

*Minutes*  
***DEFIANCE TOWNSHIP TRUSTEES***  
***October 25<sup>th</sup>, 2022 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 25<sup>th</sup>, 2022 at 6:30 p.m. Answering as present were Dan Peck, Jason Shaffer, and Diane Mayer. 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 South Clinton St., Harry Railing 14951 Power Dam Road & John Diemer 23361 Defiance-Paulding Line Rd. all of Defiance, Ohio.

Visitors present: Patti Diemer 23361 Defiance-Paulding Line Rd, and JoEllen Houck 8 DeVille 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 27<sup>th</sup>, 2022 regular session.

Mr. Peck moved to approve the minutes as presented.

Mrs. Mayer seconded.

The vote being   3   Yea(s)   0   Nae(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 September - noted a primary checking reconciliation balance of \$450,614.24 - 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 \$20,957.13.
  - c) Payment reports:
    - i) Payments for October (UAN software-) were \$11,388.77.
  - d) The Cash fund summary through- October 24<sup>th</sup>, 2022 (UAN software) showed an "ending fund balance" of \$1,570,446.87.
    - i) The "cash available" for encumbrances (unencumbered fund balance- UAN software) was \$548,390.86.
  - e) Appropriation Status showed that through October 24<sup>th</sup>, 2022 (UAN software), 16% 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 10-24-2022 was \$1,148,531.50.
  - 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 the Def. Twp award is for \$176,505.54 + \$353.32 from OBM received in March 2022.
      - (2) All awarded funds have been deposited into the Twp's accounts.
      - (3) In April 2022's Twp session Trustees approved resolution 10-2022 which designates use of these funds on the 2022 Bowman Rd rebuild.
        - (a) A payment for widening Bowman road was made in June to the Co. Eng.
      - (4) The chair asked if there were 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).
    - (a) The award (grant) has been deposited in the Twp's checking account.
    - (b) The fund line in the UAN system has been set up and the award/grant has been posted to the fund. The State Auditor's Office provided guidance on the required use of fund line.
- ii) As of this session:
- (1) The money is not appropriated at this time as it is not needed until 2023.
  - (2) The fiscal officer submitted the 3<sup>rd</sup> qrt project update report to ODOT via email on 10-12-22.
  - (3) The chair asked for any discussion;
    - (a) There was none.
- i) October bills through the 24th, – Trustees Review – Discussion and Signature.
- j) Payroll & October time cards (time cards provided trustees prior to session) – Trustees Review – Discussion and Signature.
- k) Mr. Shaffer requested a motion to accept the October financial reports.

MOTION by: Peck

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) October monthly Zoning report -
- i) permits issued:
    - (1) Ken Moninger- addition on garage on Garman Road
    - (2) Jay Smith for pole barn on Ottawa Avenue
  - ii) Zoning issues:
    - (1) None
  - iii) Nuisance violations:
    - (1) None in October
  - iv) Site reviews:
    - (1) site review- for William Hughes for a pole barn on Bowman Road
  - v) Misc :
    - (2) Signed a land split for Jack Temple- on Power dam Road

Respectfully submitted

John Diemer, Twp. Zoning Inspector

- b) The Chair again asked if there were any other zoning or nuisance issues to come before the Board.
- (1) Mr. Shaffer stated he was contacted by Mr. Andy Bok from May road, Bok stated that a waste open top container filled with C & DD debris was sitting on the road right of way.
    - (a) Mr. Shaffer said that a Jerry Carpenter was responsible – Carpenter was contacted and responded that this would not be done again.
    - (b) Mr. Shaffer believes the issue is resolved.
- ii) The Chair again asked if there were any other zoning issues for discussion:?
- (1) 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) Possible new truck to replace 2005 F550 – refer to mins from July 2022 Twp session forward for details.
- (1) Trustees determined at the July 2022 session to acquire a bid spec for a truck similar to the F550 to be

reviewed at the August session to determine whether to bid for a new unit or to acquire one through the state DAS (department of administrative services) system.

- (2) Oct. Update –
- (3) Trustees decided to attempt to purchase a unit through the Ohio Dept. of Administrative Services.
- (4) Trustees determined to contact dealers to find a dealer that is approved to bid vehicles through the Ohio Department of Administrative Services.
  - (a) Mr. Peck was assigned this task. Mr. Peck will report back at the November session.

- ii) The Chair asked if there were any other equipment or safety concerns.
  - (1) Mr. Buchholz was recognized. Buchholz stated that the oil pan leaks on the F550; he also noted that the drive shaft has been repaired.
- iii) The Chair asked if there were any other eq issues for discussion?
  - (1) There were none offered.

### **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 Shaffer.
  - i) A road report was distributed – noting:
    - (1) Pot holes need attention on Karnes and Krouse.
  - ii) The road report is to be used as a work order by operators.
  - iii) The November review is to be by Trustee Peck.
- b) Trustees instructed operators to fill the salt shed for winter snow and ice removal operations.
- c) 2022 Road projects:
  - i) Trustees should refer to exhibit 6-b dated March 31<sup>st</sup>, 2022, from the Co. Engineer presented at the April 26<sup>th</sup> session. This is the 2022 list of Trustee approved projects for the Co. Engineer.

(1) 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.

(2) Trustees approved the Co. Engineer proposals as follows for 2022:

	<b>Est.</b>	<b>Actual cost</b>
(a) <b>Paving:</b> - per co eng 10-20 ph to be done Oct 24 25		
(i) Link Rd. 1124' – from Power dam to Power Dam	<b>\$16,864</b>	
1. Spoke with engineer 10-24 - will be done after Power dam is paved.		
(b) <b>Chipseal:</b>		
(i) Kibble Road – from Canal to Winn - 2652'	\$5,078	
(ii) Winn Rd – from Kibble to dead end – 718'	\$1,388	
(iii) Estimated total exp. of chip seals	<b>\$6,466</b>	
(iv) Spoke with engineer's office 10-24 – has been completed. <ul style="list-style-type: none"><li>        1. The Twp awaits billing.</li></ul>		
(c) <b>Patching:</b> for 2022 completed and pd as of 5-24-22.		
(i) Estimated total patching exp -	<b>\$12,891</b>	<b>\$14,067.20</b>
(d) <b>Crack Seal-</b>		
(i) None in 2022		
(e) <b>Pavement Markings:</b>		
(i) None in 2022		
(f) <b>Total est and final expenses for 2022-</b>	<b>\$36,221</b>	

- ii) 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.

(1) As of this session: Per Co Eng – no work on this in Oct.

(a) Proposed 2022 effort is 5280' or approximately the 3<sup>rd</sup> mile.- Williams to Campbell

(i) **PAVING:** - per co eng 10-20 – to be done 10-24 & 25

a. **Est. cost**                      **Actual cost**

i. \$97,894

(ii) **Pavement Markings:** - Williams to Campbell 5321'

i. \$2,995

(iii) **WIDENING:** - f Williams to Campbell – 5317' completed and paid as of 6-28 session.

a. **Estimate**                      **Actual cost**

i. \$34,431                      \$40,858.00

(iv) TOTAL ESTIMATED ON BOWMAN PROJECT IN 2022 is \$135,320

1. Trustees have determined to dedicate the Twp's American Rescue Plan grant to this project. Refer to item 3-g above.

(2) **2023 section (final mile of proj)** prep by co engineer completed and to be billed – per co eng ph call 10-20.

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

iii) Twp projects by Twp staff or other contractors for 2022:

(1) The Chair asked if there were any proposed or in progress projects for the Twp staff or private contractors for 2022?

(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.

(v) On 7-27-22 the fiscal officer confirmed with the co engineer that the grant will cover the Twp's portion of the cost for this project.

(vi) The Trustees can begin planning the expenditure of the \$81k cash commitment on other projects and Trustees and the Engineer will also have the OPWC funds that were committed, now available during their regular distribution rotation for use on other Twp projects.

(b) This project is scheduled for 2023.

(c) Discussion:

(i) There was 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.

d) A City of Def and Def. Twp road share Maintenance Agreement –see mins from August 2021 session:

(1) the fiscal officer emailed the draft MEU to the City Administrator on April 2<sup>nd</sup>, Trustees were cc'd

(a) A second email asking for comments on the proposal was sent 6-27-22.

(b) City responded 6-30 w a request for another copy.

(c) Twp provided 7-6

(d) A third email with the Twp's attached draft was sent to the City on 10-13-22.

(2) as of this session – 10-25:

(a) Trustees were provided exhibit 6-c-1 which was the City's proposal for the shared maintenance agreement.

(i) Trustees reviewed and signed without additional modifications.

(ii) Trustees instructed the fiscal officer to email the agreement to the City for the City's signatures.

(iii) the Twp awaits the City's response.

e) **2022 financial impact review by the fiscal officer:**

i) The fiscal officer reported:

(1) Total road fund revenues year date are **\$208,939.06**

(2) Total road fund expenses year to date are **\$ 45,052.12**

(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 - 2022– total \$3,587.50

ii) Anticipated road funds revenue (tax receipts) for 2022 – based on the January 7th, 2022 1st Twp amended certificate was:

(1) \$227,450 more or less

iii) Anticipated expenses for 2022 – as of this session:

(1) Regular twp. expenses anticipated for the year, barring emergencies. The estimate for 2022 – 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) 36 k Road maintenance program by Co. Engineer - has been estimated by fiscal officer - in 2022 – refer to proposal from Co. engineer – exhibit 6-B of the 3-29-22 Twp session.

(3) \$136k – estimated by fiscal officer for Bowman Rd rebuild in 2022 - exhibit 6-B of this session.

(a) To be funded by American Rescue Plan grant per Trustee resolution.

(4) savings towards Carter rd rebuild - project construction is expended in 2023. (unless Trustees determine another project.)

(i) it is anticipated that 40k per year will be earmarked in 2022 and 2023.

(1) Estimated total road fund exp for 2022 (adjusted as of the July session) - \$70 to ~~480~~ 100k – not including grant dollars.

(a) There is also the question of a truck replacement – funding would be from regular road fund lines and possibly the General fund.

(i) Refer to eq section (section 5) of this agenda.

ii) Discussion;

(1) There was none.

f) **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 01-06-2022 (exhibit 6-f of the Jan. 25<sup>th</sup> session).

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 3 years (2022, 23 & 24) or a total of \$75k remaining give or take.

(2) The 2022 grant of \$48,700.00 is posted to Twp grant as of 1-6-22.

(a) Grant fund balance as of 1-6-22 is \$73,444.92.

(3) –OPWC grant work anticipated for 2022 -

(a) culvert/regrading of Bowman rd rebuild project area- \$27,585.50- per Co Eng this is a bridge replacement and would be funded by the Co.

(b) Krouse rd - Tile or ditch work - unknown amount at this time. (per co. eng)

(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%.

(4) Discussion:

(a) The fiscal officer stated that the County Engineer's will not utilize any OPWC funds in 2022. Therefore, there will not be an end of year amended certificate request.

g) 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?

(1) There were none.

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

a) The Chair asked if there are any personnel issues for discussion.

i) There were none.

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

- a) Monthly (October 22) GrassRoots clippings – **exhibit 9-a**
- b) **Exhibit 9-b** – is notice from Def. Co. Waste Water that the future replacements of the damaged sewer system clean out cap on Twp maintenance building line will be charged to the Twp.
- c) **Exhibit 9-c** – notice from Shelly Corp (Stoneco) – 2023 price increase – 5 To 15%

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

- a) The Chair asked if there was any old business to come before the Board?
  - i) Defiance County Commissioner Dave Kern – to address Twp on “solar/connectivity”.
    - (1) Will be in the November Twp session.
  - ii) BWC audit of Def. Twp. 2021 fiscal year scheduled for 10-26. Refer to exhibit 11-b notice of audit.
  - iii) OTARMA is conducting its annual “risk management” review on 11-02.
    - (1) Will need an operator to meet the reviewer Becky Ames at the Twp maint building around noon for an inspection of the building.
  - iv) OTA winter conf; 1-25-23 to 1-27-23-- –
    - (1) Who will attend –
      - (a) Trustee Shaffer and Fiscal Officer Houck were approved to attend.
  - v) December meeting to be moved from the 27th to the 20th due to the Christmas holiday.
    - (1) If moved the fiscal officer will post to the twp web page per protocol.
    - (2) The chair called for a motion to move the session:

MOTION by: Peck  
 SECOND by: Mayer

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

The motion to move the December meeting date was approved.

- b) The Chair asked if there was any other old business to come before the Board.
  - i) There was none.

**ORDER OF BUSINESS NO. 11 - New Business.**

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

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

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

**Date:**                    **Tuesday November 22<sup>nd</sup>, 2022 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 – October 25<sup>th</sup>, 2022.
  - 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