

Minutes
DEFIANCE TOWNSHIP TRUSTEES
October 24th, 2017 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 26th, 2017 at 6:30 p.m. Answering as present were Diana Mayer, Dan Peck & Jason Shaffer, with three of three (3) members of the BOARD OF TRUSTEES having answered the roll, a quorum was declared.

Township employees present were: Harry Railing 14951 Power Dam Rd., & John Diemer 23361 Defiance-Paulding Co Line Rd 10- Defiance, Ohio.

Visitors present: JoEllen Houck 8 Deville Dr., 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 September 26th, 2017, 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) There were none.

ORDER OF BUSINESS NO. 3 - FINANCES –

The following financial reports provided to the Board were reviewed.

- a) The Reconciliation for September - noted a primary checking reconciliation balance of \$190,154.82-- balance is minus the outstanding checks and Township investment funds & is taken from the Bank's monthly statement.
- b) Receipt report:
 - i) Receipts for October (UAN software-) were \$43,256.29.
- c) Payment reports:
 - i) Payments for October (UAN software-) were \$39,361.33.
- d) The Cash fund summary through October 22nd, 2017, (UAN software) showed an "ending fund balance" of \$880,065.12.
 - i) The "cash available" for encumbrances (unencumbered fund balance- UAN software) was \$258,748.13.
- e) Appropriation Status showed that through October 22nd, 2017 (UAN software), 26.7% 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 10-22-17 was \$705,797.27.
- g) The fiscal officer reported that the Twp's Bank Depository agreement for township funds expires in November 2017. The depository for Township fund is presently with the State Bank and Trust.
 - i) The fiscal officer is currently researching investment rates and is comparing "Star Ohio" vs the State Bank.
 - ii) A report will be provided to Trustees in November.
- h) October bills were then reviewed by Trustees and Signed.
- i) Payroll & October time cards (time cards provided trustees prior to session) – Trustees Reviewed & Signed.

Mr. Peck requested a motion to accept the October 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) Just prior to this session the Twp Zoning Appeals Bd met to review a request for a “conditional use” permit for the construction of a new home and garage on parts of two parcels zoned “agricultural”. The request for the conditional use permit was made by Kevin Koffler. The parcels are located at 22640 Bowman Road, - Defiance, Ohio, 43512, in section 15 – part of Northwest corner. One parcel containing 2.9 acres more or less of Defiance Township, Defiance, County, Ohio, the parcel ID is B1100-1500-0109, the second parcel is ID #B1100-1500-0102 – 16.4 acres more or less.
 - i) The Appeals Bd approved the request with the direction that all comments on the Def. Co. Soil and Water site review be adhered to. (see appeals bd session minutes for details.)
- b) October report
 - i) Permits
 - (1) Ken Monninger Addition on Power Dam
 - (2) Jason Brown Pole barn Lakeview
 - (3) Jeremy Okuley- Garage Bowman
 - (4) issued to Ron Yaw on Link rd for a garage
 - (5) Working on permits for Steve Chandler on St Rt 15
 - ii) Site reviews pending
 - (1) Working on permits for Steve Chandler on St Rt 15
 - iii) No nuisance issues

Respectfully submitted
John Diemer, Twp Zoning Inspector

- c) The Chair asked if there were any other Zoning/nuisance issues to be discussed.
 - i) 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) None.
- b) “No Trespassing” signs were order by Trustees earlier in October. These have arrived and were provided to Twp Operator Brian Grant.
 - i) Several of the signs are to be posted on or near the Twp’s Hammersmith Rd. maintenance building.
 - (1) The chair called for discussion....
 - (2) Trustees will instruct operators where to erect the signage at a future date.
- c) The Chair asks if there are any other equipment issues to be discussed.
 - i) There were 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??
 - ii) The November Rd review is to be by Trustee Shaffer.
- b) **2017 Road projects:**
 - i) At this session (October) the proposed 2017 project list is as follows approved by Trustees at their Feb. 2017 session. Projects are to be managed or completed by the Defiance County Engineer’s office on the Township’s behalf.
 - (1) **Chipseal:**
 - (a) Ashwood rd .5 miles north of dead end to 424 - 4023’ \$6,775.41
 - (b) Parkview Drive (entrance) 1304’ \$1,357.00
 - (c) Parkview loop 1,237’ \$1,288.00
 - (d) Schroeder Street 1178.8’ \$1,227.00
 - (e) Kiser rd from Krouse to keller – 5,326’ \$8,969.00

- (f) Kiser rd from keller to Canal – 5,317' \$8,954.00
- (i) Subtotal \$28,704.41
- (ii) Actual billing totaled **\$31,269.08**
- 1. **This increase was due in part to work Trustees authorized the engineers to do on Parkview and Schroeder rds (see mins of Sept).**
- (iii) Above items were completed and payment was made in Oct. (see checks in this packet).
- (g) As of this session (October 17) total paid to Co Eng for 2017 projects is 90K more or less.

ii) Twp projects by Twp staff or other contractors for 2017:

- (1) All twp projects for 2017 have been addressed – see past agendas for details.
- (2) The Chair asks if there are any new projects to be addressed in November or December?
 - (a) There were none.

c) A financial impact review by the fiscal officer:

- i) The fiscal officer reported that total road expenses year to date are:

(1) Total road fund revenues year date are	\$176,051.86
(2) Total road fund expenses year to date are	\$153,884.76

- ii) Anticipated revenue for 2017 – based on the January 6th Twp amended certificate was:

- (1) \$167,715 more or less
 - (a) Difference is slightly more rev from Co auditor then anticipated and;
 - (b) 16k from the sale of two pieces of twp eq.

- iii) Anticipated expenses for 2017 – as of this session:

- (1) Regular twp. expenses are estimated – based on historical review, at between \$70,000 and \$100,000 – would include Twp projects listed above:
- (2) \$76,500 to 86,620 for Co Eng work
 - (a) 90k paid through this session
- (3) \$44,000 for truck and plow/spreader purchase.
- (4) Total anticipated expenses were adjusted by the fiscal officer as of this (oct) session: from \$220,500 to \$240,00 – to **185k to 195k** - worst case scenario.

- d) 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 06/30/2017 and was presented to Trustees as exhibit 6-c of the July 25th, 2017 Twp session. That update included expenditures from future OPWC grants that the Twp. might receive.**

- i) Current status – the OPWC report from the County Engineer's office as of 06-30-17 indicates that:
 - (1) the Twp had used in 2017 a total of \$20,216.25 of future grant funding bringing the total of future funds used to \$32,530.68.
- ii) The Engineer has previously 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 7 years or a total of \$175k remaining give or take.

- e) The Chair asked if there was any other discussion regarding the fiscal impact report.

- i) There was none.

- f) The Chair asked if there are were any cemetery issues for discussion...

- i) There was none.

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

- a) Monthly (October 17) GrassRoots clippings – **exhibit 7a**

ORDER OF BUSINESS NO. 8- Old Business

- a) The Chair asked if there was any old business to come before the Board?

- i) Trustees noted that the issue with dead trees on what appears to be Twp leased property from the County Landfill remains.

- (1) The trees are located in a wooded area just east of the Twp maintenance building on Hammersmith rd.
- (2) The issue was first brought up in August.
 - (a) Several meetings have taken place with the Co. Comm., Trustees & Def. Co. Soil and Water.
 - (b) This issue was a charge by a neighbor (Mrs. Mary Mick - 21639 Hammersmith rd.,) just west of the Twp building, that the Twp's salt run off from Twp salt bins or loading of salt during winter is killing trees on her property that is a woods just east of the Twp building. A State Forester also reviewed the issue and a lab report was prepared by OSU.
- (3) In September the OSU lab report was reviewed by Soil and Water and presented to the County and Trustees.
 - (a) The report cannot confirm that salt is the issue but notes salt is probably the issue.
 - (b) Trustees met again with the County in October to determine a remediation action.
- (4) Trustees reported (Oct 17 session) that the storm water drainage from the building has been shifted to the west, away from the woods.
- (5) At this time, it does not appear that the trees which were impacted are on the Mick property.
- (6) The chair asks if there is any additional discussion....
 - (a) Trustees stated this item may be removed from the agenda.

ORDER OF BUSINESS NO. 9 - New Business.

- a) The Chair asked if there was any new business to come before the board?
 - i) Trustee Shaffer noted that Mary Mick -21639 Hammersmith rd., stated there was a collapsed tile which caused storm water drainage issues on her property.
 - (1) Mr. Shaffer did a site review and found the tile to be off the Twp rd right of way limits. (a private tile).
 - (2) Shaffer stated he discussed this with the County Engineer and at this time it is agreed this is a private tile and not Twp responsibility.
 - ii) Trustees Shaffer and Mayer stated they checked out a complaint of storm water drainage at the south (dead end) of Krouse rd.
 - (1) Their investigation found that road side catch basins were clogged and collapsing.
 - (2) The Trustees reviewed the issue with the County Engineer.
 - (3) Trustees are responsible for this issue.
 - (4) At this session (Oct 2017) Trustees agreed to have the County Engineer's staff address this problem and assign the expense to the OPWC future grants.
 - iii) **Exhibit 9-iii** is a packet from the Prosecutor's office regrading Ohio's Medical Marijuana law.
 - (1) The packet was previously distributed to all Twp's earlier in the year.'
 - (2) The packet contains explanations of the law and a draft resolution which prohibits the growing, and or selling of medical marijuana in Def. Twp.
 - (3) Trustees noted they tabled the previous resolution.
 - (4) Trustees again tabled the resolution as this (Oct 2017) session.
 - iv) Possible change of date for the December session regularly held the 4th Tuesday, due to the Christmas Holiday.
 - (1) In year's past Trustees have opted to hold the Dec meeting the week before the Christmas holiday.
 - (2) That date in 2017 would be December 19th, the third Tuesday of the month.
 - (3) The Chair asked for discussion if any.....
 - (a) Trustees concurred and voted to move the December session to the 3rd Tuesday in December. A notice – per Twp procedure will be posted on the Twp's web page.

ORDER OF BUSINESS NO. 10 - NEXT MEETING:

- a) The next regular session.

Date:	Tuesday – November 28 th , 2017.
Time:	6:30 p.m.
Place:	Northwest Ohio Real Estate Services - 618 S Clinton St, Defiance, OH 43512

ORDER OF BUSINESS NO. 11 – Adjournment:

- a) Mr. Peck requested a motion to adjourn the meeting of October 24th, 2017.

It was moved by: Shaffer

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