum was present.

Township employees present: John Diemer – 23361 Defiance-Paulding Co Line Rd, Joe Kolb 16492 Cullen Rd, and James Schlegel (zoning inspector) – 220 Pinewood.

Other(s) present were: Ruth Ann Schofield 15968 Campbell Rd, Arthur Miller 20296 Cromley Rd, Connie Duerk 1585 South Clinton St, Penny Bakle 1204 Washington Ave, & JoEllen Houck of 8 Deville Drive, Defiance, Ohio.

ORDER OF BUSINESS NO. 1

Review and approval of minutes of the previous session.

- a) Chairman Ankney requested a motion for the approval of minutes from the July 22nd regular session.

MOTION: Charles Bakle

SECOND: Dan Peck

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

The MINUTE'S for the July 22nd, session was approved.

- b) The Fiscal officer then passed out copies of the minutes of the July 21st Kaiser Rd reconstruction bid opening meeting.
- i) Mr. Bakle asked for a verbal review of the Kiser Rd bid opening which took place on July 21st -- so that those present would have an understanding of the Board discussion of this issue.
- ii) Mr. Peck explained that the project was publicly bid and that no company provided a bid. This was probably due to the timing of the bidding which took place in the middle of the current construction season.
- (1) Per the minutes of that session; as no bid was made, the Chair asked if there was support to re-bid the project. The Co Engineer recommended that the project be re-bid in Dec or January. The Engineer's office would again coordinate the bid process.

It was moved by Mr. Bakle to accept the engineer's recommendation and re-bid the project with a bid date opening to be Dec or Jan.

It was seconded by Mr. Peck

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

The motion to re-bid the project was approved.

- c) The Chair asked for a motion to approve the minutes of the July 21st Kaiser Rd construction project bid opening meeting.

MOTION: Charles Bakle

SECOND: Dan Peck

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

The MINUTE'S for the July 21st, session was approved.

ORDER OF BUSINESS NO. 2 - citizens concerns

- a) The chair asked for citizen concerns from the floor.
 - i) There were no citizen concerns raised by those present.

ORDER OF BUSINESS NO. 3 - FINANCES –

The following financial reports provided to the Board were reviewed.

- a) The July monthly Reconciliation – noted a primary checking reconciliation balance of \$95,467.46 as of July 31st, 2008..... balance is minus the outstanding checks and Township investment funds.
- b) Receipt & Payment reports
 - i) Receipts for August 2008 were \$74,122.51. Payments for August (bills & payroll) totaled \$8,743.81.
- c) The Cash fund summary through August 31st, 2008, showed an “ending cash balance” of \$877,387.01.
- d) The unencumbered cash balance “cash available” was \$665,378.-9 which is the balance after encumbrances are subtracted from the cash balance.
- e) Appropriation Status showed that through August, 2008, 13% of the years’ appropriations had been expended. The budget is in line with the goals set by the Trustees to put aside a cash reserve to be applied to the 2nd half of the Kiser Road re-build project which is scheduled for the 2009 construction season. All reports will be on file in the Fiscal Officer’s office.
- f) The fund status report showed:
 - i) The money market investment fund balance as of 08-31-08 was \$716,540.85
- g) The Trustees reviewed and signed the bills for the month.
- h) payroll for August was then reviewed and checks signed by the Trustees.
- i) Trustees were then presented from the Def Co Auditor’s office the 2008 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 Twp can expect to receive a total of \$99,000 in 2009. The Twp received \$159,000 in 2008 from this funding source. Trustees reviewed exhibit 3-i which is – **resolution 2008-09.**

Mr. Ankney requested a motion to adopt resolution 2008-09 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.

It was moved by Mr. Peck to adopt funding resolution 2008-09 as presented from the County auditor’s office.

Seconded by Mr. Bakle

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

The resolution was adopted.

Mr. Ankney requested a motion to accept the August financial reports.

MOTION: Charles Bakle

SECOND: Daniel Peck

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

The August 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. Jim Schlegel
 - i) August 2008
 - (1) Sent complaint form to Garn Parkview Dr nothing returned 7-28-08
 - (2) Received a call from a company in Wisconsin ref putting up a 200’ tower to measure the wind for future installation of electric wind turbines.
 - (3) Church on Watson Rd is under construction permit issued
 - (4) Variance for Power Dam Rd completed and submitted
 - (5) Nothing received ref neighbor complaint on Powers Rd
 - (6) Complaint of high grass on SR 15 8-12 sent complaint form.
 - (7) Received a call on 8-16 from complainant advising he did not want his name on the complaint as someone might burn down his house.

- (8) Received complaint of high grass on Powers Rd Sent complaint form. This appears to be zoned AG. Will investigate when complaint is received
- ii) Fiscal officer – Tim Houck reports he continues to work to activate the Twp Zoning Commission. The Trustee's in the May 08 meeting directed the Zoning commission to study the possible adoption of zoning rules relative to the construction of wind-turbines in Defiance Twp.
 - (1) Fiscal Officer – also reports he has verbal information from Wood county (they have a wind turbine farm near the Wood Co landfill). Large electric producing turbines such as these are public utilities and not subject to Twp zoning authority.
 - (2) Fiscal office is to contact Archbold, Ohio and the Ohio Township Association to acquire a copy of any zoning regulations currently in effect for “wind turbines”.
- b) Review Zoning Bd of Appeals hearing of earlier this evening
 - i) – Jayme Price 19626 Cromley road sought a second “conditional use” designation for his property to operate a cottage business.
 - ii) David Kilpatrick of 14820 Power Dam rd sought relief from zoning set back requirements to construct a garage.
- c) Chairman Ankney asked Mr. Schlegel to check if a permit has been issued for the construction of a farm pond on Krouse road the 2nd property south of Powers Road.
- d) The Fiscal officer reported on the actions of the Twp Appeals Bd which met just prior to the Trustees session.
 - i) The Appeals Board approved the following requests:
 - (1) – Jayme Price 19626 Cromley road sought and was granted a second “conditional use” designation for his property to operate a cottage business.
 - (2) David Kilpatrick of 14820 Power Dam rd sought relief from zoning set back requirements to construct a garage and was granted a 16’ setback condition.
- a) Chairman Ankney asked if there is any other zoning issues to come before the Board.
 - i) There were none.

ORDER OF BUSINESS NO. 5 -- Equipment;

- a) Trustees heard comments or concerns from Twp employees on current or proposed new eq.
 - i) Comments or concerns from Twp employees on current or proposed new eq.
 - (1) The Ford tractor-mower is in need of parts –
 - (a) Trustees approved the continued review and repairs to this unit
- b) 04 International – belly plow ordered removed by Trustees.
 - i) Mr. Ankney reported that this project is complete.
 - ii) Mr. Diemer noted that new batteries must be purchased for this unit.
 - (1) Trustees approved the purchase.
- c) There was no further equipment discussion.

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

- a) The Trustee Monthly Twp Rd inspection report, exhibit 6-a as completed by Trustee BAKle was reviewed.
 - i) The Twp crew was provided a copy and instructed to complete the work as noted.
 - (a) Mr. Bakle noted the issues were mostly a need to address berms and mowing.
 - (b) Mr. Bakle also suggested placing asphalt over a cross over repair on Ashwood.
 - ii) The September - Rd review will be by Trustee Peck
- b) Trustees then reviewed the ongoing or planned project(s) –
 - i) The Fiscal office presented as a planning tool – exhibit 6-c-I – which was a fiscal summary/analysis of the road fund accounts.
 - (1) Trustees were informed of the history of recent year’s road fund acc’t income so as to be able to plan the next large rebuild and/or rehabilitation project along with the annual road maintenance ave expenses.
 - (2) Mr. Bakle wanted to prioritize a list of major projects beyond chip and seal efforts.
 - (3) Mr. Peck said we all want new roads but we can only do what the budget allows.
 - (4) It was estimated by the fiscal office that to do a project similar in scope to the current planned rebuild of Kiser road –would take 3 years of savings to accrue the funds.

- ii) Up-date on existing road projects – there is presently one major planned project for 09:
 - (1) **Kiser Rd project** (1 full mile from Keller to Canal) – to be done in 2008.
 - (a) See minutes forward from the Jan 07 session for project details.
 - (b) See minutes of the project bid opening of July 21st, 2008.
 - (c) As of 8-26:
 - (i) the engineer's cost estimate is now \$270,000 to \$350,00 including engineer's office project expense for engineering and project management.
 - (ii) the Engineer is coordinating some of the drainage work which is to take place this fall and cost is limited to \$24,000.
 - (iii) It was noted that the Engineer's have surveyed in the ditch line.
 - (iv) Mr. Bakle said that the County Engineer has told him they (the engineer's office) have not yet issued a contract for the ditch work.
 - (v) The Trustees voted in the July session to re-bid the project in Jan – Feb 09.
 - (d) This item will remain on the agenda until completed
 - (2) **"Sponseller Rd drainage project** - drainage will be to Bee-Tree ditch. This item has been on Twp agenda's from March 07. see past agendas for history.
 - (a) Bee-Tree ditch is being cleaned this year by Soil & Water
 - (b) Once that project is complete the Twp agreed to address the drainage issues on Sponseller
 - (c) As of this session:
 - (i) Trustees had agreed the Twp project will consist of:
 - i. 1 cross over drainage tile will be constructed
 - ii. Mr. Joe "Webb created a ditch to connect to existing drainage which will accept water from this "cross over pipe".
 - b. Estimated project cost per Trustees in April 08 session is \$1,000 to \$2,000.
 - (d) There has been no Twp work on this project since the last Twp meeting.
 - (3) Maintenance issues with Krouse Road (no estimated cost)
 - (a) The twp is building the base for future long term repair.
 - (b) Trustees have contacted ODOT for grindings from 08 const projects.
 - (c) Mr. Bakle reported that "no grindings are available yet". He thinks maybe by September.
 - (d) The Twp has purchased stone and placed stone on this road in 08; to date just over \$1,000.
 - (e) There has been no Twp work on this project since the last Twp meeting.
 - (4) Maintenance issues with **Cromley Road** (no estimated cost)
 - (a) Stone to date in 08 -- \$800
 - (b) Cromley road resident Arthur Miller was recognized. Mr. Miller said there is a large ridge in the center of the road which he thought was formed from the heavy farm traffic on the road. He would like the Twp to address the problem as cars scrap there underside on this ridge when the car straddles the ridge.
 - (i) Further, Mr. Miller stated that in his opinion the road should be rebuilt.
 - (ii) Mr. Ankney replied that he would like to see this road properly fixed when the Kiser road project is complete.
 - (iii) Trustees then discussed possible short term repairs for both Cromley and Singer roads. Singer road is also in need of surface repair.
 - (iv) Trustees agreed to get two or three bids to address repairs to the current road design for both Singer and Cromley. Trustees will proceed with the work of by the lowest bidder so long as estimates are under the required public bid amount. This project will be reported on in the September meeting.
 - (c) There has been no Twp work on the Cromley road project since the last Twp meeting.
 - (5) **Lakeview Drive** – replacement of catch basins on lakeview– approved by Trustees in Feb session) (no estimated cost) 2 of 3 had been replaced as of the June meeting..
 - (a) There has been no Twp work on this project since the last Twp meeting.
 - (6) Possible drainage pipe end of May rd
 - (a) this projected was reported to have been completed.

(7) **Twp cemeteries –**

- (a) Mr. Bakle reported all roads in all the cemeteries need some work. See Mr. Bakle's monthly road report which details concerns on the cemetery roads. Twp crew will address.
- iii) The chair asked if there were any other possible road projects for discussion.
 - (1) There was no other project discussion.

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

- a) The Monthly (August 08) GrassRoots clippings was presented as exhibit 7-a

ORDER OF BUSINESS NO. 8 - Old Business

- a) The Chair asked if there was any 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) The fiscal officer reported that the National Incident Management System (NIMS) training will be held at the end of September at the Co EMA. exhibit 9-a – explained the training.
 - (1) In order to be eligible for certain federal grants during a disaster clean up this training is required.
 - (2) It was suggested by EMA that a member of the decision making body of the Twp be trained.
 - (3) During an emergency the def twp representative would need to acquire a 2nd vote of a trustee in order to direct any operation that would involve spending.
 - (a) Mr. Ankney volunteered to attend.
- b) Trustees discussed the need to purchase salt for the upcoming winter. Trustees agreed to order 1 load from Bostleman trucking. 1 load is the capacity of the Twp salt bins. The Estimated cost is \$3,000.
- c) Twp employee John Diemer stated he was taking a full time position with the State Hwy department. He would be starting his new duties in early September. Further, he would like to continue working when he can for the Twp.
 - i) Trustees congratulated Mr. Diemer on his new position and will keep him on part time when he can work for the Twp.

It was moved by Mr. Peck to keep Mr. Diemer as part time and to run an add for a new “part time” employee.

Mr. Bakle seconded

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

The motion was approved.

- ii) The fiscal officer was directed to run an ad for a new part time employee.

- d) The Chair asked if there was any other new business to come before the board.

- i) There was none.

ORDER OF BUSINESS NO. 10 - NEXT MEETING:

Date: Tuesday September 30th, 2008

Time: 7:30 p.m.

Place: 2nd floor of the Defiance County Commissioners building – conf room EMOC
500 Court Street - Defiance, Ohio

Mr. Ankney then requested a motion to adjourn the meeting of August 26th, 2008.

It was moved by: Mr. Bakle

SECOND by: Mr. 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, Clerk