

*Minutes*  
**DEFIANCE TOWNSHIP TRUSTEES**  
**September 27<sup>th</sup>, 2016 MEETING**

The Defiance Township Trustees met in regular session at the offices of Northwest Realty – 618 South Clinton Street, in Defiance Township, Defiance, Ohio, on Tuesday, September 27<sup>th</sup>, 2016 at 7:00 p.m. Following the Pledge of Allegiance the Chair instructed the clerk to call the roll. Answering as present were Dan Peck, Diana Mayer & Jason Shaffer. Also present was Tim Houck, Township fiscal officer. With all three (3) members of the BOARD OF TRUSTEES having answered the roll, a quorum was declared.

Township employees present were: John Diemer 23361 Defiance-Paulding Co Line Rd 10- Defiance, Ohio, and Jerimiah Marshall of 321 Upton Street, Holgate, Ohio.

Visitors present: Patti Diemer 23361 Defiance-County Line Rd 10, & JoEllen Houck 8 Deville Dr., all of Defiance, Ohio.

**ORDER OF BUSINESS NO. 1**

Reviewed and approved the minutes of the previous session(s).

Mr. Peck requested a motion for the approval of minutes from the August 23<sup>rd</sup>, regular session.

Mr. Shaffer 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) Trustees stated that Mr. Mel Bok of Def. Twp called in and complained of high weeds southeast corner of Powers & Krouse Rd.
    - i) Trustees noted this area is a field beyond road right of way.
  - b) Trustee Mayer also stated she had been contacted with a complaint of high grass at 10 Lakeview Drive in the Lakeview addition.
    - i) John Diemer Twp Zoning and Nuisance Officer reported he has reviewed this area and the grass does not exceed the 8" that is allowed under current rules.
    - ii) Trustees instructed Diemer to continue to monitor and address when and if a violation occurs.
  - c) The Chair asked if there were any other issues from citizens to be addressed at this time?
    - i) There were none.

**ORDER OF BUSINESS NO. 3 - FINANCES –**

The following financial reports provided to the Board were reviewed.

- a) The Reconciliation for August - noted a primary checking reconciliation balance of \$288,605.25-- balance is minus the outstanding checks and Township investment funds & is taken from the Bank's monthly statement.
- b) Receipt report:
  - i) Receipts for September (UAN software-) were \$97,160.73
- c) Payment reports:
  - i) Payments for September (UAN software-) were \$39,240.86.
- d) The Cash fund summary through September 24<sup>th</sup>, 2016, (UAN software) showed an "ending fund balance" of \$893,541.42.
  - i) The "cash available" for encumbrances (unencumbered fund balance- UAN software) was \$311,231.92.
- e) Appropriation Status showed that through September 24<sup>th</sup>, 2016 (UAN software), 26.00% 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 9-24-16 was \$705,416.45.
- g) Exhibit 3g-1& 2 – was a cover letter from the Def Co Auditor's office and a Twp resolution (2016-13)

regarding the Defiance Township' anticipated distribution share of the anticipated "Local Gov't Fund monies" for 2017; the Twp can expect to receive a total of \$21,380.32 in 2017. This Twp funding allocation was \$20,712.88 in 2016, \$20,354.73 in 2015, \$19,518.60 in 2014, and \$19,509.51 in 2013.

- i) The fiscal officer reported:
- ii) The 2017 estimated allocation is roughly \$667.44 more than in 2016. As noted above this funding source is more or less steady. The State continues to meet its past promise (2011) of a leveling or even slight increasing this funding source in future years.
- iii) exhibit 3g-2 was resolution 2016-13, to accept the 2017 local gov't fund distribution as proposed by the Defiance County's Budget Commission.

Mr. Peck requested a motion to adopt resolution 2016-13 accepting the estimated local government fund distribution as determined by the Co Budget committee for the 2017 Twp budget.

Mrs. Mayer moved to approve resolution 2016-13.

Mr. Shaffer seconded.

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

The resolution was approved.

- h) September bills were then reviewed by Trustees and Signed.
- i) Payroll & September's time cards (time cards provided trustees prior to session) – Trustees Reviewed & Signed.

Mr. Peck requested a motion to accept the September financial reports.

MOTION by: Shaffer

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) September report
  - i) Permits issued
    - (1) Randy Ordway and Andy Tracy were issued permits for conditional use for living quarters
    - (2) A pond permit for Andy Tracy
    - (3) Randy McCoy power dam Road applying for a variance for a garage- waiting on soil and water review
    - (4) Received soil and water site review for Koeffler pond permit
  - ii) Nuisance
    - (1) Letter to C Grant for high grass and weeds at old DAV and Scotty's
    - (2) 10 lake view was mowed by township employees
    - (3) Huff Property on parkview is going up for sherrif sale on Oct 4
  - iii) Signed papers for land split for land on hammersmith - purchased by the Def Co. landfill - Wahl property.
  - iv) Reviewing possible land split for Wichman Property on Watson Road - auction

Respectfully submitted

John Diemer, Twp Zoning Inspector

- b) The Chair asked if there were any Zoning issues to be discussed by the Trustees.
  - (1) There were none.

**ORDER OF BUSINESS NO. 5 -- Equipment;**

- a) Comments or concerns from Twp employees on current or proposed new eq &/or safety items.
  - i) Trustees noted that the Ford backhoe needs a wheel cylinder on left side of this unit.
    - (1) Trustees to acquire quotes to repair which will be reviewed at the October Twp meeting.
      - (a) Trustees note the unit works at present – operators are aware of the issue.
- b) The fiscal officer reported that the replacement gratis plates for the 2004 International arrived. The plates were provided to Trustees. (Trustees to assign Twp personnel to affix to the International.)

- i) Exhibit 5-1 was the confirmation of receipt letter & registration (to be placed in the glove box of the unit) from ODOT.
- c) Trustees then discussed the possible purchase of a new one ton truck for the Twp. This item is a carryover from the Twp's August 2016 session.
  - i) A DAS-department of administrative services- (state bid) quote – exhibit 5-2 - from Mark Moats Ford of Def. for a 2016 F35P crew cab 1ton truck- \$35,990.00 was reviewed.
  - ii) A second DAS quote –exhibit 5-2-b from Stykemain's of Def was reviewed. This quote for a 1 ton (2016 Sierra 3500HD SLE was for \$35,843.04.
  - iii) The fiscal officer notes that the Twp has spent funds exceeding income for the past 3 straight years. As of this session the road fund lines are \$40k in the red vs income. There remains the 4<sup>th</sup> quarter of expenses to be posted.
  - iv) Funds are available to make this purchase, however, the fiscal officer believes it would be prudent to wait until 2017 after the Trustees determine their budget and the 2017 road projects before making this purchase.
  - v) The Chair asked for discussion....
    - (1) Trustees agreed that with all current equipment prepared for snow ops the Trustees will wait until after the first of the year to review this effort.
- d) DAS quote (state bid) – exhibit 5-3 – was a bid from Kalida Truck of Kalida, Ohio, for a Boss v-snow plow (\$6,700) & a Swenson model pv 358 in bed salt spreader (\$5,700) total \$12,400.
  - i) Trustees determined in the August 2016 session to acquire quotes for these items for a new truck should the truck be purchased.
  - ii) The fiscal officer refers to his comments in section c above. Trustees again determined that this possible purchase will be reviewed at the first of the year.
- e) The Chair asked if there were any other equipment issues to be discussed.
  - (1) There was no further discussion on equipment.

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

- a) Trustee Report presented as exhibit 6-a was reviewed. This monthly Twp Rd inspection was by Trustee Peck.
  - i) Mowing was noted as the primary issue.
  - ii) Trustees to instruct operators to mow Ashwood rd on both sides (Defiance and Delaware Twp) as Trustees attempted to contact Delaware Twp to mow per the agreement between the two Twps.
    - (1) this year (2016) Delaware to mow and Def to plow the next year (2017) the assignments reverse)
    - (2) Delaware had not responded to attempted contacts by Def. Twp Trustees.
  - iii) All October work items are noted on the Sept rd report. Operators should refer to the report for their assignments.
  - iv) The October Rd review is to be by Trustee Mayer.
- b) **2016 Road projects:** see agendas from the January 13th, 2016 re-organizational session forward for a history.
  - i) At this session (September) the proposed 2016 project list is as follows:
    - (1) proposed projects are as follows- engineer's work is in bold – twp projects are not in bold. Projects completed have been removed from the agenda.

**(a) Chipseal:**

- (i) Carter Rd – from Ginter to St Rte 66- 2640' - \$4,000
- (ii) Def/Pau Co line #10 – from Ste rt 66 east 1' - \$7,650
- (iii) Def/Pau Co line #10 – from Twp line to Williams Rd – 2540' - \$4,600
- (iv) Def/Pau Co line #10 – from Williams rd to Ste rt 66- 5280' - \$9,150
- (v) Garman Rd from Harding Rd to Wilhelm 0 1275' - \$1,850
- (vi) Ginter Rd from Carter north to City limits – 1320' - \$2,000
- (vii) Kibble Rd from Canal Rd to Winn Rd – 2640' - \$4100
- (viii) McCollister Rd from Wilhelm east .5 miles – 2640' – \$3850
- (ix) Wilhelm Rd f Watson to Garman – 3600' - \$5,200
- (x) Winn Rd from Kibble west for 750' - \$1,400

- 1. Trustees believe the chip seal projects have been completed.
- 2. The Fiscal Officer noted that the work will remain on the agenda's until billing is received

and paid. Once paid – the work will be removed from the agenda.

(b) **Hot Mix Patching:**

- (i) Ginter/Carter from St Rte 66 to city limits - \$4,900- - was completed in August – see bills of this meeting.

ii) **Total estimated expenses by Co Engineer for 2016 is \$74,450 reduced from original \$131,522**

iii) Twp projects by Twp staff or other contractors for 2016: Projects completed have been removed from the agenda.

- (1) A water supply for the Twp maintenance building on Hammersmith rd.
  - (a) Trustees determined in the Sept 15 session that they would seek quotes to acquire a water supply for this building.- see mins from Sept 15 session forward for details.
  - (b) In the april 2016 Twp session, Trustees awarded the project to Y2K Plumbing of Defiance for a quote of \$6,363
  - (c) As of this session a portion of the work was completed and had been billed to the Twp. by the contractor. That bill was paid in June.
  - (d) Update....
    - (i) Mr. Peck reported that he had contacted John Grimes of Y2K and Mr. Grimes stated this project will be completed in Oct.
- (2) During the May 2016 Trustees session – Trustees determined to purchase 1 or 2 catch basins/grates and replace tile on Krouse road south of Hammersmith.
  - (a) In the August session Mr. Peck reported that Trustees determined that tile (8") needed replaced as well. The components have been order and Twp operators will address when items arrive.
    - (i) Project update.....
    - (ii) Mr. Shaffer reported that this project is still to be done.
- (3) During the May 2016 session Mr. Shaffer was approved to contact County Engineer Warren Schlatter to have the County repair a road issue at Ginter and Carter.
  - (a) Update...
    - (i) Mr. Peck reported that the Co Engineer was aware of this issue and the work should be completed in October.
- (4) Install kovac heat at Twp maintenance building on Hammersmith rd.
  - (a) Trustees determined to pursue this project at the June 2016 session.
  - (b) A minimum of Two quotes are to be acquired and reviewed at the July or August sessions.
  - (c) During the June 2016 session Mr. Peck stated he will contact Morris Heating and Y2K Plumbing and contracting and will attempt to find another vendor.
    - (i) At the August session Trustees reviewed Exhibit 6-b-1 was a quote from Morris heating and air-conditioning of Def. the quote contains two options –
      - 1. #1 \$5,389- 50' length pipe
      - 2. #2 \$4,265- 30' length pipe
    - (ii) Trustees continue to await at least one additional quote.
  - (d) Update....
    - (i) Mr. Peck presented two additional quotes:
      - 1. Y2k Plumbing quote – exhibit 6-4-b for a 30' long pipe was for \$6,800
      - 2. Fitzenrider, Inc quoted – exhibit 6-4-c did not include length of pipe – was for \$5,782.
    - (ii) Trustees determined to accept option #1 from Morris Heating.
    - (iii) The chair asked for a motion.

Mr. Peck requested a motion to accept the bid from Morris Heating to install a radiant heat system in the Twp's Maintenance building on Hammersmith rd at a cost of \$5,380.

MOTION by: Shaffer

SECOND by: Mayer

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

The motion to accept the quote was approved.

- (iv) Trustees to inform the vendor.
  - (e) Trustees then discussed the need to acquire propane for the heating system.
  - (f) Trustees determined to purchase a tank so that the Twp would be free to acquire propane from any vendor.
    - (i) Trustees to purchase tank and solicit fuel quotes. It was estimated the cost of the tank would be less than \$5,000.
    - (ii) Trustees to acquire at least two fuel quotes.
- (5) Repair a depression on Def. Co. Rd 10 east of State Route 66 remains.
- (a) Project completed in August – Twp awaits billing from Bendele.
  - (b) Mr. Peck stated he would contact Bendele to get the bill.
- (6) Cromley Rd wash out – reported at the July Twp session.
- (a) Road is washing out at Cromley rd about ¾ of a mile west of the State Rte 111 intersection.
  - (b) Trustees were to inspect and determine action.
    - (i) Trustees intend to meet with Cromley rd resident Joe Webb prior to addressing the issue.
    - (ii) Update...
      - 1. Trustees noted that they had observed the drainage after a recent rain event (described at moderate)
      - 2. Trustees did not observe any issues.
      - 3. Trustees will continue to monitor but consider this issue closed.
      - 4. This item to be removed from future agendas.
- (7) From August session;
- (a) Trustees agreed that trees need trimmed back on Bowman, Hammersmith, & Carter. There are also two trees in Taylor cemetery.
    - (i) Trustees will contact the Co Engineer to address these issues.
    - (ii) No cost estimate was provided.
    - (iii) Update...
      - 1. Mr. Peck stated the Co. Engineer's office will address at their schedule; and
      - 2. Twp operators trimmed one of the trees.
      - 3. This item is to be removed from future agendas.
  - (b) Trustees reported that citizens on Co. Line Rd #10 east of State Route 66 have complained from flooding after certain rain events.
    - (i) Trustee determined to observe & study the area after the next heavy rain event.
    - (ii) Update...
      - 1. Trustees noted that they had observed the drainage after a recent rain event (described at moderate)
      - 2. Trustees did not observe any issues.
      - 3. Trustees will continue to monitor but consider this issue closed.
      - 4. This item to be removed from future agendas.
  - (c) Trustees reported gouges on the pavement of Karnes Rd.
    - (i) Co Engineer will be asked to dura patch before winter set in.
    - (ii) No cost estimate was provided.
    - (iii) Update...
      - 1. Mr. Peck stated he has met with the Co Engineer – dura patching for 2016 is completed

**b) A financial impact review by the fiscal officer:**

- i) As of this session total anticipated cost of all proposed and approved projects for 2016 are estimated to be \$156,000 to \$243,000 more or less- the range includes:
  - (1) 100k noted in ii below includes twp items 1, 2 & 3 above) plus
  - (2) (\$74,450 f eng report - plus
  - (3) The tractor and mower purchase @ 65k.
- ii) Trustees are reminded that:
  - (1) Regular twp. expenses are estimated – based on historical review, at between \$70,000 and \$100,000 – would include projects 1, 2, & 3, on this agenda plus salaries, mowing, snow removal

etc. This range does not include a truck purchase in 2016 nor item 4 above.

- (1) Anticipated 2016 revenues as noted in the 2016 amended certificate from the County Auditor for road work was \$167,515.00.
- (2) Total road expenses year to date are **\$181,091.78**
- (3) Total road fund revenues year date are **\$143,533.48**
- (4) A recap of the OPWC grants – see minutes of previous sessions for history. An updated was received from the **Co Engineer's Office was dated 6-14-16** and was presented to Trustees as exhibit 6-C of the June 2016 agenda. The update includes expenditures from future OPWC grants that the Twp. might receive.
  - (a) Current status – the OPWC report of 06-14-16 indicates that the Twp has used \$14,660.04 of future grant funds. The Engineers posted the 2015 grant of \$16,067 and the 2016 grant of \$34,355 against the previous future used grant funds. refer to exhibit 6-c distributed of the June 2016 session for details.
  - (b) The Engineer has informed the Trustees that the grants are promised by law with the passage of issue 1 several years ago. The average annual grant for Def Twp is \$25k for the next 8 years or a total of \$200k remaining give or take.
    - iii) There was no further discussion of the financial impact study/report.
- c) Trustees note that the October work assignments for the Twp. crew are noted in the September monthly road report.
- d) Twp cemeteries –
  - i) The Chair asked if there are any cemetery issues to be discussed.
    - (1) There was none.

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

- a) Monthly (September16) GrassRoots clippings presented as exhibit 7a
- b) Notice from the Def Co. Twp Association of their next session. Exhibit 7-b
  - i) Oct 20
  - ii) 6p
  - iii) Hicksville Community Hospital
  - iv) Rsvp Kelly Wonderly 419 542 0163 or email klhfluterby@hotmail.com no later then 10-14.
- c) A notice (exhibit 7-c) from OEPA that an air permit has been issued regarding the construction of a pipeline from the Marcellus shale area of Ohio to and through northwest ohio to be able to transport gas from the shale area to the national gas line system.
  - i) Information for comments is provided in the letter.
- d) Exhibit 7-d is notice from the Shelly Company (Stoneco) of a price increase for 2017.
  - i) Approximately 5%.
  - ii) Trustees had no comments..

#### **ORDER OF BUSINESS NO. 8- Old Business**

- e) The Chair asked if there was any old business to come before the Board.
  - i) Mr. Peck stated he was concerned with the amount of hours being used to address Twp assignments. Mr. Peck reminded Trustees of the Twp's policy to limit hours to a total of 50 per month by all employees, and that the Twp has rarely met that restriction.
  - ii) Mrs. Mayer stated she was not concerned with the number of hours being turned in as in her opinion these hours are necessary to get the work that is being assigned completed.
  - iii) Mr. Peck suggested that the Trustees return to a limit of 50 hours total per month unless - per the policy - there is extraordinary circumstances that require more hours. These circumstances and extra hours need to be approved by the Trustees.
  - iv) Trustees agreed but will monitor the work closely to ensure work is completed. Mr. Peck will discuss with

the Twp Operator Brian Grant. Mr. Grant assigns the hours and projects as directed by Trustees.

- b) The Chair again asked if there were any other old business to come before the Board.
  - i) There was none presented.

**ORDER OF BUSINESS NO. 9 - New Business.**

- a) The Chair asked if there is any new business to come before the board?
  - i) Exhibit 9-1 was reviewed. This was a ballot and an explanation letter from the Joint Four County Solid Waste District (Defiance, Fulton, Paulding, Williams)
    - (1) The ballot is to elect a Twp representative from Def. Co to serve on the SWD Bd's Policy Committee.
    - (2) A Twp representative from each Co. of the four county district is required by law.
    - (3) Trustees are fill out the ballot and the fiscal officer will return it to the swd.
    - (4) Mr. Peck was nominated at the January Def. Co. Twp Association session to represent the Trustees of Defiance County. There was no other candidate. Each Twp is to vote the SWD requires support of 7 of the 12 Twps of Defiance Co.
    - (5) Defiance Twp Trustees voted in support of Mr. Peck.
      - (a) The ballot will be returned to the SWD office via email.
  - b) Exhibit 9-2 was an email from UAN noting the State Auditor and Treasure are in a partnership to advance the Open checkbook program.
    - i) Trustees have been asked in the past to support this program which posts Twp expenses on line for public review.
    - ii) UAN has made this process simpler.
    - iii) Several def co governmental entities have already signed up.
      - (1) City school system
      - (2) Def city
    - iv) The Chair asked for discussion..
      - (1) Trustees stated that it is now time to participate in this program. Trustees directed the fiscal officer to participate.
      - (2) Twp fiscal records will be submitted to the Ohio Open Checkbook program via UAN at year's close out.
  - ii) The Chair again asked if there was any other new business.
    - (1) There was no further discussed.

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**ORDER OF BUSINESS NO. 10 - NEXT MEETING:**

- a) The next regular session.

**Date: Tuesday – October 25<sup>th</sup>, 2016.**

**Time: 6:30 p.m.**

**Place: Northwest Ohio Real Estate Services - 618 S Clinton St, Defiance, OH 43512**

**ORDER OF BUSINESS NO. 11 – Adjournment:**

Mr. Peck requested a motion to adjourn the meeting of September 27<sup>th</sup>, 2016

It was moved by: Mayer

SECOND by: Shaffer

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