

Minutes
DEFIANCE TOWNSHIP TRUSTEES
August 27th, 2013 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 27th, 2013 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: Jason Shaffer (equipment operator and zoning inspector) – 13386 St Rte 15. John Diemer eq operator – 23361 Defiance-Paulding Co Line Rd, #10 & Mike Daniels – 28678 St Rte 637 eq mechanic - Defiance, Ohio.

Visitors present: Patty Diemer 23361 Defiance-Paulding Co Line Rd, #10, Linda Varano – 302 East High Street, Hailey Daniels – 28678 St Rte 637, & JoEllen Houck 8 Deville Drive, - 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 23rd 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 July regular 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 \$291,534.70-- 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 \$74,879.87.
- c) Payment reports:
 - i) Payments for August (UAN software) 2013 were \$17,851.09.
- d) The Cash fund summary through August, 2013, (UAN software) showed an "ending fund balance" of \$1,051,600.42.
 - i) The "cash available" for encumbrances (current reserve- UAN software) was \$573,428.04.
- e) Appropriation Status showed that through August 25th, 2013 (UAN software), 16% 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 08-25-13 was \$704,328.28.
- g) Trustees reviewed and signed the August bills.
- h) Payroll & August's time cards (time cards provided trustees prior to session) were reviewed without comment and signed .
- i) A notice from the Def Co Auditor's office along with a draft resolution was reviewed. The documents indicated that the Defiance Township' anticipated distribution share of the 2014 "Local Gov't Fund monies"

will be a total of \$19,518.60. This Twp's funding allocation in 2013 was \$19,509.51, \$25,522.70 was received in 2012, \$37,186.05 in 2011; \$35,278.93 in 2010 and \$41,914.80 in 2009.

i) The fiscal officer reports:

ii) The 2014 allocation is the same as it was in 2013 (+ \$9) 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 reviewed the exhibit 3-I which was the Defiance County's Budget Commission's proposed disbursement of local gov't funds for 2014 & the adopting resolution – resolution 2013-12,.

Mr. Bakle requested a motion to adopt resolution 2013-12 accepting the amount as defined by the County Budget Commission - \$19,518.60.

Mr. Peck moved to approve resolution 2013-12 accepting the proposed Local Gov't Fund distribution as presented.

Mrs. Mayer seconded.

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

The resolution was approved. A copy to be on file in the fiscal records of the Twp and with the County Auditor's Office.

Mr. Bakle 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 asked for the Monthly Zoning report - Inspector's Report - Mr. Jason Shaffer provided the following electronic copy of this report.

i) Monthly report for August:

(1) Building Permits issued to :

(a) J.T. Mc Minis on SR111, for a addition to his residence.

(b) Tri State Trans Load on CR424, for a new sign.

(2) Pending permits:

(a) Phil Block on Power Dam Rd for a tear down/new garage.

(b) Bill Virol on Harding Rd for a pond.

(c) Bob Pasterz on Power Dam Rd for a garage.

(d) Daryl Mc Nealy on Indian Bridge lane, for siding on his residence.

(3) Court Updates:

(a) Juanita Fisher has legal plates on the vehicles that are on the property.

(b) Paul Coy mowed his property on Watson Rd.

(c) Wachtmans mowed their property on SR15.

(d) Robert Myrick failed to cut his grass. I attempted to make contact through the Butler Real Estate in Defiance. Spoke to Gary Butler, and advised him of the situation. Will work at it more.

(e) Spoke with Jon Jacques on Jackson St. He will have the trailer moved as soon as he has taken the contents out of it. Under stands now, that he has to have it removed. tried to get it fenced in to hide it.

(4) Complaints from:

(a) Kurt Becher on Williams Rd. He stated that, the people that live on the corner (Dr. Fogt) of Williams and Watson Rd, has piled brush, grass clippings and other vegetation, in what appears to be a burn pile. I advised Mr. Becher that in the event he burns it, he will be cited by the fire dept.

Jason A. Shaffer
Zoning Inspector
Defiance Township
Defiance, Ohio 43512

- b) A nuisance issue – high grass and weeds at 905 Indian Bridge Lane was reviewed.
 - i) Mr. Shaffer had been approved by the Trustees to mow this nuisance property and the Trustees instructed the fiscal officer to acquire the expense data from Shaffer and to prepare a bill to be submitted to the County Auditor's office to have the expenses assigned to the property tax for reimbursement to the Twp.
 - ii) Exhibit 4-b was prepared by the fiscal officer and presented to the Trustees at this session. This exhibit documented the expense and was prepared in letter form to the Defiance County Auditor's office indicating the Trustees voted to have the expense posted to the property taxes for payment to the Twp.
 - (1) The hr charge for eq used in this effort (john deere commercial grade riding mower) was the amount charged for the use of the Twp's tractor and mower the last time this occurred. Trustees were asked if they wish to amend the equipment per hour charge given that a lawn tractor was used in this effort?
 - (2) Trustees determined that the cost was prudent and should be such so as to serve notice to the public that the public must maintain their properties to code. Further, Trustees thought that the Twp should review and increase the charges for Twp equipment when the larger equipment is used in the future in such efforts. The fiscal officer was asked to bring this item before the Trustees when the next such effort is required.
 - (3) The expense for this parcel for mowing totaled \$203.73.
 - (4) Mr. Shaffer noted that at least one more mowing will be necessary this fall.
 - (5) The fiscal officer stated it would be best to submit the posting to property tax request when all mowing by the Twp for this parcel is completed.
 - (6) Trustees concurred.
- c) The Chair asked if there was any other zoning business to come before the Trustees - 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) Mike Daniels & Jason Shaffer reported the Twp international dump truck still needs repaired. The unit was damaged in when it was involved in a deer accident earlier this year.
 - (1) Trustees instructed Shaffer to take the truck to Defiance Truck Sales on Carpenter Rd for the body work.
 - (a) Twp employees will paint the gas tank and Daniels will put on the strobe lights..
 - (b) Defiance Trucks Sales is the local International dealer.
 - ii) Daniels is to fix the controls on the Skid loader and the air conditioning in the John Deere tractor and the Dodge 1 ton.
 - iii) There were no other equipment or safety issues noted.

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

- a) Trustee Report (exhibit 6-a) – Monthly Twp Rd inspection by Trustee Bakle was reviewed.
 - i) Operators were instructed to use this report as the monthly work assignment. Each operator was assigned a specific road in the report.
 - ii) The September Rd review will be by Trustee Peck.
- b) Trustees review of the proposed 2013 projects as of this session.
 - i) The Trustees approved the Co Engineer's list edited and distributed as exhibit 6-b during the March Twp meeting. In the April Twp session Trustees delayed some projects and added others. All proposed 2013 projects are listed below.
 - ii) purchase orders of 2013 that will fund the projects listed are:
 - (a) P.O.'s 8-2013, 9-2013, &
 - (b) B.C.'s 36-2013, 45-2013
 - (c) P.o.s total \$179,500
 - (d) Expenses exceeding this amount with the Co Eng will require transfers and new p.o.s
 - iii) As of 08-27-13 this list and the additional projects approved in March are as follows:
 - (1) The remaining .7 mile of Hammersmith from Singer to State Route 111- Trustees were reminded to

review the minutes from 2011 forward for history:

- (a) This rebuild project will take place over a three year period starting in 2013.
 - (i) The entire .7 miles will be widened & rough paved in 2013 and the drainage ditch is to be constructed. Property acquisition for right of way to widen the road and construct the ditch will also take place in 2013 and be done by the County engineer. The engineer's office will also contract or construct the ditch in 2013.
 - 1. Widening with rough paving - \$22,327.50
 - 2. Right of way acquisition – \$10,000
 - 3. Drainage ditch construction - \$10,000
 - 4. Total 2013 exp on this proj \$42,327.50 more or less.
 - (ii) A smooth paving will be applied in 2014.
 - (iii) And a final smooth paving will be done in 2015.
 - (iv) As of this session work is continuing on this project.

- (2) Cromley Road
 - (a) The County Engineer's will coordinate a cement stabilization in 2013 from the end of pavement to the west end of the road just past the Webb residence. This is approximately 3,200 feet more or less.
 - (i) See Twp Trustee mins of February through July 2013 for details.
 - (ii) The Engineer estimated the project cost at \$85,000 initially if done as a standalone project. In the June meeting the Engineer reported that they were able to coordinate this project with another project and the new cost estimate was reduced to \$45,000.
 - 1. However, the project now is scheduled to be constructed in September or October as the other project is larger and is the priority.
 - 2. In the July meeting Trustees noted they must determine if there is to be a micro surface, a chip and seal, or asphalt cover applied.- Co Engineer Schlatter desires direction before the contract is let – anticipated to be let within the next 2 weeks.....
 - 3. It was reported that a chip and seal would cost \$15k, 1" asphalt over the entire length of the road would be \$55k
 - 4. Trustee Bakle said that the 1" asphalt would pay for itself with the longer life.

Diane Mayer moved to asphalt Cromley road.

Charles Bakle seconded

The vote was 2 yeas and 1 nay. Mr. Peck stated he felt the cost for asphalt was not justified based on the low volume of traffic on this road.

The motion to approve the 1" asphalt pavement over the concrete stabilization was approved.

- (3) Singer Rd-Hammersmith intersection – drainage project. Not listed on the engineer's list - 6-b of Jan 2013.
 - (a) See minutes of Twp sessions from November 2012 through July 2013 for project details.
 - (i) The Twp will provide \$11k to fund the project as outlined in the Engineer's handout in March. .
 - 1. Grading and shaping, brush and tree removal, remove concrete headwall, tile destruction and clean up, 6' tile on north side crossing Hammersmith.
 - 2. The list also indicated that property owners that had land bordering Hammersmith would donate the right of way for the Hammersmith project.
 - (ii) in addition the Twp will fund the 30" pipe to be placed under Singer rd. (there was no est. cost)

- (4) Krouse rd – earlier this year it was reported that the road had been damaged by traffic. This report was noted by a citizen during the March meeting.
 - (a) Trustees reviewed the road earlier this year and determined that dura patching will be done in July to address the issue.
 - (b) At the July session – Trustees reported that there is a hold on this project and Chairman Bakle was to discuss the issue with County Engineer's and report back at the August Trustee's session.
 - (c) Mr. Bakle said he spoke with the engineer and they will re-assess and prepare a

recommendation for the Trustees.

- (5) Trustees approved during their April session to add floors to the salt bins.
 - (a) In June the Trustees instructed the crew to place remaining salt on one side and add the floor then move that salt back and add the floor to the other side.
 - (b) The floor is to be cement-
 - (c) During the July session – Trustees said this would be work done during weather that prevented current higher prioritized road work including roadside mowing....(probably early fall)
 - (d) Trustees in this session instructed the crew to begin with the north side floor of the salt shed.
 - (6) (new item from July session) - the Twp portion of Def-Paulding Co line rd #10 that had been chip sealed several years ago was reported in the July session as having numerous cracks in the surface. If not repaired it was stated that these issues would become worse during the upcoming winter. Trustees were asked to assess and determine if repairs were to be made in 2013.
 - (a) Mr. Bakle was to confer the the engineer and report back at the Twp August session.
 - (b) Mr. Bakle reported that the Engineer informed him that all chip seal work has been bid for the 2013 construction season. The engineer will put this project on the 2014 list.
 - (7) Sponseller drainage issue – discussed in the July session was again reviewed.
 - (a) Trustees decided to review the problem with the County Engineer to acquire a recommendation to address the issue.
 - (b) There are differences between residents living on this road regarding the problem and how to fix it.
- c) A financial impact review by the fiscal officer was heard:
- i) As of this session total anticipated cost of all projects for 2013 per exhibit 6-b as noted in the March Engineer's project estimate is now \$82,910.
 - (1) Also to be funded in 2013 but not included on the engineer's list are:
 - (a) the Singer rd drainage project (\$11k) plus unknown cost of 30"tile and a cement stabilization of Cromely cement stabilization is now estimated at \$45k, at this session Trustees voted to asphalt the cement stabilization at an estimated cost of \$55k.
 - (2) A total estimated cost of the items not on the April engineer's list as of this session is \$111,000.
 - ii) The total amount of expenditures proposed for 2013 special projects by the County Engineer's office as provided in the 3-20 engineer's letter is \$82,910 plus additional major projects of \$111,000. All major projects now planned total \$193,110.00.
 - (1) The fiscal officer is planning on these expenses to be posted to our cash road fund lines, given that OPWC future grant funds have been used per the Co Engineer in the amount of \$68k more or less. See section below for details.
 - (2) Trustees are reminded that:
 - (a) Regular twp expenses are estimated – base on historical review, at between \$70,000 and \$100,000
 - (b) Total expenses for 2013 are now (as of August) anticipated to be \$293,110.00.
 - (c) Anticipated 2013 revenues as noted in the 2013 amended certificate from the County Auditor for road work was \$155,845.
 - (i) The remainder will be posted to the Twp road carry over funds.
 - (d) Total road expenses year to date are **\$ 86,453.19.00**
 - (e) Total road fund revenues year date are **\$128,591.00**
 - (3) A recap of the OPWC grants - this report update came from the Co Engineer's Office –updated 11-30-12. There was no change since our last session. The update includes expenditures from future OPWC grants that the Twp might receive. If the Twp fails to receive such grants the twp road funds

will be accountable. (see minutes from 2011 forward thru October 2012 for history).

- (a) 2012 OPWC postings:
 - (i) Indian Bridge Lane – culverts \$11,057.52
 - (ii) Hammersmith rd – widening contractor work \$81,275.00
 - (iii) Hammersmith rd – widening (by county) \$ 7,679.68
 - (iv) Hammersmith rd – (ditch contractor & pipe) \$44,497.50
 - (v) Total OPWC grant posting in 2012 \$144,509.70
- (b) Current status – the OPWC has utilized future grants in the amount of \$(68,460.26)
 - (i) See letter from Co Engineer dated 11-30-12 in amended certificate packet

(c) The current assessment is that the Twp rd projects for 2013 will exceed revenue.

- d) The Chair asked if there are any other projects/issues for 2013.
 - i) None were offered.
- e) Trustees again noted that the August work assignments for the Twp crew.
 - i) Trustees instructed Twp operators present to use the monthly road inspection report as their work assignments. Each operator's name is assigned to a Twp road and work that needs done is noted on the report.
- f) Twp cemeteries –
 - i) No issues were raised..

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

- a) Monthly (August 13) GrassRoots clippings – exhibit 7a was distributed.
- b) Exhibit 7-b - The Defiance County Farm Bureau invitation to Trustees to their annual meeting, 7-16 at the VFW in Sherwood, was reviewed.
 - i) Trustees to rsvp if they wish to attend – 419 445 0723

ORDER OF BUSINESS NO. 8 – Old Business

- a) Up-date on “Fire-Rescue” regionalization discussion by Twp’s and the City of Defiance. Mr. Peck represents Defiance Twp.....
 - i) Mr. Peck was asked if there was any update.
 - (1) He responded that he had found that grant funds for fire rescue were available through Homeland Security (federal gov agency). He provided contact information to the City. Mr. Peck said the City was appreciative of the information and was going to apply for funding as appropriate.
- b) The Chair asked if there is any other old business
 - i) There was none

ORDER OF BUSINESS NO. 9 - New Business.

- a) A notice of annexation was presented to Trustees as exhibit 9-a –
 - i) Information was provided from the property owner’s attorney – Stephen Snively. The property is owned by Clear Channel radio
 - ii) The property is part of lot #46 in the Westwood addition in the northwest quarter of section 27, Twp 4 north, range 4 east, Defiance Township, Defiance, Ohio.
 - iii) Parcel # B11-0027-0-005.00 and is 13.05 acres more or less.
 - iv) There was no discussion...
- b) Trustees then reviewed a notice from the Ohio Division of Liquor control regarding a liquor license request for the Defiance Inn at 2109 Baltimore Rd., Defiance, Ohio. The notice was presented as exhibit 9-b.
 - i) The notice includes a form to be filled out if the Trustees object or desire a hearing.
 - ii) No objections were forthcoming.
- c) The Chair asked if there was any other new business to be discussed.
 - (1) none was brought forth.

ORDER OF BUSINESS NO. 10 - NEXT MEETING:

Date: Tuesday – September 24th, 2013.
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 27th, 2013

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