

Minutes
DEFIANCE TOWNSHIP TRUSTEES
September 27th, 2022 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, September 27th, 2022 at 6:30 p.m. Answering as present were Dan Peck, and Jason Shaffer, Diane Mayer was excused for medical issues. With two (2) of three (3) members of the BOARD OF TRUSTEES having answered the roll, a quorum was declared.

Township employee(s) present were: Steve Buchholz 1615 South Clinton St., Harry Railing 14951 Power Dam Road & John Diemer 23361 Defiance-Paulding Line Rd. all of Defiance, Ohio.

Visitors present: Patti Diemer 23361 Defiance-Paulding Line Rd, Defiance County Sheriff's Deputy Arron Brown, and JoEllen Houck 8 DeVille Dr. all of Defiance, Ohio.

ORDER OF BUSINESS NO. 1

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

The Chair requested a motion for the approval of minutes from the August 23rd, 2022 regular session.

Mr. Peck moved to approve the minutes as presented.

Mr. Shaffer seconded.

The vote being 2 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) Deputy Brown asked if the Trustees had any issues or concerns.
 - i) Trustees said they had no issues at this time.

ORDER OF BUSINESS NO. 3 - FINANCES –

- 1) The following financial reports provided to the Board were reviewed.
 - a) The Reconciliation for August - noted a primary checking reconciliation balance of \$825,495.14 - 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 \$111,009.25.
 - c) Payment reports:
 - i) Payments for September (UAN software-) were \$27,397.79.
 - d) The Cash fund summary through- September 24th, 2022 (UAN software) showed an "ending fund balance" of \$1,561,058.51.
 - i) The "cash available" for encumbrances (unencumbered fund balance- UAN software) was \$936,403.00.
 - e) Appropriation Status showed that through September 24th, 2022 (UAN software), 15% 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 08-24-2022 was \$1,146,579.69.
 - g) American Rescue Plan Act – Def. Twp – refer to mins of Twp sessions from July 2021 forward for details.
 - i) The Ohio Office of Budget Management (OBM) is managing the grants for many of Ohio's political subdivisions.
 - (1) As of this session the Def. Twp award is for \$176,505.54 + \$353.32 from OBM received in March 2022.
 - (2) All awarded funds have been deposited into the Twp's accounts.
 - (3) In April 2022's Twp session Trustees approved resolution 10-2022 which designates use of these funds on the 2022 Bowman Rd rebuild.
 - (a) A payment for widening Bowman road was made in June to the Co. Eng.

- (4) The fiscal officer has submitted (early August) to the US Treasury updates to renew the SAMS's number assigned to the Twp for this grant.
- (5) As of the Sept 27th, 2022 session:
 - (a) Additional data was requested – for the purpose of grantee identification, the fiscal officer submitted:
 - (i) A utility bill; and
 - (ii) A bank statement
 - (iii) Twp received US Treasury email confirming receipt of the data.
 - (6) **Exhibit 3-g** was an email from US Treasury that states they will eliminate certain grantee assistance due to budget concerns. Trustees should be aware the fiscal officer has found it necessary to use the assistance for each report filed so far.
 - (7) The chair asked if there were any questions.
 - (a) There were none.
- h) grant from ODOT “Twp Stimulus Program”. Funding provided by Federal government – part of covid relief to states. See mins of sessions from August 2021 forward for details.
 - i) On November 23rd, 2021, the County engineer prepared grant applications:
 - (1) The Twp was awarded a grant of \$175k for the reconstruction of Ginter Rd. (joint project with the City of Defiance).
 - ii) As of this session:
 - (1) The award (grant) has been deposited in the Twp’s checking account.
 - (2) The fund line in the UAN system has been set up and the award/grant has been posted to the fund. The State Auditor’s Office provided guidance on the required use of fund line.
 - (3) The money is not appropriated at this time as it is not needed until 2023.
 - (4) The fiscal officer submitted the 2nd qrt project update report to ODOT via email on 6-27-22.
 - (5) The chair asked for any discussion;
 - (a) There was none...
 - i) The State Auditor has assigned Def. Twp to private contracted auditors for the next 3 audits. The fiscal officer participated in a zoom conference to answer questions from the three firms that will bid on the service.
 - i) We await the selection by the State’s auditor’s office.
 - (1) As of the Sept. 27, 2022 session; the state has notified the Twp fiscal officer via email (**exhibit 3-i**) that none of the private firms interviewed by the State offered a bid. The Twp will therefore continue for the present to be audited by the State.
 - j) Exhibit 3-j is notice from the City of defiance that the City has reestablished fees for service and maintenance of fire hydrants that serve Def Twp rural areas – Precincts A and B Def. Twp. the charge is \$80 per year per hydrant. There are 4 hydrants listed on the notice.
 - k) The fiscal officer reported that the Twp has received from the Def Co Auditor’s office the 2023 anticipated and approved amount the Twp is to receive from the County’s General Property tax receipts & the Twp’s fire levies. 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 \$117,200.00 from the inside millage in 2023. This is roughly a \$2,200 increase from the amount projected to be received in 2022.
 - ii) The fire levy (fire combat/ems service levies) (outside millage) will receive a projected \$127,400.00 – This is approximately \$3,300.00 more than projected in 2022.
 - iii) Recent history of this revenue source: revenues continue to increase slightly to moderately each year.
 - (1) The road and bridge fund. – increasing
 - (a) **2023 \$90,700**
 - (b) 2022 \$88,600
 - (c) 2021 \$81,400
 - (d) 2020 \$80,300
 - (e) 2019 \$80,100
 - (2) The general fund – increasing
 - (a) **2023 \$26,500**
 - (b) 2022 \$26,400

- (c) 2021 \$24,400
- (d) 2020 \$24,700
- (e) 2019 \$24,200
- (f) 2018 \$22,800
- (3) The fire fund: - increasing slightly
 - (a) **2033 \$127,400** (fire/ems original levy \$80,200 and ems/levy of 2015 \$47,200)
 - (b) 2022 \$124,100 (fire/ems original levy \$78,100 and ems/levy of 2015 \$46,000)
 - (c) 2021 \$122,700 (fire/ems original levy \$77,200 and ems/levy of 2015 \$45,500)
 - (d) 2020 \$120,900 (fire/ems original levy \$76,000 and ems/levy of 2015 \$44,900)
 - (e) 2019 \$120,000 (fire/ems original levy \$75,500 and ems/levy of 2015 \$44,500)
- iv) Refer to attached – resolution 12-2022.

Mr. Shaffer requested a motion to adopt resolution 12-2022 (attached) 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.

MOTION By Peck:
SECOND: Shaffer

YEA(s) 2 NAY(s) 0 Passed x Failed
The resolution of approved.

- I) Exhibit 3-L – was a cover letter from the Def Co Auditor’s office and Twp resolution (13-2022) regarding the Defiance Township’ anticipated distribution share of the anticipated “Local Gov’t Fund monies” for 2023; the Twp can expect to receive a total of \$32,494.25. This Twp funding allocation was:
 - i) \$27,356.06 in 2022
 - ii) \$22,839.14 in 2021
 - iii) \$25,901.66 in 2020
 - iv) \$24,913.53 in 2019
 - v) The fiscal officer reports:
 - (1) The 2023 estimated allocation is roughly \$5,138.19 more than in 2022.
 - (2) exhibit 3h – contains resolution 13-2022, to accept the 2023 local gov’t fund distribution as proposed by the Defiance County’s Budget Commission.

Mr. Shaffer requested a motion to adopt resolution 13-2022 (attached) accepting the estimated local government fund distribution as determined by the Co Budget committee for the 2023 Twp budget.

MOTION By Peck:
SECOND: Shaffer

YEA(s) 2 NAY(s) 0 Passed x Failed
The resolution of approved.

- m) September bills through the 27th, – Trustees Review – Discussion and Signature.
- n) Payroll & September time cards (time cards provided trustees prior to session) – Trustees Review – Discussion and Signature.

Mr. Shaffer requested a motion to accept the **September** financial reports.

- o) Mr. Shaffer requested a motion to accept the August financial reports.

MOTION by: Peck
SECOND by: Shaffer
YEA(s) 2 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 monthly Zoning report -
 - i) permits issued:
 - (1) none
 - ii) Zoning issues:
 - (1) None
 - iii) Nuisance violations:
 - (1) In August sent 4 nuisances' letters out –
 - (a) In Sept post office returned not accepted notices from Dan Snyder and William Shock Jr. (high grass issues)
 - (2) Purchased 20 nuisance violation signs
 - iv) Site reviews:
 - (1) Ken Moninger - house addition- Garman Road
 - (2) Ron Kuhn - garage on power dam
 - v) Misc :
 - (3) Talked to June of Erie solar of North Caroline about allowed use of solar panels on homes (no restrictions)

Respectfully submitted
John Diemer, Twp. Zoning Inspector

- b) The Chair asked if there were any other zoning or nuisance issues to come before the Board.
 - i) The fiscal officer was recognized and stated that he would no longer be able to volunteer as the clerical support for the zoning boards of appeals and commission. The fiscal officer noted he had been providing that service since he was first elected as fiscal officer. This work is not the responsibility of the fiscal officer and at this time those board sessions are consuming more time then he wishes to donate.
 - ii) Trustees noted they had recently appointed Patti Diemer as an alternate to the zoning commission and now asked Mrs. Diemer if she would consider taking on the clerical responsibilities.
 - (1) Mrs. Diemer said she would.
 - (2) Mr. Peck moved to appoint Mrs. Diemer secretary to both the Appeals Bd and the Zoning Commission Board and proposed a stipends of \$100 per meeting AND no other benefits.
 - (a) (no participation in OPERS, no vacation, no holiday pay, no sick leave, no over-time etc);
 - (3) Mr. Shaffer seconded
 - (4) The roll was called: on the question to adopt resolution 14-2022 appointing Mrs. Patti Diemer secretary to the Zoning Board of Appeals and to the Twp's Zoning Commission Board effective this date 9-27-22.

YEA(s) 2 NAY(s) 0 Passed X Failed
(5) The resolution was approved.

- c) The Chair again asked if there were any other zoning or nuisance issues to come before the Board.
 - (1) There were none.

ORDER OF BUSINESS NO. 5 -- Equipment;

- a) Comments or concerns from Twp employees/Trustees on current or proposed new eq &/or safety items.
 - i) Possible new truck to replace 2005 F550 – from July 2022 Twp session.
 - (1) Trustees determined at the July 2022 session to acquire a bid spec for a truck similar to the F550 to be reviewed at the August session to determine whether to bid for a new unit or to acquire one through the state DAS (department of administrative services) system.
 - (2) At the August session:
 - (a) Trustee Mayer stated she will acquire the specs from a truck of similar size as the F550.
 - (b) Trustees will then decide whether to public bid a unit or purchase from the State's Department of Administrative Services program. (DAS).
 - (3) Update.
 - (a) No update provided.
 - ii) The Chair asked if there were any other equipment or safety concerns.
 - (1) There were none offered.

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

- a) Trustee Report (**exhibit 6-a**) – Monthly Twp Rd inspection by Trustee Mayer.
 - i) A road report was distributed – noting:
 - (1) Carter needs berm
 - (2) Haviland needs grading east side
 - ii) Trustees instructed operators to mow all road one more time before winter.
 - iii) The road report is to be used as a work order by operators.
 - iv) The October review is to be by Trustee Shaffer.
- b) 2022 Road projects:
 - i) Trustees should refer to exhibit 6-b dated March 31st, 2022, from the Co. Engineer presented at the April 26th session. This is the 2022 list of Trustee approved projects for the Co. Engineer.

(1) The road maintenance program is tracked separately in this agenda from the Bowman Rd rebuild or other Twp road expenses assigned by Trustees to Twp personnel or other private contractors.

(2) Trustees approved the Co. Engineer proposals as follows for 2022:

	Est.	Actual cost
(a) Paving:		
(i) Link Rd. 1124' – from Power dam to Power Dam	\$16,864	
1. Spoke with engineer 9-26- will be done after Power dam is paved.		
(b) Chipseal:		
(i) Kibble Road – from Canal to Winn - 2652'	\$5,078	
(ii) Winn Rd – from Kibble to dead end – 718'	\$1,388	
(iii) Estimated total exp. of chip seals	\$6,466	
(iv) Spoke with engineer's office 9-26 – should be done by end of week.		
(c) Patching: for 2022 completed and pd as of 5-24-22.		
(i) Estimated total patching exp -	\$12,891	\$14,067.20
(d) Crack Seal-		
(i) None in 2022		
(e) Pavement Markings:		
(i) None in 2022		
(f) Total est and final expenses for 2022-	\$36,221	

(3) Per Co Eng – work is under way.

- ii) Re-build and widen 4 miles of Twp's portion of Bowman Rd. – see mins from Feb. 2018 for history.
 - (a) There was no construction work done in 2019 due to scheduling issues.
 - (b) Approximately 1 mile of the 4 mile project was completed in 2020:
 - (c) Approximately 1 mile of the 4 mile project was completed in 2021.

(1) As of this session: Per Co Eng – no work on this in September.

- (a) Proposed 2022 effort is 5280' or approximately the 3rd mile.- Williams to Campbell
 - (i) PAVING: -**
 - 1. 1 mile to be determined per mike – 5280'-

a. Est. cost	Actual cost
i. \$97,894	
ii. Spoke with eng 9-26 – will be done after power dam is paved.	
 - (ii) Pavement Markings: - Williams to Campbell 5321'**
 - i. \$2,995
 - (iii) WIDENING: - f Williams to Campbell – 5317' completed and paid as of 6-28 session.**

a. Estimate	Actual cost
i. \$34,431	\$40,858.00
 - (iv) TOTAL ESTIMATED ON BOWMAN PROJECT IN 2022 is \$135,320**
 - 1. Trustees have determined to dedicate the Twp's American Rescue Plan grant to this project. Refer to item 3-g above.

(2) Per past practice, the County Engineer's Office will coordinate all activity.

iii) Twp projects by Twp staff or other contractors for 2022:

- (1) The Chair asked if there were any proposed or in progress projects for the Twp staff or private contractors for 2022?
- (2) Re-build Ginter Rd. from Jefferson Ave. (St. Rt 66) to Carter Rd - see mins from Jan 2020 forward for details.
 - (a) Trustees and the City agreed to a rebuild project. An agreement is on file and prints out a summary of the work to be performed.
 - (i) Estimated project cost is: \$162,296.49. The Twp agreed to commit its remaining OPWC funds and \$81,148.24 in cash from Twp Rd funds.
 - (ii) this is for road reconstruction only – the City has agreed to pay for the proposed sidewalk-bike path.
 - (iii) As of 03-29-22 an ODOT stimulus grant written by Co. Eng. Schlatter on the Twp's behalf was approved for funding this project.
 1. The grant award is for \$175k
 - (iv) This grant has been posted to Twp fund lines as of this session.
 - (v) On 7-27-22 the fiscal officer confirmed with the co engineer that the grant will cover the Twp's portion of the cost for this project.
 - (vi) The Trustees can begin planning the expenditure of the \$81k cash commitment on other projects and Trustees and the Engineer will also have the OPWC funds that were committed, now available during their regular distribution rotation for use on other Twp projects.
 - (b) This project is scheduled for 2023.
 - (c) Discussion:
 - (i) There was none.
- (3) Rebuild of Carter Rd. refer to mins of 8-24-21 Twp session.
 - (a) Trustees to determine timeframe based on available road dollars in the Twp road funds:
 - (b) Discussion:
 - (i) None.
- (4) At the August 2022 session it was noted that a hole exists off the edge of the road near the guard rail near Tuttle cemetery. Buchholz told Trustees that he had filled this hole before and it has returned.
 - (a) Trustee Shaffer said he will contact the County Engineer to have an assessment made of what is causing this issue.
 - (b) Update:
 - (i) Mr. Shaffer reported Twp operators filled the hole and there is no issue. This item is to be removed from future agendas.

- c) A City of Def and Def. Twp road share Maintenance Agreement –see mins from August 2021 session:
- (1) the fiscal officer emailed the draft MEU to the City Administrator on April 2nd, Trustees were cc'd
 - (a) A second email asking for comments on the proposal was sent 6-27-22.
 - (b) City responded 6-30 w a request for another copy.
 - (c) Twp provided 7-6
 - (2) as of this session the Twp awaits the City's response.
 - (3) Discussion:
 - (a) None.

d) **2022 financial impact review by the fiscal officer:**

- i) The fiscal officer reported:
 - (1) Total road fund revenues year date are **\$202,453.11**
 - (2) Total road fund expenses year to date are **\$ 42,712.15**
 - (a) These figures are tracking road tax revenues regularly received and expended by the Twp.
 - (b) **These figures do not include the grant money- American Rescue Plan or ODOT stimulus.**
 - (c) Road salt purchased - 2022– total \$3,587.50
- ii) Anticipated road funds revenue (tax receipts) for 2022 – based on the January 7th, 2022 1st Twp amended certificate was:

- (1) \$227,450 more or less
- iii) Anticipated expenses for 2022 – as of this session:
 - (1) Regular twp. expenses anticipated for the year, barring emergencies. The estimate for 2022 – based on historical review, is placed at between \$70,000 and \$100,000 – would include Twp projects estimated or completed so far this year.:
 - (2) 36 k Road maintenance program by Co. Engineer - has been estimated by fiscal officer - in 2022 – refer to proposal from Co. engineer – exhibit 6-B of the 3-29-22 Twp session.
 - (3) \$136k – estimated by fiscal officer for Bowman Rd rebuild in 2022 - exhibit 6-B of this session.
 - (a) To be funded by American Rescue Plan grant per Trustee resolution.
 - (4) savings towards Carter rd rebuild - project construction is expended in 2023. (unless Trustees determine another project.)
 - (i) it is anticipated that 40k per year will be earmarked in 2022 and 2023.
 - (1) Estimated total road fund exp for 2022 (adjusted as of the July session) - \$70 to ~~480~~ 100k – not including grant dollars.
 - (a) There is also the question of a truck replacement – funding would be from regular road fund lines and possibly the General fund.
 - (i) Refer to eq section (section 5) of this agenda.
- ii) Discussion;
 - (1) There was none.
- e) **A recap of the OPWC grants** – see minutes of previous sessions for history. An update was last received from the Co Engineer’s Office dated 01-06-2022 (exhibit 6-f of the Jan. 25th session).
 - i) Current status as reported by the fiscal officer
 - (1) The Engineer had previously informed the Trustees that with the passage of issue 1 several years ago the law promises the grants. The average annual grant for Def Twp. is \$25k for the next 3 years (2022, 23 & 24) or a total of \$75k remaining give or take.
 - (2) The 2022 grant of \$48,700.00 is posted to Twp grant as of 1-6-22.
 - (a) Grant fund balance as of 1-6-22 is \$73,444.92.
 - (3) –OPWC grant work anticipated for 2022 -
 - (a) culvert/regrading of Bowman rd rebuild project area- \$27,585.50- per Co Eng this is a bridge replacement and would be funded by the Co.
 - (b) Krouse rd - Tile or ditch work - unknown amount at this time. (per co. eng)
 - (c) Trustees are reminded that there is no longer a discount in effect from the Co. Engineer for work done on the Twp’s behalf by Engineer staff.. Use of funds is 100%.
 - (4) Discussion:
 - (a) None.
- f) The Chair asked if there was any other discussion regarding the fiscal impact report or other road issues?
 - i) There was none.

ORDER OF BUSINESS NO. 7 - Cemetery issues for discussion.

- a) The Chair asked if there are any cemetery issues for discussion?
 - (1) There were none.

ORDER OF BUSINESS NO. 8 – PERSONNEL

- a) The Chair asked if there are any personnel issues for discussion.
 - (a) Trustees noted they will seek applications for a part time operator for winter snow removal.

ORDER OF BUSINESS NO. 9 - Handouts.

- a) Monthly (September 22) GrassRoots clippings – **exhibit 9-a**

ORDER OF BUSINESS NO. 10 - Old Business

- a) The Chair asked if there was any old business to come before the Board?
 - i) There was none.

ORDER OF BUSINESS NO. 11 - New Business.

- a) The Chair asked if there was any new business to be discussed....
 - i) There was none.

ORDER OF BUSINESS NO. 12 - NEXT MEETING:

- 1) The next regular session.
 - a) The next session.

Date: Tuesday October 25th, 2022 regular business session.
Time: 6:30 p.m.
Place: Defiance County Commissioners building
2nd floor conference room
500 Court St.
Defiance, Ohio 43512

ORDER OF BUSINESS NO. 13 – Adjournment:

- 1) Mr. Shaffer requested a motion to adjourn this meeting of – September 27th, 2022.
 - It was moved by: Peck
 - SECOND by: Shaffer

The roll was called and the vote was:

YEA(s) 2 NAY(s) 0 The motion: Passed X Failed

MEETING ADJOURNED

Respectfully Submitted

Timothy J. Houck, Fiscal Officer-Clerk