

Minutes
DEFIANCE TOWNSHIP TRUSTEES
August 28th, 2012 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 28th, 2012 at 7:00 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 Diana Mayer; 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, Ed Young 23013 Watson, Brian Grant 15168 Williams Rd, Mike McKibben 28678 Steinmaier Rd, Mike Daniels 21786 St Rte 637 & Joe Kolb 16492 Cullen Rd. Defiance, Ohio.

Visitors present: Bob & Connie Tipsword 12490 Burns Rd, Sherwood, Ohio, Penny Bakle 1204 Wayne Ave, Rhonda Shaffer 13386 St Rte 15, & JoEllen Houck 8 Deville Drive, Defiance, Ohio.

ORDER OF BUSINESS NO. 1

Reviewed and approved the minutes of the previous session.

Chairman Peck requested a motion for the approval of minutes from the July 24th, regular session.

Bakle moved to approve.

Mayer seconded.

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

The minutes for the July 24th, 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 \$267,371.67 balance is minus the outstanding checks and Township investment funds.
- b) Receipt report:
 - i) Receipts for August were \$77,454.11.
- c) Payment reports:
 - i) Payments for August 2012 were \$68,218.60.
- d) The Cash fund summary through August 31st, 2012, showed an “ending cash balance” of \$978,888.61.
 - i) The unencumbered cash balance “cash available” was \$709,628.56 which is the balance after encumbrances are subtracted from the cash balance.
- e) Appropriation Status showed that through August 31st, 2012, 18.8% 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 08-31-12 was \$703,808.07.
- g) Trustees reviewed and signed the August bills without comment
- h) Trustees, having prior to the meeting been provided with Twp employee’s time cards had reviewed same and then, signed the August 2012 payroll without debate.
- i) Trustees then reviewed from the Def Co Auditor’s office, the 2013 Defiance Township’ anticipated distribution share of the anticipated “Local Gov’t Fund monies”. The fiscal officer reported that the Twp can expect to receive a total of \$19,509.51 in 2013. It was noted by the fiscal officer that this Twp funding

allocation was \$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 also reported:

- (1) The 2013 allocation is roughly a 19% reduction from 2012. It is now believed that this funding source will be more or less steady. The State had promised reductions per the State's budget which was adopted effective July 1 2011 for the 2 year biennium budget. The State budget will be again be set in 2013, however, the economy has stabilized and there is no present discussion to reduce this funding source further.
- (2) The Board then reviewed exhibit 3-i is – resolution 2012-13, Defiance County's Budget Commission's proposed disbursement of local gov't funds in 2013.

Mr. Peck requested a motion to adopt resolution 2012-13 (attached) accepting the amount as defined by the County Budget Commission - \$19,509.51.

It was moved by Mr. Bakle to adopt resolution 2012-13 - the 2013 Local Government fund distribution as provided by the County's Budget Commission.

Mrs. Mayer seconded

YEA(s) 3 NAY(s) 0 Passed X Failed
The resolution was adopted.

- j) The fiscal officer reported that the Twp has also received from the Def Co Auditor's office the 2013 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 the Inside 10 mill limitation and from the outside 10 mill limitation (see schedule A of the resolution.) The Twp can expect to receive a total for both the general fund and road and bridge (road funds) of \$90,700 from the inside millage in 2013. This is \$2,500 down from the amount received in 2012 (\$92,500).
- i) The fiscal officer then reviewed the recent history of this revenue source which shows a slight decline over a three year period.
- (1) The road and bridge fund – shows a slight decline over this period.
 - (a) 2013 \$68,900
 - (b) 2012 \$70,000
 - (c) 2011 \$69,500
 - (2) The general fund
 - (a) 2013 \$21,800
 - (b) 2012 \$22,500
 - (c) 2011 \$23,000
 - (3) The fire fund: - shows a slight increase over this period
 - (a) 2013 \$72,600
 - (b) 2012 \$72,500
 - (c) 2011 \$71,500
- i) Trustees then reviewed exhibit 3-j which was resolution 2012-14.

Mr. Peck requested a motion to adopt resolution 2012-14 accepting the 2013 anticipated and approved amount the Twp is to receive from the County's General Property tax receipts & the Twp's fire levy 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 Mrs. Mayer to adopt resolution 2012-14.

Mr. Bakle seconded

YEA(s) 3 NAY(s) 0 Passed X Failed
The resolution was adopted.

k) Mr. Peck then requested a motion to accept the August financial reports.

MOTION by: Bakle

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) report for August 2012.
- (1) Pending Building Permits waiting on Defiance County Water/Soil.
 - (a) Don Bendele at 15826 Power Dam Rd. for a Pole Barn.
 - (b) Kevin Browns at 20904 Powers Rd. for a deck.
 - (2) Waiting on a Variance for Brett/Jody Keller for a rezoning from Agriculture to Conditional Use.
 - (3) Maumee Valley Planning has to advise of partial number/ per County Auditor.
 - (4) Talked to Kirk, reference the Color Scapes building on SR 15. Advised him that the property is zoned Commercial. He advised that the Church may lease/purchase the property.
 - (5) Talked to Rick/Paula Stark reference a complaint of concrete /asphalt chunks on township right of way, across from their property. They advised that they had cleaned up the chunks, and had them removed. It was a mistake that the material was dumped there by a contractor that works with them. I also advised them of the issue that they are no longer allowed to dump any more dirt, concrete, and or any other material on Defiance Township right of way, until the Trustees have given their approval. I advised them of the date for the township meeting if there were any other issues pertaining to this conversation. Rick advised that he did talk to Trustee Dan Peck and was given permission to do so. I again advised him off the date for the meeting to converse with them then I also advised Rick Stark that, the dirt is to be on his property, and do not let it on the road, as to make a muddy mess.
 - (6) Talked to the following reference Zoning Questions:
 - (a) Wayne Newman at 14786 Power Dam Rd. about a garage addition.
 - (b) Caroln Andrews about how many acres to have a Mobile home put o, . Minimum of 1 acre. And water/soil along with health dept approval and a variance if required depending on property she purchased.
 - (7) Complaint of High Grass by Jim/Ann Kimmy at 14676 Power Dam Rd.. Complaint was with property of Fred Borings residence at 14677 Power Dam Rd. Grass was not high enough, I advised them that I would watch the property.
 - (8) Chuck Baden on a possible property split.

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

- b) Mr. Peck asked if there are any other zoning issues to come before the Board.
- i) 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.
- a) The Township continues to seek informal quotes to purchase:
- i) A replacement 1 ton dump truck for the recently sold 95 Dodge; and
 - ii) A Backhoe –
 - iii) Mr. Peck stated the Trustees will continue to search to acquire quotes.
 - iv) Twp Operator Mike Daniels said that the Ohio Department of Transportation is replacing equipment. Daniels noted that ODOT is getting rid of a Ford 555B backhoe wich he believes is in good shape. (Daniels full time position is as an ODOT mechanic.
 - v) Mr. Bakle said he will again check with ODOT to see if they are selling a pickup which he believes could be used by the Twp instead of a dump truck.
 - vi) Twp operator Mike McKibben was recoanized and he presented trustees with a sketch of a sroaver

system to spray for weeds along Twp roads.

(1) Mckibben was recently licensed to spray chemicals for weed control.

(2) All Trustees agreed and approved McKibben to acquire the parts to build the system.

vii) Trustee Mayer asked how much money will the purchase of these two items (truck and backhoe) cost?

(1) Mike Daniels thought the both could be purchased for \$8,000 to \$10,000.

b) The Chair then asked for comments or concerns from Twp employees on current or proposed new eq &/or safety items.

i) Mike Daniels (twp operator – mechanic) reported that the bearings were going out on the New Holland mower. He said he could replace the bearings for approximately \$280.

ii) Trustees approved this effort.

b) The Chair asked if there were any other equipment issues to be discussed?

i) There were none.

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

a) Trustees reviewed exhibit 6-a monthly Twp Rd inspection by Trustee Bakle.

i) Mr. Bakle reported that he believes the berming of Twp roads is complete for 2012.

ii) The work orders for September were created from this review.

iii) Trustee Peck will be conducting the monthly road inspection for September.

b) Trustees then reviewed the status of the proposed 2012 projects as of this session.

i) The Trustees & the Co Engineer have confirmed the project list for 2012 with the County Engineer's office.

ii) As of 08-28-2012 this list is as follows – see co engineer's exhibit 6-b from the April Twp session.

Trustees were reminded to review the minutes from Feb thru August for project history:

(1) purchase orders of 2012 that will fund the projects listed are:

(a) P.O. 9-2012 &

(b) B.C. 29-2012

(2) Hammersmith road – ditch work – estimated cost \$20k –

(a) For portion of ditch west of Singer rd

(b) Project was awarded to Webb Const of Defiance.

(c) The project is complete, as of this session and the Twp awaits billing through the Co Engineer's Office.

(3) 2012 rebuild Hammersmith Rd from its west end Def Twp terminus -- easterly approximately to Singer Rd. – project complete as of the august twp session –

(a) The project was bid by the Co Engineer – the project's estimated cost is \$180,500. This figure includes pavement markings per the engineer's list:

(i) \$80k in OPWC grant dollars &;

(ii) \$100,500 from Twp road funds. This is up from the previous estimate of \$70.5k

(b) Billed & paid in August –

(i) \$61,221.47 posted to Twp fund lines

(ii) \$81,275 posted to OPWC grants (current and future)

(iii) Project complete except for road pavement markings.

(4) 2nd Hammersmith ditch proj between St Rt 111 and Twp maintenance building – not scheduled for 2012 – estimate unofficial by Co Eng office in August 2011 – if work is performed by Co Eng crew \$10k – **not part of list**

(a) The Co Engineer has stated that this project will be done by the Co when the road rebuild is done on this section of Hammersmith.

(5) 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) Trustees determined to address this project over a three year period anticipated to begin in 2013.

(i) Property acquisition and ditch improvement in 2013

(ii) .4 mile section - from Singer westerly in 2014 and do the remaining .3 to State Rte 111 in 2015.

- (iii) This schedule was devised to assist the Twp's cash flow in its road accounts and acknowledges the uncertainty of State support via local gov't funds.
- (6) Indian Bridge lane: - paving project for 2012 with CDBG grant and OPWC grant - \$5,200 – see minutes from 2011 forward for details to date.
- (i) Paving the east portion of the boulevard.
 - 1. Paving completed and invoice paid in the June 2012 bills. - \$4,933.41
 - 2. \$3000 for additional drainage pipes placed by co engineer in Jan Feb 2012. (opwc grant-posted)
 - 3. In April 2012 – Trustees hired Vandhey Lawn Care to remove stone from 3 cross-overs in preparation of paving by the County Engineer. This work was completed on 4-1 & 2 – billing of \$2,895 paid from twp acc'ts.
 - 4. Project for 2012 is completed.
 - (b) A proposed future effort - on Indian Bridge lane was discussed.
 - (i) Pavement of the west side of the boulevard.
 - (ii) Trustees will apply for a 2013 CDBG grant for construction in 2014.
- (7) Ball Road - 2012
- (a) Hot-mix patching – estimated at \$3,522 (pd \$3,522)
 - (b) A crack-seal –estimated at \$2,377 – completed by Co Engineer in April – invoiced and paid in June. (Pd \$2,220.59)
 - (c) A chip & seal- estimated cost per the Co Engineer's office - \$9,380 – to be billed.
 - (i) Chip seal was applied in August 2012 – awaiting engineer billing.
 - (d) Pavement markings – estimated at \$627- to be billed.
- (8) Cromley Road
- (a) A chip and seal on the portion from Krouse east for approximately 1450' - estimated cost \$3,204 – was tabled in the June session. See minutes from Jan 2012 for proj history.
 - (b) Stone on the dirt portion of the road from pavements end to road terminus.
 - (i) the stone was placed per the Feb assignment – charges posted as part of normal exp. (pd \$205.07)
 - (ii) Trustees determined in the July session to cancel the remainder of the project for 2012.
 - (iii) Trustees will discuss alternative pavement material with the Co Engineer as residents of the road – having been canvassed by Trustees - are opposed to the use of a chip and seal.
- (9) Kiser rd –see minutes from Jan for project history –
- (a) A hot-mix patching- Krouse to Keller- \$6,788 – completed (pd \$6,781.00)
- c) A financial impact review was presented by the fiscal officer:
- i) The total amount of expenditures proposed for 2012 special projects by the County Engineer's office is \$226,908. This includes \$81 grant funds for Hammersmith and \$18,700 in grants for Indian Bridge lane.
 - (1) As of August 2012, with the posting of the Hammersmith project, the analysis is changed slightly: (see minutes from Jan thru July 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) Anticipated total projected rd work to be posted to the Twp road funds in 2012 to date are at least - \$200,000 this is down from the originally projected \$226,000 more or less (not including OPWC grant funds.) based on the final expenses posted to the Hammersmith rd project which came in under budget.
 - (i) Note the Twp is still waiting for the ditch widening expense anticipated at \$20K.
 - (c) Anticipated revenues as noted in the 2012 amended certificate from the County Auditor for road work was \$156,345.00
 - (i) At present it is estimated that exp will exceed rev by about
 - 1. \$50,000 reduced from the previously noted \$70,000.

(3) The 2012 OPWC grant report update from the Co Engineer's Office –updated 8-16-12 by the County engineer's office. Trustees were referred to exhibit 6-c (of this month's session) dated 8-16-12. This exhibit 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 July 2012 for history).

(a) 2012 postings:

(i) Indian Bridge Lane – culverts	\$11,057.52
(ii) Hammersmith rd – widening contractor and engineering	\$81,275.00
(b) Current status – the OPWC has utilized future grants in the amount of	\$(26,718.52)

(c) Trustees are reminded that an amended certificate will be prepared to post these funds to the Twp's accounts in November 2012.

d) The Chair asked if there were any other projects/issues???

i) There were none.

e) The Trustees noted the August work assignments for the Twp crew – exhibit 6-e. These were handed out to staff.

i) There were no discussions.

f) The Chair asked if there were any Twp cemeteries issues–

i) Work was noted in the monthly road report and assigned in the monthly work assignments.

ii) Mr. Peck noted that Tony Homier of Homier Monuments will provide an estimate to repair-reset head stones in Cromley cemetery.

iii) Mr. Bakle noted that there were head stones in Tuttle cemetery that need reset and that our crew should address litter in Tuttle that he observed.

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

a) The monthly (August 12) GrassRoots clippings – exhibit 7a was distributed.

ORDER OF BUSINESS NO. 8 – Personnel

a) It was noted by the fiscal officer that in April's session all Twp employees were provided a receipt of notice of a State of Ohio contact to report fraud. (HB 66)

i) Employees were instructed to sign the acknowledgement sheet and provide it to the fiscal officer for record of distribution, as required by HB 66.

(1) Mr. Bakle was to acquire the documents per the July twp session of two Twp employees that had yet to provide the Twp with the signature of distribution sheet;

(2) Employees that have still not yet returned their sign off sheet are:

(a) Diemer

(b) Buchholtz

(3) Again, Trustees were requested to contact these employees to seek compliance.

ii) See State Auditor's bulletin 2012-003.

ORDER OF BUSINESS NO. 9 – Old Business

a) Trustees were up-dated on "Fire-Rescue" regionalization discussion by Twp's and the City of Defiance. Mr. Peck represents Defiance Twp on the regionalization panel. Mr. Peck reported:

i) There will be a September meeting at which the consultants review additional transport data.

ii) Mr. Peck stated it was his opinion that there will not be any major changes from the current status. Most of the Twp's do not wish to regionalize and have or are expanding their own Fire – resuce services.

iii) Mr. Bakle stated that the cost for fire service for Washington Twp (they provide their own via volunteers) is 31k per year and that Delaware Twp's expenses are 40K.

iv) There was no further discussion.

b) Exhibit 9-b which was a notice from the Defiance County Commissioners of available grant dollars for the demolition and removal of "blighted residential structures" was then reviewed.

i) This grant is from the Ohio Attorney General's Office through County Commissioners and is called "Moving

Ohio Forward”.

- (1) An email of the exhibit was sent to all Trustees earlier in August.
 - (2) Mrs. Connie Tipsword 12490 Burns Rd – Sherwood, Ohio, requested assistance to demolish an abandoned residence on property she owns in Defiance Twp on the east side of Canal rd just south of the Birkshire development on the City of Defiance’s south side.
 - (3) Tipsword’s contact information:
 - (a) Cell ph 419-956-8234
 - (b) Residents ph 419-899-2077
 - (4) Mr. Peck informed Mrs. Tipsword that he needs some pictures for the grant application. He will then turn the grant into the Commissioners office on the Tipsword’s behalf.
- ii) Trustees stated they will check to see if there are other residential properties that might be eligible for this grant.

ORDER OF BUSINESS NO. 10 - New Business.

- 1) The Chair asked if there was any new business to come before the board?
 - a) Trustees directed the fiscal officer to contact the County Engineer to make sure that salt-grit mix will be available for the Twp for the 2012 – 2013 winter.
 - 2) The chair again asked for any new business.
 - a) There was none
-

ORDER OF BUSINESS NO. 11 - NEXT MEETING:

Date: Tuesday – September 25th, 2012.
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. 12 – Adjournment:

Mr. Peck requested a motion to adjourn the meeting of August 28th, 2012

It was moved by: Bakle

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