

Minutes
DEFIANCE TOWNSHIP TRUSTEES
October 25th, 2011 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, October 25th, 2011 at 7:00 p.m. Following the Pledge of Allegiance the Chair instructed the clerk to call the roll. Answering as present were Daniel Peck, Charles A. Bakle Jr. and Diana Mayer; also present was Tim Houck, Township fiscal officer -Clerk. All three (3) members of the BOARD OF TRUSTEES having answered the roll, a quorum was declared.

Township employees present were: Jason Shaffer (equipment operator and zoning inspector) – 13386 St Rte 15, Ed Young 23013 Watson Rd, & Joe Kolb 16492 Cullen eq operators.

Visitors present: Penny Bakle 1204 Wayne Ave. Defiance, Ohio.

ORDER OF BUSINESS NO. 1

Reviewed and approved the minutes of the previous session.

Chairman Bakle requested a motion for the approval of minutes from the September 27th, 2011, regular session.

Mayer moved to approve.

Peck seconded.

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

The minute's for the September 27th, session were approved.

ORDER OF BUSINESS NO. 2 - Citizen concerns:

- a) The chair asked for citizen concerns from the floor.
 - i) 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 \$223,198.01 balance is minus the outstanding checks and Township investment funds.
- b) Receipt & Payment reports
 - i) Receipts for October 2011 were \$22,473.46.
 - ii) Payments for October (bills & payroll) totaled \$27,702.54.
- c) The Cash fund summary through October 31st, 2011, showed an “ending cash balance” of \$919,572.35.
 - i) The unencumbered cash balance “cash available” was \$617,595.00 which is the balance after encumbrances are subtracted from the cash balance.
- d) Appropriation Status showed that through October 31st, 2011, 16% of the years' appropriations had been expended. All reports will be on file in the Fiscal Officer's office.
- e) The fund status report (money market) showed:
 - i) The money market investment fund balance as of 10-31-11 was \$703,087.12.
- f) Trustees reviewed and signed the October bills without comment.
- g) Trustees reviewed and signed the October payroll –
 - i) Trustees had, prior to the session, been provided the employee time cards for review.
- h) Mr. Bakle requested a motion to accept the October financial reports.

MOTION by: Dan Peck

SECOND by: Diana Mayer

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

The October financial reports were approved.

ORDER OF BUSINESS NO. 4 – Zoning - Status update on the following zoning Issues as of this session:

- a) The Chair asked for the Monthly Zoning report - Inspector's Report - Mr. Jason Shaffer provided the following electronic copy of this report.
 - i) report for October 2011.
 - (1) Jason is still receiving calls from residents in the City of Defiance. He explains to the residents that they need to make contact with the City for Zoning issues.
 - (2) Building permit applications were given to:
 - (a) Jamie Price of Dead End Cycles for an addition.
 - (b) Dennis Liechty on Watson Rd. for an addition.
 - (c) William Virol on Harding Rd for an addition.
 - (3) Tim Font of On the Edge Construction, had a continuance in Defiance County Municipal Court. Font is now to reappear on 11/22/2011 at 1300 hrs. Font has not taken any action to clean up the debris that is located at 1902 Baltimore Rd address, which is the matter of this court action.
 - (4) Mailed Letters to:
 - (a) David Jebb 15732 Power Dam Rd. on a complaint of Chickens. Property is Zoned R1
 - (b) Alva & Shirley Rosebrock 866 S. Clinton St. High Grass issues at 3 River Garden Center.
 - (c) Danielle Nartker 20936 Rd I-18 Cloverdale, Oh for high Grass at 20419 Hammersmith.
 - (5) Working on issues with a trailer owned by David Glick on Hammersmith Rd.
 - ii) End October report
- b) Mr. Bakle asked if there are any other zoning issues to come before the Board.
 - i) Mr. Bakle then stated he had been contacted again by Ed Steffel - 15829 State Route 111. Mr. Steffel appeared before the Board of Trustees in the August session and raised a concern with possible zoning and or nuisance violation on the property of Don Bendele. The Bendele property is across the Auglaize river from the Steffel property. That issue (of August) was believed to have been resolved.
 - ii) Mr. Bakle stated that Steffel has recently contacted him and thinks that a camper now setting on the Bendelee property maybe a violation of Twp Zoning or nuisance rules.
 - iii) Mr. Bakle asked the Zoning Inspector for comment.
 - iv) Mr. Shaffer – the Twp Zoning inspector – replied he was aware of the issue and the camper, as stationed on the Bendele property, is not a zoning or nuisance violation according to his review of the Twp Zoning and nuisance rules.
 - v) There was no further discussion of this issue.
- c) Mr. Shaffer requested envelopes and stamps from the fiscal officer's office supplies for use by him in his zoning/nuisance work.
 - i) The stamps and envelopes will be provided.
- d) The Chair asked if there were any other zoning issues to be discussed.
 - i) There were none.

ORDER OF BUSINESS NO. 5 -- Equipment;

- a) The Chair asked if there were any comments or concerns from Twp employees on current or proposed new eq.
 - i) Jason Shaffer reported that as directed in the September session he has acquired a quote to have a "aggregate screener" built for the Twp. the quote was from Clemen's Welding of Defiance, and is in the amount of \$1,800.
 - (1) Trustees had approved in the Sept session the purchase of an "aggregate screener" not to exceed \$2,500.
 - (2) Trustees directed Shaffer to proceed with the purchase of the "aggregate screener" from Clemen's Welding.
 - ii) The Chair asked if there were any other equipment issues to be discussed?
 - (1) There were none.

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

- a) The Trustee Monthly Twp Rd inspection report, exhibit 6-a as completed by Trustee Mayer was reviewed.
 - i) The Trustees verbally instructed the staff that if any piece of Twp equipment is in need of repairs the Twp operators are to call Michael Daniel. If the Twp operators cannot reach Daniel they are to call a Trustee who will handle the matter.

- b) Trustees then reviewed the status of planned and existing projects: - see past minutes for review of items completed.
 - i) The 2011 Project list final was reviewed in the April meeting. It was presented to Trustees as exhibit 6-c-1 in the April session.
 - ii) This list had a cover letter dated 3-24-2011 which noted the new road project(s) that the Co Engineer will undertake for the Trustees in 2011 - now stands as follows:
 - (1) Reconstruction of Lakeview – estimated cost as of 3-24-11 is \$31,902.43
 - (a) As of the 10-25 Trustee session:
 - (i) The co engineer's office had patched @ at cost of \$3,846.59 (posted June) &;
 - (ii) Crack sealed around circle @ a cost of \$3,643.56 (posted June)
 - (iii) Laid Dura patching was completed and noted on an invoice dated July 14 – \$2,475.
 - (iv) Placed mirco surface & bill twp – bill dated 10-17 - \$14,844.20
 - (2) Hammersmith road – ditch work – estimated cost \$20k – carryover from 2010
 - (a) As of the 10-25 Trustee session:
 - (i) For the section of ditch west of Singer rd
 - (ii) It was reported at the 10-25 session that Joe Webb of Webb's Construction of Defiance was awarded this work by the County Engineer. The ditch work on this section of Hammersmith is to start soon and is to be completed by year's end.
 - (3) The 2nd Hammersmith ditch proj between St Rt 111 and Twp maintenance building – also scheduled in 2011 – estimated cost unknown as of this session, was discussed.
 - (a) As of the 10-25 Trustee session: - no change.
 - (i) In past sessions the Co Engineer had stated to the Trustees that this project maybe done by the Co when the road rebuild is done on this section of Hammersmith.
 - (ii) The Engineer has previously acquired a private bid of over \$20k for this ditch work which was reported to the Trustees in August 2011, by the co eng. The Co engineer's staff will be able to do the work for \$10k or less as estimated as of August 2011.
 - 1. Trustees in the August 2011 session - opted to wait for the Co engineer's.
 - (4) Indian Bridge lane: - paving project for 2012 with CDBG grant and OPWC grant - \$5,200
 - (a) As of the 10-25 Trustee session: - no change
 - (i) In August 2011 – Trustees voting 2-1 approved the following:
 - 1. Drainage project – \$9k to \$12k
 - a. Funding by Twp – either road dollars or OPWC dollars
 - b. Consists of 9 of 11 drainage pipes – to drain storm water on east side of the boulevard to the center of boulevard ditch.
 - 2. The Twp was approved to receive \$15,800 CDBG grant dollars in 2012 towards the paving project in grant funds
 - 3. The Twp is pledged to provide \$5,200 towards paving
 - 4. The Twp awaits work by the Co Engineer.
 - (5) Other work by the Co Engineer on the Twp's behalf is:
 - (i) a proposed drainage project drawing for Hammersmith and Singer Rds discussed with Trustees at a Soil & Water session held at the Twp maintenance building on April 19th, 2011.
 - a. This project effects both Hammersmith and Singer and is concerned with a collapsed tile in a farm field south of Hammersmith and east of Singer on a parcel owned by George Newton and farmed by Andrew Shinninger. Issue was raised by Shinninger.
 - b. Estimated cost – unknown as of this session.
 - c. No new information was provided.
 - (ii) Trustee's determined in the August session that Ball road near the intersection of Canal has a significant depression. It is at this location that a 60" tile crosses under the road. This cross over drains significant acreage to the south of Ball rd.
 - a. Mr. Peck reported in the Sept session that the Co Engineer will undertake this project

in the spring/summer of 2012.

b. No cost estimate is yet available.

(iii) Trustees were informed in the Sept session of several “bad spots” on Ball rd.

1. Mr. Peck sent an email dated 9-28 to all Trustees and the fiscal officer noting that the Co engineer will fix the spots before winter sets in – (fall 2011).

a. Trustees reported that the County Engineer had contracted out the repairs and the repairs were completed.

b. The Twp awaits billing.

(iv) Trustees were informed by Mr. Young – in the August session; that Bowman rd between Campbell and Williams (east of the bridge about .5 miles east of Campbell) has a large hump in the road.

1. Mr. Peck sent an email dated 9-28 to all Trustees and the fiscal officer noting that the Co engineers fix the spot on Bowman before winter sets in – (fall 2011).

a. Trustees reported that the County Engineer had contracted out the repairs and the repairs were completed.

b. The Twp awaits billing.

(6) Items by the Co Engineer on the Twp’s behalf completed in 2011:

(a) “chip – seal” portion of Krouse road south of Hammersmith- August

(7) The Chair asked if there were any other work projects by outside contractor’s to be discussed:

iii) Total for agreed upon projects by Co Engineer as of 10-24-11 is estimated to be \$69,102 more or less – not including the grant funds which must be posted to the Twp accounts.

(1) Regular twp expenses are estimated – base on historical review at between \$70,000 and \$100,000

(2) Anticipated total projected rd work expense in 2011 now stands at \$169,102.

(a) Includes Indian Bridge lane’s drainage and twp portion of asphalt –

(i) Drainage maybe done yet in 2011

(ii) Asphalt is now a 2012 exp.

(3) Anticipated revenues as noted in the 2011 amended certificate from the County Auditor for road work is \$159,345.00

iv) OPWC grant funds for Def Twp – status:

(1) As reported in the June session --- the following is unchanged for August (as of the time the agenda was prepared); and is an accounting by the Co Eng office of the OPWC grant funds being expended on the Twp’s projects

(2) The 2011 grant includes carryover funds from previous OPWC grants–

(a) The June exhibit listed the projects completed and posted from grants of 2009 through 2011

(b) The 2011 grant total as of Jan 1 was \$73,149.

(c) The expenditures from 09 through June 2, 2011, were (\$20,679.48)

(d) The grant balance now stands at (no change from Sept) \$55,275.01

(e) The chair asked for discussion if any.....

c) Other possible projects???

i) The Chair asked if there are any questions or concerns...

(1) Twp operator Ed Young said he observed a sink hole on Parkview rd at the west end where the road begins a circle configuration. It appears school busses or other heavy equipment is turning short causing this issue.

(a) Trustees will have Mr. Peck contact the school bus driver coordinator to have in instruct the route driver in this area to be mindful of the issue.

(b) Trustees ordered Twp workers to place stone in this area as a temporary repair.

(2) Twp operator Ed Young asked for clarification as to “what portion of Ashwood Rd is to be bermed”.

(a) Ashwood is a section line road part of which is under Delaware Twp jurisdiction.

(b) Trustees instructed Young to berm the road on both side from the place on the road surface

- changes color. Young is to berm from that point west to 424(formerly us 24).
- (3) It was noted in the Sept session that a box springs and mattress was dumped on the Co Line road between Williams rd and St Rte 66. Twp crew was to pick this up.
- (a) The item had still not been removed as of the 10-25 Twp session.
 - (b) Twp operators were instructed to pick this up and properly dispose of the litter.
- d) The November work assignments for the Twp crew – **exhibit 6-d**- were to be handed out to staff.
- i) Trustees verbally instructed Ed Young to acquire cold patch material and store at the Twp maintenance building on Hammersmith road.
- e) Twp cemeteries – were discussed.
- i) Ed Young noted that a culvert which he noted earlier this year to the Trustees needs replaced in Taylor cemetery.
 - ii) Trustees said they will address this in the spring of 2012.
- f) The November road review is to be by Trustee Bakle
- g) The Chair asked if there are any other projects or questions or concerns...
- i) Chairman Bakle then asked the Trustees to make out their list of road projects for 2012 to be discussed at the November session. The final list is to be presented to the County Engineer at the annual County engineer's public officials meeting in late January.
- h) The Chair again asked if there are any other projects or questions or concerns...
- i) There was none.

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

- a) Monthly (October 11) GrassRoots clippings – exhibit 7a was distributed without comment.
- b) The Chair asked if there were any other comments on the hand outs of this session.
 - i) there were none.

ORDER OF BUSINESS NO. 8 – Old Business

- a) Trustees were up-dated on “Fire-Rescue” regionalization discussion by Twp’s and the City of Defiance. Mr. Peck represents Defiance Twp.....
 - i) The Trustees wished to note in the minutes the able work performed by Trustee Peck regarding his efforts in negotiating with the City of Defiance on the arbitrary City imposed increase to Township residents for fire rescue services.
 - ii) Trustees noted that the City had imposed a 1700% increase for these services in 2010>
 - iii) Mr. Peck reported at this session that in 2011 the City has imposed an additional increase effective immediately. The new rates of \$30,000 per year for rescue services in addition to the \$56,000 plus per year for fire service exceeds the levy Township residents approved. Mr. Peck noted that the city administration was unwilling to accept the levy amount. Ultimately, Township residents will have to approve a new levy or seek services elsewhere.
 - iv) It was noted that many Township residents work in the City and pay the income tax which funds these services to which Township residents are being assessed additional taxes.
- b) Exhibit 8-b was a resolution from the Defiance County Commissioners approving the Defiance Twp Trustees request on behalf of Mark Rau 21880 Parkview Drive, to vacate certain non-constructed streets in the Homewood Subdivision.
 - i) There was no further discussion.
- c) Exhibit 8-c was a letter from the Defiance County Waste Water Operations Office informing all property owners on which the Defiance-Paulding County joint sewer construction project known as “ the Auglaize River Sewer system” must hook up to the sewer lines within 120 from the date of the notice which is 10-13-2011. The exhibit also contains a copy of the procedures and requirements, a sewer connection diagram and the procedure to abandon a septic system.
 - i) As the Def Twp Maintenance building does not have sewer or water this notice may not be applicable.

- d) The Chair asked if there was any other old business
- i) There was none.

ORDER OF BUSINESS NO. 9 New Business.

- a) The Chair asked if there was any new business to come before the board?
 - b) Exhibit 9- was then reviewed. This was a courtesy copy of a notice from the County Commissioners that a business in Defiance Twp (Dead End Motorcycles) owned by Jayme Price has erected an advertising sign illegally on county property.
 - i) There was no further discussion.
 - c) The Chair asked if there was any other new business to come before the board?
 - i) There was none.
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ORDER OF BUSINESS NO. 10 - NEXT MEETING:

Date: Tuesday – November 29th, 2011.
Time: 7:00 p.m.
Place: 2nd floor of the Defiance County Commissioners building – conf room EMOC
500 Court Street - Defiance, Ohio

ORDER OF BUSINESS NO. 11 – Adjournment:

Mr. Bakle requested a motion to adjourn the meeting of October 25th, 2011
It was moved by: Mayer
SECOND by: Peck

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