

*Minutes*  
***DEFIANCE TOWNSHIP TRUSTEES***  
***October 25<sup>th</sup>, 2016 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, October 25<sup>th</sup>, 2016 at 7:00 p.m. Following the Pledge of Allegiance the Chair instructed the clerk to call the roll. Answering as present were Dan Peck, Diana Mayer & Jason Shaffer. Also present was Tim Houck, Township fiscal officer. With all three (3) members of the BOARD OF TRUSTEES having answered the roll, a quorum was declared.

Township employees present were: John Diemer 23361 Defiance-Paulding Co Line Rd 10- Defiance, Ohio, and Jerimiah Marshall of 321 Upton Street, Holgate, Ohio.

Visitors present: Mark Hall 1894 Riverview Drive, Ryan Burger (address not provided), Steve Flory (address not provided), Patti Diemer 23361 Defiance-County Line Rd 10, Rhonda Shaffer 13386 State Rte 15 & JoEllen Houck 8 Deville Dr., all of 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 27<sup>th</sup>, regular session.

Mrs. Mayer 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) Mark Hall was recognized and informed Trustees that he had been in contact with both the Paulding County Engineer and the Paulding County Auglaize Township Trustees regarding the drainage problem he previously (August 2016 Def Twp session) noted to Defiance Twp Trustees at 22736 Defiance Paulding Co Line Rd #10.
    - i) This property is on the south side of the road placing the property in Paulding Co.
    - ii) There is a discharge pipe from the septic tank on this property is is not discharging properly.
    - iii) Mr. Hall was seeking permission to replace the pipe which drains into the road ditch on the south side of the road. Such work would include an area of public right of way.
    - iv) Trustees noted that the property is in Paulding Co and as such Defiance Co Trustees do not have authority to approve such work.
    - v) Trustees will draft a letter stating this which will be sent to both the Paulding Co. Engineer and the Auglaize Township Trustees.
    - vi) Trustees also asked the fiscal officer to email a signed copy to Mr. Hall
  - b) Mr. Ryan Burger was recognized.
    - i) Mr. Burger stated he is a write-in candidate for Defiance County Commissioner on the November 8<sup>th</sup> ballot for the seat starting January 3<sup>rd</sup>, 2017.
    - ii) Mr. Burger explained his reasons for seeking this position, noted his qualifications and asked the Trustees for their support.
  - c) Mr. Steve Flory was recognized:
    - i) Mr. Flory stated he was a write in candidate for Defiance Co. Sheriff on the November 8<sup>th</sup> ballot.
    - ii) Mr. Flory explained his reasons for seeking this position and noted his qualifications. Mr. Flory asked the Trustees for their support.
  - d) Both candidates provided Trustees with brochures regarding their candidacies.
  - e) Trustee Mayer stated she received a complaint from a Mrs. Iler a township resident about ruts and drainage issues she has observed on Ginter rd.
    - i) Trustees are aware of the ruts and stated they will work with the Co. Engineer to repair that issue.
    - ii) Trustees stated they have observed the drainage in this area after a recent rain event and did not find an issue.

- f) The Chair asked if there were any other issues from citizens to be addressed at this time?
  - 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 \$290,268.94-- 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 \$26,453.59
- c) Payment reports:
  - i) Payments for October (UAN software-) were \$50,901.53.
- d) The Cash fund summary through October 23<sup>rd</sup>, 2016, (UAN software) showed an “ending fund balance” of \$869,093.48.
  - i) The “cash available” for encumbrances (unencumbered fund balance- UAN software) was \$266,613.18.
- e) Appropriation Status showed that through October 23<sup>rd</sup>, 2016 (UAN software), 30% 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 10-23-16 was \$705,445.44.
- g) October bills were then reviewed by Trustees and Signed.
- h) Payroll & October’s 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: Mayer  
 SECOND by: Shaffer  
 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 report
  - i) Permits
    - (1) No permits issued
  - ii) Nuisance
    - (1) DAV and Scottys mowed – nuisance abated
    - (2) Huff property on Parkview dr was sold – grass weeds -
      - (a) Waiting for new owners to take possession to see what they are going to do with property
  - iii) Took paper work for variance to Larry Cameron on Power Dam Road
  - iv) Mc Coy variance issue has been put on hold for now
  - v) Talk to Russ Herman about cell towers
    - (1) Cell towers are generally a public utility and as such are under the authority of the state not the Twp zoning rules.
  - vi) Wichman property sold to one person - no land split needed

Respectfully submitted  
 John Diemer, Twp Zoning Inspector

- b) Exhibit 4-b was a notice of an application for a subdivision property split in Defiance Twp. the property was from the walz estate 21583 Hammersmith Rd.
  - i) Def. Co. commissioners (landfill owner/operator) purchased this property from the estate and intends to split the wooded lot and residence for auction. The remainder of the property is to be used for landfill operations.
  - ii) Def. Twp Zoning inspector John Diemer signed the approval of the split for Def. Twp.
  - iii) The fiscal officer noted that the Twp copy of the application only had the Twp’s Zoning officer’s signature.

The form requires signatures from several other governmental units.

(1) The fiscal officer suggested that the Trustees should acquire a copy with all signatures.

(2) Trustees concurred.

c) The Chair asked if there were any Zoning issues to be discussed by the Trustees.

(1) 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) Trustees noted that the International was at Defiance Truck Sales and Service – repairs have been completed and the unit is to be picked up.

(1) (repairs to rear brakes, axles, rims & wheels.)

b) The Chair asked if there were any other equipment issues to be discussed.

(1) There was no further discussion on equipment.

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

a) The Road Report presented as exhibit 6-a was reviewed. This monthly Twp Rd inspection was by Trustee Mayer.

i) All November work items are noted on the October rd report. Operators should refer to the report for their assignments.

ii) The November Rd review is to be by Trustee Shaffer.

b) **2016 Road projects:** see agendas from the January 13th, 2016 re-organizational session forward for a history.

i) At this session (October) the proposed 2016 project list is as follows:

(1) proposed projects are as follows- engineer's work is in bold – twp projects are not in bold. Projects completed have been removed from the agenda.

**(a) All of the approved Engineer's work has been completed for 2016:**

(i) See past meeting minutes for history.

**ii) Total estimated expenses by Co Engineer for 2016 was \$74,450 reduced from original \$131,522**

**iii) Twp projects by Twp staff or other contractors for 2016:** Projects completed have been removed from the agenda.

(1) A water supply for the Twp maintenance building on Hammersmith rd.

(a) Trustees determined in the Sept 15 session that they would seek quotes to acquire a water supply for this building.- see mins from Sept 15 session forward for details.

(b) In the april 2016 Twp session, Trustees awarded the project to Y2K Plumbing of Defiance for a quote of \$6,363

(c) As of this session a portion of the work was completed and had been billed to the Twp. by the contractor. That bill was paid in June.

(d) In the Sept Twp session Mr. Peck reported that he had contacted John Grimes of Y2K and Mr. Grimes stated this project will be completed in Oct.

(e) Update:

(i) Trustee Peck is to contact Y2K Plumbing to determine if the project has been completed. Mr. Peck will report at the November session.

(2) During the May 2016 Trustees session – Trustees determined to purchase 1 or 2 catch basins/grates and replace tile on Krouse road south of Hammersmith.

(a) In the August session Mr. Peck reported that Trustees determined that tile (8") needed replaced as well. The components have been ordered and Twp operators will address when items arrive.

(b) In the Sept session Mr. Shaffer reported the project is still to be completed.

(c) Project update.....

(i) Trustee Shaffer reported that the project needs the backhoe which has only recently been repaired.

(ii) Shaffer will report on progress in the November session.

- (3) During the May 2016 session Mr. Shaffer was approved to contact County Engineer Warren Schlatter to have the County repair a road issue at Ginter and Carter.
  - (i) In the September session Mr. Peck reported the County Engineer was aware of this issue and the work should be completed in October.
  - (a) Update...
    - (i) Trustees to contact Co. Engineer and report back at the November session. The issue is ruts in the road. See citizen concerns above.
- (4) Install kovac heat at Twp maintenance building on Hammersmith rd.
  - (a) Trustees determined to pursue this project at the June 2016 session.
  - (b) During the June 2016 session Mr. Peck stated he will contact Morris Heating and Y2K Plumbing and contracting and will attempt to find another vendor.
  - (c) At the August session Trustees reviewed Exhibit 6-b-1 was a quote from Morris heating and air-conditioning of Def. the quote contains two options –
    - (i) #1 \$5,389- 50' length pipe
    - (ii) #2 \$4,265- 30' length pipe
    - (iii) Trustees continued to await at least one additional quote.
  - (d) During the Sept session Mr. Peck presented two additional quotes:
    - (i) Y2k Plumbing quote – exhibit 6-4-b for a 30' long pipe was for \$6,800
    - (ii) Fitzenrider, Inc quoted – exhibit 6-4-c did not include length of pipe – was for \$5,782.
    - (iii) Trustees determined to accept option #1 from Morris Heating.
  - (e) Project update;
    - (i) Mr. Peck to contact Morris heating to get an estimated date for project completion.
- (5) In September Trustees discussed the need to acquire a tank for the propane for the heating system.
  - (a) Trustees determined to purchase a tank so that the Twp would be free to acquire propane from any vendor.
    - (i) Trustees to purchase tank and solicit fuel quotes. It was estimated the cost of the tank would be less than \$5,000.
  - (b) On Oct 10<sup>th</sup> the fiscal officer sent an email to Trustees with contact info on a company that sells tanks.
    - (i) See **exhibit 6-5**
    - (ii) Discussion.
      - 1. Trustees approved Mr. Shaffer to purchase a tank from the vendor (baker tank) not to exceed \$5k.
      - 2. Trustees will then acquire several quotes on propane and approve the lowest and best.

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

- i) As of this session total anticipated cost of all proposed and approved projects for 2016 are estimated to be \$156,000 to \$243,000 more or less- the range includes:
  - (1) 100k noted in ii below and also includes twp items 1, 2 & 3 above) plus
  - (2) (\$74,450 f eng report - plus
  - (3) The tractor and mower purchase @ 65k.
- ii) Trustees are reminded that:
  - (1) Regular twp. expenses are estimated – based on historical review, at between \$70,000 and \$100,000 – would include projects 1, 2, & 3, on this agenda plus salaries, mowing, snow removal etc. This range does not include a truck purchase in 2016 nor item 4 above.
  - (1) Anticipated 2016 revenues as noted in the 2016 amended certificate from the County Auditor for road work was \$167,515.00.
  - (2) Total road expenses year to date are **\$225,098.37**
  - (3) Total road fund revenues year date are **\$157,953.80**
  - (4) A recap of the OPWC grants – see minutes of previous sessions for history. An update was received from the **Co Engineer's Office dated 10/18/2016** and is presented to Trustees as exhibit 6-C of the October 2016 agenda. The update includes expenditures from future OPWC grants that the Twp. might receive.

- (a) Current status – the OPWC report of 10-18-16 indicates that the Twp has used \$14,900.04 of future grant funds. The Engineers posted the 2015 grant of \$16,067 and the 2016 grant of \$34,355 against the previous future used grant funds.
- (b) The Oct. 18<sup>th</sup> exhibit 6-c shows that in Oct 2016 the engineer's posted a \$300.00 dura-patching project on krouse rd to future grants.
- (c) 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 8 years or a total of \$200k remaining give or take.

iii) The chair asked for discussion.

- (1) The fiscal officer reminded Trustees that the Twp accounts will be closed at year's end and any work done in 2016 needs posted to the 2016 accounts.
- (2) Any purchases and billing for any work should be provided to the fiscal officer by December 15<sup>th</sup> and not purchases other than emergency purchases should take place until the 2017 Twp accounts are approved by Trustees at the January 10<sup>th</sup>, 2017 re-organizational session.

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

- (1) There was no further discussion on this issue.

d) Trustees note that the November work assignments for the Twp. crew are noted in the October monthly road report.

e) Twp cemeteries –

i) The Chair asked if there are any cemetery issues to be discussed.

- (1) Trustees noted that stone should be placed on the road system in Tuttle Cemetery. This is listed in the October road report by Trustee Mayer.
- (2) There were no further discussions regarding Twp cemeteries.

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

a) Monthly (October 16) GrassRoots clippings presented as 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) Twp staffing for winter snow removal from the Oct. session.

- (1) Mr. Peck asked if Trustees were comfortable with staff on hand to address the upcoming winter's snow removal needs of the Twp.
- (2) Trustees determined to run an ad in the Crescent news soliciting applications for a Twp part time equipment operator.
  - (a) Trustees will review and determine from the applications when and if additional staff is necessary.
  - (b) Trustees asked the fiscal officer to place the ad and provide the applicants to the Trustees for review in November Twp meeting.

b) Trustees noted that a "study session" is scheduled for Saturday November 5<sup>th</sup> 8a.m. at the Eagles in Def.

c) The Chair again asked if there were any other old business to come before the Board.

i) There was none presented.

#### **ORDER OF BUSINESS NO. 9 - New Business.**

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

- i) Trustees noted that the December regular session is scheduled for December 27<sup>th</sup>. Given the holiday falls on a Sunday many business provide Monday as the Holiday for employees. Trustees determined to move the December Township regular meeting to December 20<sup>th</sup> so as not to conflict with the Holiday.
- ii) Motion by Mrs. Mayer – to move the Dec Twp session to the 20<sup>th</sup>.
- iii) 2<sup>nd</sup> by Mr. Shaffer

The roll was called and the vote was:

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

- i) The Chair again asked if there was any other new business.
  - (1) There were no further discussions.

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**ORDER OF BUSINESS NO. 10 - NEXT MEETING:**

- a) The next regular session.

**Date: Tuesday – November 22<sup>nd</sup>, 2016.**

**Time: 6:30 p.m.**

**Place: Northwest Ohio Real Estate Services - 618 S Clinton St, Defiance, OH 43512**

**ORDER OF BUSINESS NO. 11 – Adjournment:**

Mr. Peck requested a motion to adjourn the meeting of October 25<sup>th</sup>, 2016

It was moved by: Mayer

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-Clerk