

Minutes
DEFIANCE TOWNSHIP TRUSTEES
September 28th, 2021 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 28th, 2021 at 6:30 p.m. Answering as present were Dan Peck, Diane Mayer & Jason Shaffer, with all three (3) members of the BOARD OF TRUSTEES having answered the roll, a quorum was declared.

Township employee(s) present were: John Diemer 23361 Defiance County Paulding County Line Rd #10, Steve Buchholtz 1615 South Clinton St. and Harry Railing 14951 Power Dam Rd., all of Defiance, Ohio.

Visitors present: none.

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 24th, 2021 regular session.

Mrs. Mayer moved to approve the minutes as presented.

Mr. Peck 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 –

- 1) The following financial reports provided to the Board were reviewed.
 - a) The Reconciliation for August - noted a primary checking reconciliation balance of \$520,794.18-- 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 \$206,391.74.
 - c) Payment reports:
 - i) Payments for September (UAN software-) were \$26,758.57.
 - d) The Cash fund summary through- September 26th, 2021, (UAN software) showed an "ending fund balance" of \$1,252,836.93.
 - i) The "cash available" for encumbrances (unencumbered fund balance- UAN software) was \$833,808.84.
 - e) Appropriation Status showed that through September 26th, 2021 (UAN software), 18.63% 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 09-26-2021 was \$742,028.46.
 - g) American Rescue Plan Act – Def. Twp application
 - i) OBM is managing the grants for many of Ohio's political subdivisions.
 - (1) The Def. Twp award is for \$176,505.54
 - ii) Defiance Township has received the first payment of this grant, which has been electronically deposited into the Twp account.
 - (1) There will be two payments the first was for 88,252.77.
 - (2) The second payment will be processed by the Ohio Office of Budget and Management (OBM) in September of 2022.
 - (3) A SAMS number is necessary for fiscal reporting required to the US Treasury.
 - (a) This number has been acquired.
 - (4) The money is restricted for use and the fiscal officer is still researching allowable expenses.

- iii) The Chair asked for discussion...
 - (1) There was none

- h) The Fiscal Officer has acquired an amended certificate to appropriate the American Rescue Plan funds that the Township has received.
 - i) Trustees are asked to refer to **Exhibit 3-d above** which shows that the fiscal officer has activated fund line 2272 so that Revenue and expenses could be posted to the line and to account for the grant funds for the 2nd amended certificate.
 - i) Amended certificate #2 to document the American Rescue Plan grant funds received from the Ohio office of Business Management (OBM).
 - ii) **Exhibit 3-i** of this session is a packet of information documenting an amended certificate indicating the receipt and posting of the first half of the American Rescue Plan grant funds. The 2021 receipt of funds from OBM was for \$88,252.77.
 - iii) The 2021 American Rescue Plan grant funds had increased the previous (original) amended certificate amount of \$1,4492,058.69 approved January 8th, 2021. The new amended certificate was issued by the County Auditor for \$1,537,311.46 dated 9-22-21.
 - iv) The packet (exhibit 3-i) contains:
 - (1) Notice of award from the Ohio office of Budget and Management (OBM).
 - (2) A letter to the co auditor from the Twp fiscal officer for the Co Budget Commission to approve the new amended certificate – with documentation as indicated in the letter- for the request.
 - (3) The amended certificate#1 dated January 8, 2021.
 - (4) The new amended certificate #2 – approved by the Budget Commission on 9-22-2021 for \$1,537,311.46.
 - (5) A UAN appropriation status and revenue status report showing the grant funds posted to the 2021 Twp accounts.
 - (6) Resolution 17-2021 – approving the new amended certificate
 - v) Resolution 17-2021– attached - approves the amended certificate.
 - (1) Trustees are requested to approve attached resolution 17-2021 which will codify the posted grant.
 - (2) Trustees approve and sign the resolution.
 - vi) The fiscal officer noted to Trustees that with the adoption of the 2nd amended certificate the Twp annual budget now exceeds \$1.5 million and per ORC 505.24 and 507.09 elected official salaries will increase. This increase will be prorated over the twelve months of 2021 and will begin with the October 2021 pay period.
 - (1) Trustees were provided a copy of the September 2020 Ohio Twp Association’s “grassroots clipping” news letter which details salaries of elected officials in 2021.
 - (a) Trustees who were elected prior to Dec. 27th, 2018 will now receive \$12,478. This is divided by twelve for a monthly disbursement of \$1,039.83.
 - (b) Trustee(s) whose term began January 1, 2020 will now receive \$13,144. This is divided by twelve for a monthly disbursement of \$1,095.33.
 - (c) The Fiscal officer pay will increase to \$23,003. This is divided by twelve for a monthly disbursement of \$1,916.91.
 - (2) Trustees approved resolution 20-2021 codifying the elected officials pay increase.
 - j) **Exhibit 3-j** – is a cover letter from the Def Co Auditor’s office and a Twp resolution (18-2021) regarding the Defiance Township’ anticipated distribution share of the anticipated “Local Gov’t Fund monies” for 2022; the Twp can expect to receive a total of **\$27,356.06**. This Twp funding allocation was \$22,839.14 in 2021, \$25,901.66 in 2020, \$24,913.53 in 2019, & \$23,598.49 in 2018.
 - vii) The fiscal officer reports:
 - (1) The 2022 estimated allocation is roughly \$4,516.92 more than in 2021.
 - (2) exhibit 3j – contains resolution 18-2021, to accept the 2022 local gov’t fund distribution as proposed by the Defiance County’s Budget Commission.

Mr. Shaffer requested a motion to adopt **resolution 18-2021** accepting the estimated local government fund distribution as determined by the Co Budget committee for the 2022 Twp budget.

Peck moved to approve
Mayer seconded

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

The resolution was approved.

- k) Possible grant from ODOT. Trustee Mayer brought this up at the August 2021 session. (refer to mins of session under road projects). The fiscal officer has contacted ODOT and confirmed that both the Ginter rd. and Bowman rd. projects would be eligible for funding. (contacted Program Manager Nichole Lawhorn 614 752 6581.
- viii) **Exhibit 3-k** – is the grant application and allowable use letter from the Ohio Dept. of Transportation.
- (1) This grant is a one-time funding opportunity per ODOT. An email was sent to Trustees on 9-22 with a link to the full packet on the ODOT web page.
 - (2) The fiscal officer has reviewed the application and the exhibit notes the areas where the Co. Engineer would need to provide the requested information. (see x markings on the application)
 - (3) The fiscal officer spoke with the Co. engineer who agreed the grant may be used for the above noted projects and he also suggested Trustees consider applying for the grant for Carter Rd rebuild.
 - (4) Trustees will need to contact the engineer to acquire the information or possibly ask the engineer to fill out the application on the Twp's behalf...
 - (5) Discussion:
 - (a) Trustees will contact the Co. Engineer to discuss this opportunity.
- l) September bills through the 28th, – Trustees Review – Discussion and Signature.
- m) Payroll & September time cards (time cards provided trustees prior to session) – Trustees Review – Discussion and Signature.
- n) Mr. Shaffer requested a motion to accept the September financial reports.
- MOTION by: Mayer
SECOND by: Peck
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 Monthly Zoning report -
 - i) permits issued:
 - (1) none
 - ii) Zoning issues:
 - (1) Checked on a truck in parkview subdivision- too close to road
 - (2) M Gomez about zoning on property on Ginter road
 - iii) Nuisance violations:
 - (1) None
 - iv) Site reviews:
 - (1) None
 - v) Misc :
 - (1) Talked to Sue at Midwest appraisal about todd hamm property

Respectfully submitted
John Diemer, Twp. Zoning Inspector

- b) The Chair asked if there were any other zoning issues to come before the Board.
 - (1) None were presented.

ORDER OF BUSINESS NO. 5 -- Equipment;

- a) Comments or concerns from Twp employees/Trustees on current or proposed new eq &/or safety items.
 - i) At the August 2021 Twp meeting, Trustees agreed to sell the Twp's 2003 dodge half one ton pick up. (mistakenly referred to as a 1995 one ton in the August session). The fiscal officer is to working with the Co. Comm. Office to sell on Govdeals.com.
 - ii) As of this session the Commissioners office has provided the twp with the data sheets to be filled out and pictures need to be taken.
 - (1) Trustees are reminded that the Co. retains 5% for admin fees.

- (2) The Chair asked if there were any questions –
 - (a) There were none.
- iii) Operator Buchholtz informed Trustees that he found a set of mower blades to a piece of Twp equipment that was removed from inventory years ago. Buchholtz stated that Tiffin Twp has a mower on which these blades would fit. Buchholtz suggested that the Trustees donate the blades to Tiffin Twp.
- iv) Mr. Shaffer requested a motion to donate the blades to Tiffin Twp.
 - MOTION by: Mayer
 - SECOND by: Peck
 - YEA(s) 3 NAY(s) 0 Passed X Failed
 - The proposal to donate the blades to Tiffin Twp. was approved.
- b) Trustees instructed operators present to check if snow blades and all winter equipment was ready for the upcoming season.
 - i) Operator's noted that the blade on the 2004 international needs patched. Railing stated he could weld the patch. Trustees approved.
- c) The chair asked if there was any other equipment or safety item discussion?
 - i) There was none.

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) Discussion of September review:
 - (1) Operators are to refer to the inspection report for October work.
 - (2) It was noted that there is a need to apply berm on several roads. (refer to report)
 - ii) The October review is to be by Trustee Peck.
 - b) 2021 Road projects:
 - i) Trustees approved the 2021 Twp. Rd maintenance program as provided by the County Engineer's Office at the Trustees' Jan. 26th session. Refer to exhibit 6-b – of the Jan. Twp session.
 - ii) The Engineer's office submitted an updated project cost estimate which was presented as Exhibit 6-1 dated 4-8-21, provided at the 4-27 session.
 - (1) The exhibit-cost updates included the 2021 Bowman rd. rebuild section.
 - (2) 1-26-21 projected total cost for all projects is \$168,430.89
 - (3) 4-26-21 projected total cost for all projects is \$168,550.00
 - iii) 2021 Def. Twp. rd. maintenance program by County Engineer- from 4-8 estimate.
 - (1) The road maintenance program does not include major reconstruction projects – i.e. Bowman Rd rebuild, or other Twp road expenses assigned by Trustees to Twp personnel or other private contractors.
 - (a) **Chipseal:**

	Est.	Actual cost
(i) Singer – from St. Rt 111 to Hammersmith - 2639'	\$4,100	
(ii) Garman – from Harding to Wilhelm – 2639'	\$4,100	
(iii) McCollister – Wilhelm to dead end – 2619'	\$4,400	
(iv) Wilhelm – from McCollister to Garman -961'	\$4,100	
(v) <u>Wilhelm – from Watson to McCollister – 2640'</u>	<u>\$1,500</u>	
(vi) Estimated total exp. of chip seals	\$18,200	

 - (vii) Co. Engineer is present to update:
 - 1. Update – for Sept:
 - a. The fiscal officer spoke with Co. Eng., who stated, the chip seal should be finished by the middle of Oct.
 - (b) **Patching: completed as of 5-25-21 – invoiced processed for 6-22 review:**
 - (i) Estimated total patching exp - \$19,300 \$20,572.57
 - (c) **Crack Seal- completed and invoiced as of June 22nd twp session**
 - (i) Estimated total exp. crack seal \$10,800 \$11,613.41
 - (d) **Pavement Markings:**
 - (i) None in 2021
 - (e) **Total est and final expenses for 2021-** **\$48,300**
- iv) Re-build and widen 4 miles of Twp's portion of Bowman Rd. – see mins from Feb. 2018 for history.
 - (1) In 2021 as of this session – 3 miles of the 4 mile project remain to be completed:

- d) A City of Def and Def. Twp road share Maintenance Agreement – **exhibit 6-c**
- (1) At the 8-24-21 session Trustees reviewed a road share maintenance agreement presented by the Co. Engineer. Trustees took the agreement under advisement.
 - (2) Update if any?
 - (a) Trustees continue to review the issue as of the Sept. Twp session.
- e) Defiance Paulding Co. Line Rd. 10 – maintenance agreement w Auglaize Twp, Paulding, Co.
- i) See Twp mins from June 2021 session forward for history.
 - ii) As of the Sept 2021 Twp session – Defiance Twp awaits a response from Auglaize Twp regarding the edits Def. Twp proposed to the Auglaize Twp proposal.
- f) Krouse and Ball roads patching needs, first noted at the August 2021 Twp session
- i) Sept update:
 - (1) Operator Buchholtz reported this is complete. This item will be removed from future agendas.
- g) **2021 financial impact review by the fiscal officer:**
- i) The fiscal officer reported:

(1) Total road fund revenues year date are	\$213,952.01
(2) Total road fund expenses year to date are	\$106,090.93

 - (a) Road salt purchased - 2021– total \$5,460
 - ii) Anticipated road funds revenue for 2021 – based on the January 8th, 2021 1st Twp amended certificate was:
 - (1) \$208,350 more or less
 - iii) Anticipated expenses for 2021 – as of this session:
 - (1) Regular twp. expenses anticipated for the year, barring emergencies. The estimate for 2021 – 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) \$48k as of this session for Co Eng work- in 2021 – refer to item 6-1 of the April 2021 agenda – (other than Bowman Rd. rebuild).
 - (3) \$120,250 – refer to exhibit 6-1 of this session - Bowman Rd. rebuild –
 - (4) New addition as of August 2021 session
 - (a) Ginter rd patching – co. eng. Est \$10,318 more or less.
 - (b) The anticipated spread of expenses remains the same as of this session- refer to iv below.
 - (5) savings towards the Carter/Ginter rd project- project cost to Twp is remaining OPWC grants and \$81,148.24 cash anticipated to be expended in 2023.
 - (a) it is anticipated that 40k per year will be earmarked in 2022 and 2023.
 - iv) Total estimated expenses from Twp rd acct's for 2021- \$230k to \$269 if projects currently proposed are completed and Twp regular expense is 100k or less.
- h) **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 09-28-2021 (exhibit 6-g of the Sept. session).
- i) Current status as reported by the fiscal officer (Trustees were asked to review exhibit 6-g.)
 - (1) –OPWC grant work for 2021- culvert/regrading of Bowman rd rebuild project area- \$27,585.50.
 - (a) The amount of OPWC grant funds spent on the Twp's behalf in 2021 –\$27,585.50.
 - (b) The amount of funds for Twp. use remaining is \$24,744.92 plus remaining grants over the next 4 years.
 - (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%.
 - ii) 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 4 years or a total of \$100k remaining give or take.
 - iii) As of this session:
 - (1) Trustees have committed OPWC grant funds for the Twp's portion of the Ginter rd project noted above.
 - (2) Co. Engineer's office is to post to the grant tile or dich work at the end of Krouse rd per the 9-28-21 update.
 - i) The Chair asked if there is 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 asks if there are any cemetery issues for discussion?
 - i) There were none.

ORDER OF BUSINESS NO. 8 – PERSONNEL

- a) The Chair asked if there are any personnel issues for discussion.
 - i) The fiscal officer reported that in April Timothy Vargo rec'd pay check 5971 for \$73.77. the fiscal officer had contacted Vargo several times requesting he cash the check (June, July & Aug.) Vargo responded in Aug that he had lost or that the check was destroyed and requested another check be issued. Check number 6074 is a reissue of the lost-destroyed check.
 - (1) As check 5971 is over 120 days old and all Twp check are to be cashed within 90 days of receipt, the fiscal officer did not instruct the bank to cancel the check (cost for cancelling check is \$35) Bank should be responsible if it clears the check due to the length of time.
 - (2) The fiscal officer has prepared a letter to Vargo for him to sign stating if the check is found he will return it to the twp.
 - (3) Discussion:
 - (a) There was none.
 - b) The fiscal officer presented Trustees with exhibit 8-b- a resignation letter of Twp operator John Rivers. The letter is dated 9-23-21.
 - i) Trustee Mayer moved to accept the resignation effective immediately.
 - ii) Trustee Peck seconded
 - YEA(s) 3 NAY(s) 0 Passed X Failed
 - Resolution 19-2021 accepting the resignation of John River was approved.
 - c) The Chair asks if there are any other personnel issues for discussion?
 - i) There were none presented.

ORDER OF BUSINESS NO. 9 - Handouts.

- a) Monthly (September 21) GrassRoots clippings – **exhibit 9-a**
- b) **Exhibit 9-b** is notice from the Def. Co. Twp. Association of its 4th quarter session:
 - i) 10-21
 - ii) 6:00 p.m.
 - iii) Hosted by Highland Twp – at the Ayersville United Methodist Church – 27728 Ayersville.
 - iv) Cost is \$10 –
 - v) Rsvp – by 10-14- tom wolfrum – tkwolfrum@ayersvilletelco.com

ORDER OF BUSINESS NO. 10 - Old Business

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

ORDER OF BUSINESS NO. 11 - New Business.

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

ORDER OF BUSINESS NO. 12 - NEXT MEETING:

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

Date: **Tuesday, October 26th, 2021 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 28th, 2021.

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