

Minutes
DEFIANCE TOWNSHIP TRUSTEES
August 26th, 2014 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, August 26th, 2014 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: Mike Daniels 21786 State Rte 637, and John Deimer 23361 Defiance – Paulding Co. Line, all from Defiance, Ohio.

Visitors present: Doug Layne 22584 Garmin Rd., Patty Diemer 23361, Angie Ransdell 21786 State Rte 637, & JoEllen Houck 8 Deville Drive, - all from 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 July 22nd, 2014 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 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 July - noted a primary checking reconciliation balance of \$264,712.33 -- balance is minus the outstanding checks and Township investment funds & is taken from the Bank's monthly statement.
- b) Receipt report:
 - i) Receipts for August (UAN software-) were \$26,361.32.
- c) Payment reports:
 - i) Payments for August (UAN software-) were \$18,382.93.
- d) The Cash fund summary through August 24, 2014, (UAN software) showed an "ending fund balance" of \$963,981.80.
 - i) The "cash available" for encumbrances (current reserve- UAN software) was \$473,408.40.
- e) Appropriation Status showed that through August 24th, 2014 (UAN software), 13.4% 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 08-24-14 was \$704,680.51.
- g) Trustees reviewed and signed the August bills.
- h) Payroll & August time cards (time cards provided trustees prior to session) were reviewed without comment.
- i) Trustees then reviewed exhibit i – a cover letter from the Def Co Auditor's office and a Twp resolution regarding the Defiance Township' anticipated distribution share of the anticipated "Local Gov't Fund monies" for 2015; the Twp can expect to receive a total of \$20,354.73 in 2015. This Twp funding allocation was \$19,518.60 in 2014, \$19,509.51 in 2013, \$25,522.70 in 2012, \$37,186.05 in 2011, \$35,278.93 in 2010 and

\$41,914.80 in 2009.

i) The fiscal officer reported:

ii) The 2015 allocation is roughly \$800 more than in 2014. It is now believed that this funding source will be more or less steady. The State had promised a leveling or even slight increases per the State's budget deliberations during the July 1, 2013 2 year State budget process.

iii) Trustees then continued their review of exhibit 3-i which was resolution 2014-14, and an accompanying letter from the Defiance County's Budget Commission's proposed disbursement of local gov't funds for 2015.

Mr. Bakle requested a motion to adopt resolution 2014-14 accepting the amount as defined by the County Budget Commission - \$20,354.73.

Mrs. Mayer moved to adopt the resolution as presented.

Mr. Peck seconded.

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

The resolution was approved.

j) The fiscal officer reported that the Twp has received from the Def Co Auditor's office the 2015 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.)

i) The Twp can expect to receive a total for both the general fund and road and bridge (road funds) of \$90,800.00 from the inside millage in 2014. This is roughly a \$900.00 increase from the amount received in 2014 see history j-ii of this agenda.

ii) The fire levy (outside milage) will receive a projected \$72,500 – see history in j-ii.

iii) 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) 2015 \$68,800

(b) 2014 \$67,900

(c) 2013 \$68,900

(d) 2012 \$70,000

(e) 2011 \$69,500

(2) The general fund

(a) 2015 \$22,000

(b) 2014 \$21,800

(c) 2013 \$21,800

(d) 2012 \$22,500

(e) 2011 \$23,000

(3) The fire fund: - shows a slight decline with this year's estimate and is at the 2011 level

(a) 2015 \$72,500

(b) 2014 \$71,500

(c) 2013 \$72,600

(d) 2012 \$72,500

(e) 2011 \$71,500

iv) Trustees reviewed exhibit 3-j which was – resolution 2014-16.

Mr. Bakle requested a motion to adopt resolution 2014-16 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.

Mrs. Mayer moved to adopt the resolution as presented.

Mr. Peck seconded.

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

The resolution was approved.

k) Trustees were reminded that during the July Twp session Trustees discussed the possibility of rescinding their direction to limit the use of future OPWC grant dollars due to the possibility of the Twp having to pay back these dollars should the grants no longer be offered.

i) The County Engineer has four invoices for 2014 road work completed by and or under County

Engineer's on behalf of the Twp as approved by the Trustees earlier this year.

- ii) Invoice 140004 \$59,806 for rebuild – resurface and striping of Hammersmith rd from Singer to State Rte 111.
 - iii) Invoice 140006 – \$150 for hot mix asphalt testing of Hammersmith rd work above.
 - iv) Invoice 140010 - \$9,830 for patch and tack of Sponseller – Co line to Bowman rd –
 - v) Invoice 14-0036 - \$450 for dura patching of Krouse rd
- (1) The Co Engineer had informed the fiscal officer that if the Twp decides to pay for the work directly the Twp loses the 20% discount that is applied when future OPWC grant dollars are used.
- (a) Further, the Engineer noted his office is monitoring the amount of future year grant dollars used and that the citizens of Ohio recently adopted State issue1 to add 10 more years of tax to the OPWC state grant lines.
 - (b) The average OPWC annual amount awarded to Def. Twp is \$25k and the Engineer stated he will not require repayment if the OPWC program is halted and the Twp is in arrears.
 - (c) The Engineer also stated he will not allow the Twp to exceed its anticipated total grant awards of \$25k x 12 remaining years of grants under current state law.
 - (d) The Engineer also stated that the Twp cannot accept the OPWC postings and then pay down the debt during the same fiscal year. Trustees were informed of this via an email from the fiscal officer dated July 23 – “OPWC Grant Postings”
 - (e) Trustees must decide whether to pay the invoices from current cash or have the Engineer's office post the expenses to future OPWC grants.

(2) Do the Trustees wish to rescind the April motion and allow the Engineer's to post to future grant funds in order to acquire the 20% reduction?

- (a) The Chair asked for discussion
 - (i) Mr. Peck stated he believes the Twp should pay down the debt.

Mr. Peck then moved to pay the Hammersmith rd project from Twp funds to post the remaining invoices that qualify for the 20% discount to future OPWC grants.
(the remaining total is would be a small increase to the current debt)

Mrs. Mayer seconded the motion.

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

The motion was approved.

Mr. Bakle then requested a motion to accept the August financial reports.

MOTION by: Peck

SECOND by: Mayer

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 noted the Zoning inspector was unable to attend the session due to a work conflict. The Zoning report for August will be emailed to the fiscal officer and inserted into the minutes.
- b) August Zoning report –
 - i) Nancy Lauber from SR111 called to ask about Scenic River views. I asked Russ Herman from the Defiance County Prosecutors office. There is no ORC that he is aware of. This is an issue that stems from Ed Steffel building a fence on his property. Steffel has every right to build on his property, if he has a building permit. At this time, Ed Steffel has built a fence without a permit. I left paperwork at his residence, and he has yet to contact me.

- ii) Building permits were issued to :
 - (1) Jim Nusbaum at 14777 SR 111 for a garage.
 - (2) Randy/Mary Schroeder at 14547 SR66 for a garage.
- iii) high Grass Warnings was issued to:
 - (1) 24771 Watson Road. Grass was cut within the time frame of 5 Days.
 - (2) DAV Hall was verbally addressed. Charlene Grant was told a second time to keep the grass mowed. I will not give her a third warning letter. Will cite to court.

c) The Chair asked if there were any other Zoning issues to be discussed.

- i) There were none.

ORDER OF BUSINESS NO. 5 -- Equipment;

- a) The Chair asked if there were any comments or concerns on current or proposed new eq.
 - i) Mike Daniels was recognized.
 - (1) He requested Trustees to approve a repair to the radiator for the New Holland tractor. Daniels stated he tried to get this issue addressed under warranty – however, the warranty expired in June and Homier Eq (place of purchase) would not extend the coverage. Daniels intends to have the repairs made at Regal's Radiator of Defiance.
 - (2) Trustees approved the proposed repair.
- b) The Chair asked if there were any other comments or concerns regarding the Twp's equipment.
 - i) There was none.

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

- a) The monthly road inspection report – presented as exhibit 6-a was reviewed by Mr. Bakle.
 - i) He noted that there is a need to mow along Twp roads, and recognized that mowing awaits repairs to the Twp's mower and tractor.
 - ii) Mr. Bakle also noted that berm needs placed on portions of Co Line road 8, and there were holes that needed repaired on May road and Lakeview.
 - iii) Bakle also thought that May road should be widened at the entrance to the turnaround, however, he will check with the County Engineer to determine if sufficient road right of way exists for this project to take place.
 - (1) Trustees agreed with the May road widening subject to having sufficient right of way.
- iv) The September Rd review will be by Trustee Peck.
- b) Trustees continued their review of the proposed 2014 projects.
 - i) The proposed project list was prepared by the Defiance County Engineer's Office for the Trustees. The project list was presented at the January 28th session as exhibit 6-b 2014 Def Twp preliminary estimate. Trustees modified the project list at their March 2014 session as follows:
 - ii) purchase orders of 2014 that will fund the projects listed are:
 - (a) P.O.'s 9-2014, &
 - (b) B.C.'s 36-2014
 - (c) P.o.s total \$225,000
 - (d) Expenses exceeding this amount with the Co Eng will require transfers and new p.o.s
 - iii) As of 08-26-14 this list is as follows:
 - (1) **Hammersmith rd re-build project: Resurfacing:**
 - (a) A .7 mile rebuild of Hammersmith from Singer to State Route 111- Trustees were reminded to review the minutes from 2011 forward for history:
 - (i) This rebuild project was designed to be financed over a three year period starting in 2012.
 - (ii) In 2014 – resurface (from Singer to State rt 111) with asphalt – estimated cost \$59,615.00 – previous estimate was \$63,000.
 - (iii) Pavement markings - \$824.00
 - (iv) As of this session the project is complete and billing has been submitted. Trustees have determined to pay this expense from Twp funds and not to post to future OPWC grants.

- (2) hot mix patching of Sponseller rd from Co. line to Bowman now estimated at \$9,003.00 the previous estimated cost \$8,922.
 - (i) As of this session the project is complete and billing has been submitted. Trustees have determined to pay this expense from Twp funds and not to post to future OPWC grants.
 - (3) Trustees approved during their April 2013 session to add floors to the salt bins.
 - (a) Work is to be in 2014 – see mins from June forward of 2013 for details.
 - (b) Trustees noted this project should begin soon before inclement weather again interferes with the project.
 - (4) In the March session Trustees approved the berming of Cromley Road to reduce or eliminate drop off.
 - (a) Status as of this session – project is delayed awaiting repairs to the Twp's backhoe.
 - (5) In the March session Trustees instructed staff to complete the insulation of the maintenance building as directed in 2013.
 - (a) Trustees noted this project should begin soon before inclement weather again interferes with the project.
 - (6) Due to budget constraints all other road projects as presented on exhibit 6-b during the January regular Twp session will be delayed at least one year and will be reviewed again for the 2015 construction year.
- c) A financial impact review by the fiscal officer was heard:
- i) As of this session total anticipated cost of all approved projects for 2014 are \$77,000 more or less (if posted to Twp road fund lines instead of OPWC future grants – (Hammersmith rd, Sponseller Rd, Kiser Rd patching completed in late 2013 to be billed, and cement floors in the Twp salt shed.
 - ii) Trustees are reminded that:
 - (1) Regular twp expenses are estimated – based on historical review, at between \$70,000 and \$100,000
 - (2) Anticipated 2014 revenues as noted in the 2014 amended certificate from the County Auditor for road work was \$159,092.00.
 - (3) Total road expenses year to date are **\$56,931.51**
 - (4) Total road fund revenues year date are **\$103,235.23**
 - (a) Expenses exceeding income utilize Twp road carry over funds.
 - (5) A recap of the OPWC grants – see minutes of previous sessions for history. The last update from the **Co Engineer's Office was dated 6-03-14**. The update includes expenditures from future OPWC grants that the Twp might receive.
 - (a) (see minutes from 2011 forward thru December 2013 for history).
 - (b) Note: the 2014 OPWC grant of \$34,355.00 has been posted against the future grant amounts as directed by the Trustees.
 - (c) Current status – the OPWC has utilized future grants in the amount of \$60,973.00 (reduced from the \$95,267.50.
- d) The Chair asks if there are any new proposed 2014 projects that are not now on the above project list:
- i) There were none.
- e) Trustees again noted the September work assignments for the Twp crew are noted in the monthly road report.
- f) Twp cemeteries –
- i) no issues were reported.

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

- a) The monthly (August 14) GrassRoots clippings was distributed as exhibit 7a.
- b) Exhibit 7-b – was reviewed this was a sales letter from MD Solutions regarding an ODOT reflectivity requirement for all highway signs.
 - i) Trustees were reminded that the Twp has an agreement with the Co. Engineer to ensure Def. Twp meets this requirement. The resolution passed by the Trustees regarding this issue is part of the exhibit.
- c) Exhibit 7-c – was a notice from the Ohio Ethics Commission regarding a training for public officials that is available locally.
 - i) The training is on Oct. 1, 2014, at 3p and a 2nd session is at 6p.
 - ii) Sessions are being held at the Def Co EMA office – 22491 Mill Street, Defiance, Ohio.
 - iii) If trustees wish to attend inform the fiscal officer – the fiscal officer will submit an rsvp.
 - iv) Mr. Bakle stated he would attend the 6 p.m. session.

ORDER OF BUSINESS NO. 8 –Old Business

- a) The Fire – Rescue service contract for Def. Twp with the City of Defiance was modified per the City direction by the Twp during the July meeting. The cost for rescue services was increased by \$24k.
 - i) In response the Twp Trustees have placed a ballot issue before the voters of Twp precincts A & B where that service is rendered.
 - ii) See minutes from January 2014 forward to review history of a 2014 proposed fire-rescue service levy to be placed on the November 2014 ballot to cover the proposed City increase.
 - iii) As of August 26th:
 - (1) Trustees adopted resolution 2014-11 “DECLARING IT NECESSARY TO LEVY AN ADDITIONAL 1.1-MIL TAX LEVY AND REQUESTING THE COUNTY AUDITOR TO CERTIFY THE TOTAL CURRENT TAX VALUATION OF THE DEFIANCE TOWNSHIP AND THE DOLLAR AMOUNT OF THE REVENUE THAT WOULD BE GENERATED BY THAT LEVY”..
 - (2) The Certificate of Estimated property tax revenue as approved by the Co. Auditor (see resolution 2014-11 approved in the June Twp session.
 - (3) resolution 2014-12 (as drafted by the Prosecutor’s office), IN THE MATTER OF: SUBMITTING TO THE ELECTORS OF THE UNINCORPORATED AREAS OF DEFIANCE TOWNSHIP PURSUANT TO RC. 5705.19 THE QUESTION OF AN ADDITIONAL 1.1 MILL TAX LEVY FOR THE PURPOSE OF FIRE/EMS/AMULANCE SERVICES, was approved in July.
 - (4) proposed ballot language (as drafted by the Prosecutor’s office
 - (5) the “notice of Election on tax levy in excess of the ten mill limitations” as drafted by the prosecutor’s office; (to be provided to the Bd of Elections upon the adoption of the resolution); and
 - (6) a receipt letter that is to be signed by the Bd of Elections once the packet is taken to the Bd. Of Election.
 - (7) All items have been provided to the Elections Board and the issue will be on the November ballot.
 - (8) The Twp awaits the outcome so as to decide whether to find another service provider due to the expense now being more then the revenue from the existing levy.
 - (9) The asked if there was any further discussion?
 - (a) There was none.
- b) Trustees in the July session voted to advertise and accept sealed bids for the sale of certain Twp property. Said parcel being located at the corner of Harding and Garmin Roads - Parcel #b-110003000900. Exhibit 8-B contained a certified appraisal of this property by Re-Max of Defiance.
 - i) an ad as required by the ORC had been placed in the local paper and was also posted to the Twp’s web page.
 - ii) The ad solicited sealed bids to be submitted to Twp by 7:00 p.m. on August 26th the bids to be opened and read aloud during the session.
 - (1) Those who have submitted a sealed bid which had been read will be afforded the opportunity to raise their bid at that time.
 - iii) The Chair requested the fiscal officer to open and read allowed the submitted bids.

Doug Layne - 22584 Garmin Rd., submitted the only bid in the amount of \$6,500.

- iv) The Trustees accepted the bid.

Mrs. Mayer moved to accept the bid.

Mr. Peck seconded

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

- v) Trustees instructed the fiscal officer to inform the Prosecutor's Office and to acquire the necessary paper work to complete the sale.
- c) In the July session trustees approved Twp resolution 2014-15 and authorized Twp operators to mow the property at 905 Indian Bridge lane and to place the expenses on that parcels' property tax bill. The property was in violation of the Twp's nuisance code regarding high weeds and grass.
 - i) Exhibit 8-c – contained a letter to the Co. Auditor requesting the expense of this mowing (accomplished in August) to be posted to the property tax of this parcel B1100 28a 02 200 & a copy of the resolution.
 - (1) There was no further comment on this issue.
- d) The Chair asked if there is any other additional old business to come before the Board?
 - 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.

ORDER OF BUSINESS NO. 10 - NEXT MEETING:

Date: Tuesday – September 23rd, 2014, - Regular scheduled session
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 August 26th, 2014

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