

*Minutes*  
***DEFIANCE TOWNSHIP TRUSTEES***  
***October 24<sup>th</sup>, 2023 MEETING***

The Defiance Township Trustees met in regular session at the Defiance County Commissioners building – 2<sup>nd</sup> Floor conference room, 500 Court Street, in Defiance Township, Defiance, Ohio, on Tuesday, October 24<sup>th</sup>, 2023 at 6:30 p.m. Answering as present were Dan Peck, John Diemer, & Jason Shaffer. With three (3) 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 S Clinton St., Harry Railing 14951 Power Dam Rd., Patti Diemer 23361 Defiance-Paulding Co. Line Rd. 10, & Chris Harrow 14143 Karnes Rd., all of Defiance, Ohio.

Visitors present: JoEllen Houck 8 DeVille Dr., Sherriff's Deputy Josh Hannenkrat and Julie Voll (candidate for fiscal officer) 1681 Stonemore 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 September 26<sup>th</sup>, 2023 regular session.

Mr. Diemer moved to approve the minutes as presented.

Mr. Shaffer 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) Deputy Hannenkrat was recognized. Hannenkrat asked Trustees if there were any issues for the Sherriff's department. Trustees stated all was well at this time.
  - b) The Chair again asked if there were any citizen concerns?
    - i) There were none noted.

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

- 1) The following financial reports provided to the Board were reviewed.
  - a) The Reconciliation for September - noted a primary checking reconciliation balance of \$411,998.03 - 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 \$22,603.78.
  - c) Payment reports:
    - i) Payments for October (UAN software-) were \$49,061.99.
  - d) The Cash fund summary through- October 23<sup>rd</sup>, 2023 (UAN software) showed an "ending fund balance" of \$1,581,532.95.
    - i) The "cash available" for encumbrances (unencumbered fund balance- UAN software) was \$1,114,207.78.
  - e) Appropriation Status showed that through October 23<sup>rd</sup>, 2023 (UAN software), 19.0% 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 10-23-2023 was \$1,205,710.01.
  - 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 we await final close out which will take place with the filing of the annual report with the US Treasury dept in April 2024.

(2) The chair asked if there are any questions?

(a) There were none.

- h) ODOT grant "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 23<sup>rd</sup>, 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).
  - (2) The fund line in the UAN system has been set up and the award/grant has been posted to the fund.
  - (3) The Trustees are utilizing the County Engineer as project coordinator.
- ii) As of this session:
- (1) The money is appropriated as the project is now planned for construction in 2024.
  - (2) The fiscal officer has submitted the required 2<sup>nd</sup> quarter project report to ODOT via email on July 31, 2023.
  - (3) Def Twp is awaiting the notice from ODOT to submit the 3<sup>rd</sup> qrt report as of this Oct. 24<sup>th</sup>, Twp session.
  - (4) The County Engineer is working with the City of Defiance on this project.
    - (a) Eng – in Sept - reported that this project is being moved to 2024.
    - (b) Refer to section 6-b-iv of this agenda for details.
- iii) The chair asked for any discussion?
- (1) There was none.
- i) The fiscal officer reports that the Twp is now being audited for years 2021 and 2022. This is a full audit. Estimated cost is \$5300 more or less. Trustees have been contacted via email.
- i) The audit is in the final stages and should be finished by the Nov. Twp meeting.
  - ii) Trustees were emailed a copy of the signed engagement letter on 10-12-23.
  - iii) Discussion;
    - (1) None.
- j) October bills through the 24<sup>th</sup>, – Trustees Review – Discussion and Signature.
- k) Payroll & October time cards – Trustees Review – Discussion and Signature.
- l) Mr. Peck requested a motion to accept the October financial reports.

MOTION by: Shaffer

SECOND by: Diemer

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) October Monthly report - Mr. Chris Harrow
- i) permits issued:
    - (1) none.
  - ii) Nuisance violations:
    - (1) Spoke w/ Juanita Fisher on 10-2-23 reference continued violations on the property she owns at 21338 Parkview dr and reportedly occupied by her daughter Charlene Adams. It should be noted that Charlene has not been observed on the property since the pop trailer was removed. Two vehicle w/o current registrations are still located on the property. Juanita was advised to have the property brought into compliance by 10-9-23.
      - (a) A file is being prepared to be sent to the prosecutor's office reference the 21338 Parkview. As of 10-17-23 no appreciable improvement has been on the property. No visible trash has been removed. The dumpster is gone, after the zoning inspector made contact with the company that owns it.

- (2) Spoke with resident at 14383 Defiance Paulding County Line Rd reference junk vehicles on the property. The property is owned by Loretta Curtis. He was given until 10-16-23 to come into compliance. 10-17-23 no progress made. A nuisance sign was placed in the yard.
- (3) An email was sent to the Asst. City Law Director requesting an update on the Grant and Font nuisance violations. No an update has been received.
- (4) Spoke with residents at 23584 Watson reference violations on their property. They are making headway on cleaning it up. Zoning inspector will continue to monitor.

iii) Site reviews:

- (1) None

iv) Misc :

- (1) Spoke with Ron Kuhn reference the ongoing zoning complaint concerning the property he owns and a cease and desist letter he received from his neighbor Denny Batt.
  - (a) Received a call from Mr. Korhn, attorney for Mr. Batt. Please reference the email sent to all trustees dated 10-9-23. (a copy will be filed in the Oct meeting file).

v) Zoning issues:

- (1) Fielded a call from a resident reference minimum requirements to build a home in the Twp.
- (2) Received an application from Steve Chandler for a change in conditional use to allow for a cottage business in his home. Hearing to be held prior to the Oct 24<sup>th</sup> township meeting.
- (3) A zoning application was sent to the contractor for Larry Cameron. He is looking to build an addition to his home.

vi) The Chair asked for discussion?

- (1) There was none

- b) Twp Zoning Bd of Appeals met 6p.m. 10-24-23 – Steve Chandler requested conditional use to operate a business (dog boarding) from his residence at 24800 Bowman Rd.
  - i) The meeting was suspended to allow time to provide the Appeals Bd with additional information regarding possible subdivision restrictions and to seek prosecutor input on Appeals Bd authority regarding such restrictions.
  - ii) The session is scheduled to reconvene November 14th, 6 pm. at Defiance County Commissioners building – 2nd Floor conference room, 500 Court Street, in Defiance Township, Defiance, Ohio.
- c) The Chair asked if there are any other Zoning/nuisance issues?
  - i) 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) Trustees purchased a 2023 Silverado cab and chassis 1.5 ton truck was purchased via public bid from Estle Chevrolet Cadillac of Defiance in July.
    - (i) Trustees purchased the components ( stainless steel dump bed, snow plow, salt spreader and safety lighting- in August from Kalida Truck.
      1. The truck is at Kalida truck for installation of the components.
      2. Refer to mins of June July and August sessions for details of the public bid process.
      3. As of this session Kalida Truck is awaiting receipt of all components and once received will install and notify the Twp when the unit is ready for delivery.
      4. Discussion.
        - a. Mr. Shaffer stated he had contacted Kalida Truck. They believe the components (bed, plow, spreader and parts) will be delivered in November and the truck should be ready for delivery in Dec.
  - ii) The Chair asks if there are any other equipment or safety concerns.
    - (1) Mr. Buchholz was recognized; he stated the International had a hydraulic line break which Twp personnel repaired. The unit is ready for use.
- iii) The Chair again asked if there were any other equipment of safety items for discussion.
  - (1) 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 Peck, noted;
  - i) Berm needed on some areas of Bowman rd; and
  - ii) Hammersmith rd appears to be sinking near residence located at 20335.
  - iii) Twp staff to review and fix if possible.
  - iv) The November review is to be by Trustee Diemer.
- b) 2023 Road projects:
  - i) Trustees are to refer to exhibit 6-b dated 4-11-23 of the 4-25-23 session, which is an update to the project list dated 1-20-23 from the Co. Engineer’s office. This is the 2023 list of projects for the Co. Engineer & includes the estimates of expenses for the 2023 4<sup>th</sup> mile of the Bowman Rd rebuild project.
  - ii) 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.

(1) Co. Engineer road maintenance projects approved are as follows for 2023:

	<b>Est.</b>	<b>Actual cost</b>
(a) <b>Paving:</b> - no paving projects for 2023.		
(i) Total paving	<b>\$0</b>	
<b>(b) Chipseal: - project is complete – billed and paid in Oct. refer to exhibit 6-1</b>		
(i) Kiser Road – from Krouse to Keller - 5325’	\$12,998.00	<b>\$13,715.46</b>
(ii) Kiser Road – from Keller to Canal – 5,316’	\$12,982.00	<b>\$13,715.46</b>
(iii) Parkview Drive – 2,560’	\$ 3,389.00	<b>\$ 3,769.50</b>
(iv) Schroeder Street – 1,182’	\$ 1,562.00	<b>\$ 1,610.44</b>
(v) Estimated total exp. of chip seals	<b>\$30,931.00</b>	<b>\$32,810.86</b>
<b>(c) Patching:</b> for 2023 –		
(i) none proposed.		
<b>(d) Crack Seal-</b> none in 2023		
<b>(e) Pavement Markings:</b> - per Co. Eng 9-25- this is complete and the twp awaits billing.		
(i) Kiser rd – Krouse to Canal – 10,641;	<b>\$6,321.00</b>	\$
<b>(f) Total est and final expenses for 2023-</b>	<b>\$37,252.00</b>	<b>\$</b>

- iii) 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.
  - (d) Approximately 1 mile of the 4 mile project was completed in 2022.
  - (e) TOTAL ESTIMATED ON BOWMAN PROJECT IN 2023 is \$160,895.00
    - (i) Proposed 2023 effort is the final mile of this project - **5448’** or approximately the 4<sup>th</sup> mile.- Campbell to Power Dam
    - (ii) Prep work by Co Eng.** Warren est. 30k +/- will be posted to OPWC
      - a. **Est. cost** **Actual cost**
      - i. 30k +/- \$
    - (iii) PAVING: - in progress as of the Oct session.**
      - a. **Est. cost** **Actual cost**
      - i. \$107,286.00 \$
    - (iv) **Pavement Markings: - to be done after paving** **Actual cost**
    - i. \$2,979.00 - \$
    - (v) **WIDENING:** - completed paid in June.
      - a. **Estimate** **Actual cost**
      - i. \$50,630.00 \$42,602.08 – completed June 2023.
    - (vi) TOTAL CASH ESTIMATED ON BOWMAN PROJECT IN 2023 is \$160,895.00

1. Per Co. Eng. The project is under construction (working on drainage pipe-culvert) to be followed by paving.
2. Trustees have determined to dedicate the Twp's remaining American Rescue Plan grant to this project. Paid in June.
  - a. Remaining expenses to be paid from Twp road funds.

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

iv) Twp projects by Twp staff or other contractors for 2023:

(1) The Chair asked if there are any proposed or in progress projects for the Twp staff or private contractors for 2023?

(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.

(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.

(b) This project is now scheduled for 2024.

(c) Def Co Engineer Schlatter stated on 9-25-23 the following update:

(i) Project bids came in over the engineer estimate (city engineer prepared bid docs) and could not be awarded as bid.

(ii) New bids are being prepared (by city engineer) and the project is now to be bid piecemeal.

1. Widening/paving

2. Drainage

3. Sidewalk

a. This is necessary as no const company generally constructs the different segments, they would subcontract. This is what drove up the bid price.

(iii) The Def. Co. Engineer believes the bids will be acquired yet this year 2023 - but the construction will start in 2024.

1. The sidewalk portion may not be a part of the project – this depends on remaining grant funds after the first two elements of the project are completed.

(d) The fiscal officer has submitted the required 2<sup>nd</sup> qrt status report via emailed to ODOT July 31<sup>st</sup> indicating no activity.

(i) The Twp awaits ODOT notice for the 3<sup>rd</sup> qrt report.

(e) There is no update on this project for Oct.

(f) Discussion:

(i) 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) Trustees noted that a resident at 20335 Hammersmith rd., complained of a culvert issue just east of this property.

(a) Trustees will ask the Co. Engineer to review.

c) **2023 financial impact review by the fiscal officer:**

i) The fiscal officer reported:

(1) Total road fund revenues year date are **\$240,601.68**

(2) Total road fund expenses year to date are **\$135,072.74**

(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 - 2023– total \$0

- ii) Anticipated road funds revenue (tax receipts) for 2023 – based on the January 6th, 2023 1st Twp amended certificate was:
  - (1) \$227,400 more or less
- iii) Anticipated expenses for 2023 – as of this session:
  - (1) Regular twp. expenses anticipated for the year, barring emergencies. The estimate for 2023 – 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) 37k +/- Road maintenance program by Co. Engineer - has been estimated by Co Engineer refer to item 6-b of this agenda - proposal from Co. engineer.
  - (3) \$160k – estimated for Bowman Rd rebuild in 2023 – refer to exhibit 6-B dated 4-11-23.
    - (a) To be funded in part by American Rescue Plan grant per Trustee resolution 10-2023.
  - (4) 40k savings towards Carter rd rebuild - project - unless Trustees determine another project.
    - (a) 40k was earmark in the 2022 budget so at end of 2023 80k should be available.
  - (5) truck purchase to replaces F550 – set aside is \$165k spent \$129,000 more or less.
- iv) Total est. exp for 2023 now revised from original est of between \$380 and \$500k – to \$300 to 425k. Change was based on discussion with co eng regarding projects yet to be completed in 2023.
- v) Discussion;
  - (1) None.

d) **A recap of the OPWC grants (LTIP & Issue 2)**– see minutes of previous sessions for history. An update was last received from the Co Engineer’s Office dated 9-19-2023- refer to **exhibit 6-d** of the September 26<sup>th</sup>, meeting.

- 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 2 years (2023 & 24) or a total of \$50k remaining give or take.
  - (2) The 2023 grant of \$18,000.00 is posted to Twp grant as of 2-8-23 as noted on the 2-8-23 exhibit.
    - (a) Grant fund balance as of 09-19 is plus \$8,110.73 as noted on the exhibit.
  - (3) –OPWC grant work currently posted for 2023
    - (a) \$81,534.19 for Bowman rd proj prep by co eng staff – and;
    - (b) \$1,800.00 for Krouse rd dura patching.
  - (4) 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%.
  - (5) Discussion:
    - (a) None.

e) 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?
  - i) The fiscal officer reported that a Steve Teschke ph 714 865 4320 email stxwelds@gmail.com had contacted the Twp and requested to bury the cremated remains of Katherine Marie Vaughn-Teschke in lot 35 in Cromley cemetery.
    - (1) Mr. Teschke stated the decedent is the daughter of Harvey and Adiline Ball now buried in that lot.
      - (a) Refer to Cromley map distributed as **exhibit 7** of this session.
    - (2) The fiscal officer emailed the requirements for internment, Twp Trustees were copied on that email dated Oct 6<sup>th</sup>, 2023. As of this session the Twp has not received any further word from Mr. Teschke.
    - (3) Discussion;
      - (a) none
  - ii) The Chair again asked if there were any other cemetery issues.
    - (1) There were none.

#### **ORDER OF BUSINESS NO. 8 – PERSONNEL**

- a) The Chair asked if there are any personnel issues for discussion.
  - i) Zoning Commission – appoint to alternate Bd. position. This opening occurred when Trustees appointed Patti Diemer to the regular Board to fill the seat of Richard Wagner who had passed away.

ii) Nominations if any to fill the unexpired Alternate term of Patti Diemer?

iii) ZONING COMMISSION

Randy Wilde	14726 St Rte 111- Defiance	419-393-2897	<a href="mailto:jjyold@artelco.com">jjyold@artelco.com</a>	12-31-25
Sam Bok	11310 Krouse Rd - Defiance	419-782-0012	<a href="mailto:jawscows@defnet.com">jawscows@defnet.com</a>	12-31-25
Ed Steffel	15829 State Rt. 111 Defiance, Ohio 43512	419 393 2357 home		12-31-23
Tom Mick	21389 Hammersmith Road - Defiance		<a href="mailto:twmick@defnet.com">twmick@defnet.com</a>	12-31-23
Patti Diemer	23361 Def. Paulding Co. Line Rd 10 – Defiance, Ohio 43512	419-439-3181 cell 419-393-2009 home	<a href="mailto:Pdiemer1961@gmail.com">Pdiemer1961@gmail.com</a>	12-31-24
<b>ALTERNATES</b>				
Donald Gorrell	15656 South St. Rt. 66 – Defiance, Ohio 43512	419 399 7699 cell 419 393 2076 home	<a href="mailto:Gorrell1155@gmail.com">Gorrell1155@gmail.com</a>	12-31-23
Open position				12-31-24

(1) Trustee Peck is to consult with the Def. High School to get a recommendation of a student for this position. Trustees believe this to be an educational opportunity for the named student.

(2) Update-

(a) There was none.

b) Mr. Peck asked if there were any other personnel issues?

i) There was none.

**ORDER OF BUSINESS NO. 9 - Handouts.**

a) Monthly (October 23) GrassRoots clippings – **exhibit 9-a**

b) **Exhibit 9-b** is from Baker's Propane and is a safety notice for users of propane gas.

i) This notice to be provided to Twp operators.

c) Discussion.

(1) There was none.

**ORDER OF BUSINESS NO. 10 - Old Business**

a) The Chair asked if there is 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 is any new business to come before the Board?

i) The OTA winter conference is scheduled for Feb 7 – 9<sup>th</sup>, 2024.

ii) The fiscal officer has reserved 6 rooms –

- (1) Peck
- (2) Shaffer
- (3) Diemer
- (4) Harrow
- (5) Voll
- (6) Houck

iii) Conf registration will be open in Nov. the fiscal officer will register attendees online.

iv) Discussion

(1) None.

b) The Chair asked if there was any other new business to be discussed?

(1) There was none.

**ORDER OF BUSINESS NO. 12 - NEXT MEETING:**

- 1) The next regular session.
  - a) The next session.
    - i) Trustees noted the Thanksgiving holiday provided conflicts with holding the Twp Nov session on the regular 4<sup>th</sup> Tuesday of the month.
      - (1) Trustee Diemer proposed moving the session to the 3<sup>rd</sup> Tuesday (Nov 21<sup>st</sup>)
      - (2) Trustee Shaffer seconded

The roll was called and the vote was:

YEA(s) 3 NAY(s) 0 The motion: Passed X Failed

November session will be held on:

**Date:** Tuesday, November 21<sup>st</sup>, 2023 regular business session. (moved due to Thanksgiving holiday conflicts); the move will be posted on the twp web page.

**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. Peck requested a motion to adjourn this meeting of – October 24<sup>th</sup>, 2023.
  - It was moved by: Diemer
  - 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