

Minutes
DEFIANCE TOWNSHIP TRUSTEES
October 26th, 2021 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 26th, 2021 at 6:30 p.m. Answering as present were Dan Peck, Diane Mayer & Jason Shaffer, with all three (3) members of the BOARD OF TRUSTEES having answered the roll, a quorum was declared.

Township employee(s) present were: John Diemer 23361 Defiance County Paulding County Line Rd #10, Steve Buchholtz 1615 South Clinton St. and Harry Railing 14951 Power Dam Rd., all of Defiance, Ohio.

Visitors present: Patti Diemer 23361 Def. Co. Line Rd. #10 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 28th, 2021 regular session.

Mr. Peck 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 –

- 1) The following financial reports provided to the Board were reviewed.
 - a) The Reconciliation for September - noted a primary checking reconciliation balance of \$545,098.62-- 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 \$13,132.71.
 - c) Payment reports:
 - i) Payments for October (UAN software-) were \$118,341.05.
 - d) The Cash fund summary through- October 25th, 2021, (UAN software) showed an "ending fund balance" of \$1,144,628.59.
 - i) The "cash available" for encumbrances (unencumbered fund balance- UAN software) was \$838,360.47.
 - e) Appropriation Status showed that through October 25th, 2021 (UAN software), 25.0% 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 10-25-2021 was \$742,077.25.
 - g) American Rescue Plan Act – Def. Twp application
 - i) OBM is managing the grants for many of Ohio's political subdivisions.
 - (1) The Def. Twp award is for \$176,505.54
 - ii) Defiance Township has received the first payment of this grant, which has been electronically deposited into the Twp account.
 - (1) There will be two payments the first was for 88,252.77.
 - (2) The second payment will be processed by the Ohio Office of Budget and Management (OBM) in September of 2022.
 - (3) Trustees to review **exhibit 3-g**, a notice from OTA that the criteria for use of ARP funds may change. The US Senate has passed its version of the legislation (S 3011). If the House passes the measure

the funds may be used for road construction.\

- (a) The fiscal officer suggests that Trustees wait to determine a project until this legislation passes or fails.
- (b) Requirements now limit use of funds to covid impact uses and;
 - (i) It is the fiscal officers understanding that as of now - A plan for use must be submitted to OBM by Dec 2023 and project completed by end of 2026.
 - (ii) The fiscal officer will continue to monitor.
- (4) The money is restricted for use and the fiscal officer is still researching allowable expenses.

iii) The Chair asked for discussion...

- (1) Trustees agreed to monitor the use possibilities.

h) Possible grant from ODOT. Trustee Mayer brought this up at the August 2021 session. (refer to mins of session under road projects). The fiscal officer has contacted ODOT and confirmed that both the Ginter rd. and Bowman rd. projects would be eligible for funding. (contacted Program Manager Nichole Lawhorn 614 752 6581.

- (2) This grant is a one-time funding opportunity per ODOT. An email was sent to Trustees on 9-22 with a link to the full packet on the ODOT web page.
- (3) The fiscal officer has reviewed the application and the exhibit notes the areas where the Co. Engineer would need to provide the requested information.
- (4) During the September 2021 session Trustees agreed to contact the Co. Engineer to contact the engineer to acquire the information or possibly ask the engineer to fill out the application on the Twp's behalf...
- (5) Update:
 - (a) The County Engineer's office is reviewing the application.

i) October bills through the 26th, – 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) none

ii) Zoning issues:

iii) Nuisance violations:

(1) High grass:

(a) at Scotties and DAV -

(b) Dan Snyder- hammersmith - mobile home – not yet mowed.

(c) Wachtman- one was mowed- St Rt 15

iv) Site reviews:

- (1) None

v) Misc :

(1) Checked on a truck in parkview subdivision- too close to road

(a) - Dan Grimes son was working on it- Parkview dr

(2) Note to Trustees getting zoning calls for City not Twp. referred callers to City.

Respectfully submitted

John Diemer, Twp. Zoning Inspector

b) The Chair asked if there were any other zoning issues to come before the Board.

- (1) None were presented.

ORDER OF BUSINESS NO. 5 -- Equipment;

- a) Comments or concerns from Twp employees/Trustees on current or proposed new eq &/or safety items.
 - i) At the August 2021 Twp meeting, Trustees agreed to sell the Twp's 2003 dodge half pick up. The fiscal officer working with the Co. Comm. Office to sell on Govdeals.com.
 - ii) As of this session:
 - (1) Trustees were emailed (10-21) a request for information:
 - (a) Should the Twp set a reserve (without a reserve the vehicle must be sold to highest bid received).
 - (b) Contact info for potential buyers wishing to see the unit.
 - (2) Trustees are reminded that the Co. retains 5% for admin fees.
 - iii) Update:
 - (1) Trustees agreed to set the reserve at \$4,000.
 - (a) The fiscal officer will inform the Commissioners Office.
 - (2) Trustees named Steve Buchholtz Twp Operator/scheduler as the point of contact to show the truck. Commissioner office will be given Buchholtz contact info to be posted on govdeals.
- b) The chair asked if there was any other equipment or safety item discussion?
 - i) Trustees were informed that the F550 had a u joint replaced at Machinery Service.
 - ii) Also replaced the right rear tire with a tire on hand.
- c) The chair again asked if there was any other equipment or safety item discussion?
 - i) There was 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.
 - i) Discussion of October review:
 - (1) Operators are to refer to the inspection report for November work.
 - (2) It was noted that all roads look good.
 - ii) The November review is to be by Trustee Shaffer.
- b) 2021 Road projects:
 - i) Trustees approved the 2021 Twp. Rd maintenance program as provided by the County Engineer's Office at the Trustees' Jan. 26th session. Refer to exhibit 6-b – of the Jan. Twp session.
 - ii) The Engineer's office submitted an updated project cost estimate which was presented as Exhibit 6-1 dated 4-8-21, provided at the 4-27 session.
 - (1) The exhibit-cost updates included the 2021 Bowman rd. rebuild section.
 - (2) 1-26-21 projected total cost for all projects is \$168,430.89
 - (3) 4-26-21 projected total cost for all projects is \$168,550.00
- iii) 2021 Def. Twp. rd. maintenance program by County Engineer- from 4-8 estimate.
 - (1) The road maintenance program does not include major reconstruction projects – i.e. Bowman Rd rebuild, or other Twp road expenses assigned by Trustees to Twp personnel or other private contractors.

(a) Chipseal:	Est.	Actual cost
(i) Singer – from St. Rt 111 to Hammersmith - 2639'	\$4,100	\$3,708.33
(ii) Garman – from Harding to Wilhelm – 2639'	\$4,100	\$3,949.95
(iii) McCollister – Wilhelm to dead end – 2619'	\$4,400	\$4,386.54
(iv) Wilhelm – from McCollister to Garman -961'	\$4,100	\$4,000.00
(v) <u>Wilhelm – from Watson to McCollister – 2640'</u>	<u>\$1,500</u>	<u>\$1,364.18</u>
(vi) Estimated total exp. of chip seals	\$18,200	\$17,408.99

(vii) Co. Engineer is present to update:

1. Update – for Oct:

a. The fiscal officer spoke with Co. Eng., who stated, the chip seal is complete. Invoice processed 10-25 part of Oct. billing.

(b) Patching: completed as of 5-25-21 – invoiced processed for 6-22 review:

(i) Estimated total patching exp -	\$19,300	\$20,572.57
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(c) Crack Seal- completed and invoiced as of June 22nd twp session

(i) Estimated total exp. crack seal	\$10,800	\$11,613.41
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(d) Pavement Markings:

(i) None in 2021

(e) Total est and final expenses for 2021-	\$48,300	\$49,594.97
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(i) As of this session all 2021 projects have been completed and paid. These items will be removed from future agendas.

- iv) Re-build and widen 4 miles of Twp's portion of Bowman Rd. – see mins from Feb. 2018 for history.
- (1) In 2021 as of this session – 3 miles of the 4 mile project remain to be completed:
- (a) Proposed 2021 effort is 5317' or approximately the 2nd mile.
- (i) PAVING: - completed & invoiced paid as of Oct 26th.**
1. Williams to Karnes – 2655' est cost \$42,500
2. Karnes to st rt 66 – 2666' est cost \$42,500
- | a. Est. cost | Actual cost – |
|---------------------|----------------------|
| i. \$85,000 | \$84,669.81 |
- (ii) Pavement Markings: - Williams to st rt 66 5321'**
- a. **\$2,500**
- (iii) WIDENING: - f Williams to St rt 66 – 5317' – completed and inv 5-25-21**
- | a. Estimate | Actual cost |
|--------------------|--------------------|
| b. \$32,750 | \$37,620.00 |
- (iv) TOTAL ESTIMATED ON BOWMAN PROJECT IN 2021 is anticipated to be \$120,250
- (v) Update for Oct:**
1. Construction for 2021 is complete except for pavement markings.
2. The engineer's staff is doing some prep work on the widening of the next 2 miles of road for the 2022 construction season.
- (b) Per past practice, the County Engineer's Office will coordinate all activity.**
- c) Twp projects by Twp staff or other contractors for 2021:
- i) The Chair asked if there were any proposed projects for the Twp staff or private contractors for 2021?
- (1) Trustees in past sessions have noted that trees along Cromley need trimmed and or removed. See past agenda from Oct 2020 session forward for details.
- (a) In April 2021 Trustees had hired A Cut Above tree service of Defiance to address the project.
- (b) July update:
- (i) 3 of 5 trees have been taken down.
- (c) August update:
- (i) No work in August.
- (d) Sept update:
- (i) No work in September
- (e) Oct update:
- (2) At the June 22nd session it was noted by Railing that tree branches were hanging over the road at Garman and Krouse.
- (a) Buchholtz and Railing were to check and determine if they can trim back. If not, then Trustees will contact the Co. Engineer's for assistance on this issue.
- (b) July update:
- (i) No work on this issue in July.
- (c) August update:
- (i) Buchholtz reported that he had contacted the property owner (Vic Hartzel) and due to poison ivy, this work will be delayed until late fall 2021.
- (d) Sept:
- (i) Awaiting first frost.
- (e) Oct:
- (i) Buchholtz report trees have not yet been taken down.
- (ii) Trustees to reassess project.
- (3) Re-build Ginter Rd. from Jefferson Ave. (St. Rt 66) to at Carter Rd to Ginter and Jefferson (St. Rt 66)- see mins from Jan 2020 forward for details.
- (a) At the August 2021 Twp meeting, Trustees and the City agreed to a rebuild project. The Twp agreed to commit its remaining OPWC funds and \$81,148.24 in cash from Twp Rd funds.
- (i) this is for road reconstruction only – the City has agreed to pay for the proposed sidewalk-bike path.**
- (ii) An agreement is on file and prints out a summary of the work to be performed.**
- (iii) Schlatter has informed Trustees that the OPWC grant application will be made in 2021, the award will be made in 2022 and the construction will begin in 2023.**

- (4) Rebuild of Carter Rd. refer to mins of 8-24-21 Twp session.
- (5) At Sept 2021 session operator Buchholtz informed Trustees that on Bowman Rd just west of Campbell there appears to be a collapsed tile.
- (a) Trustees to review.
 - (b) Oct. update:
 - (i) Buchholtz reported that he had discussed with Co. Engineer's office and was told this is on their "to do" list.
- d) – **exhibit 6-d** – of the Oct session is the Defiance Paulding Co. Line Rd. 10 – maintenance agreement w Auglaize Twp, Paulding, Co.
- i) See Twp mins from June 2021 session forward for history.
 - ii) Oct update:
 - (1) The Def. Co. Prosecutor and the Paulding Co Prosecutor have reviewed and has approved as to form. The Auglaize Twp fiscal officer has stated that the Auglaize Twp Trustees will agree if Def. Trustees approve the agreement.
 - (a) The Chair asks for a motion to approve as submitted or to modify the exhibit.
 - (b) Trustees signed the agreement as presented and asked the fiscal officer to email a copy to the Auglaize Twp fiscal officer.
 - (c) This item is deemed complete.
- e) A City of Def and Def. Twp road share Maintenance Agreement –see mins from August 2021 session:
- i) Oct update:
 - (1) Would Trustees use the Auglaize Twp agreement as a basis for a City of Def. agreement?
 - (a) an engineer would need to create a drawing or verbiage to indicate where the road would be split.
 - (b) Discussion:
 - (i) Trustees agreed to use the Auglaize agreement as a basis for an agreement with the City of Defiance for Ginter rd maintenance.
 - (ii) The fiscal officer was asked to draft an agreement for Trustee review.
- f) **2021 financial impact review by the fiscal officer:**
- i) The fiscal officer reported:

(1) Total road fund revenues year date are	\$219,771.54
(2) Total road fund expenses year to date are	\$216,164.60

 - (a) Road salt purchased - 2021– total \$5,460
 - ii) Anticipated road funds revenue for 2021 – based on the January 8th, 2021 1st Twp amended certificate was:
 - (1) \$208,350 more or less
 - iii) Anticipated expenses for 2021 – as of this session:
 - (1) Regular twp. expenses anticipated for the year, baring emergencies. The estimate for 2021 – 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) \$48k as of this session for Co Eng work- in 2021 – refer to item 6-1 of the April 2021 agenda – (other than Bowman Rd. rebuild).
 - (3) \$120,250 – refer to exhibit 6-1 of this session - Bowman Rd. rebuild –
 - (4) New addition as of August 2021 session
 - (a) Ginter rd patching – co. eng. Est \$10,318 actual \$5,735.97.
 - (b) The anticipated spread of expenses remains the same as of this session- refer to iv below.
 - (5) savings towards the Carter/Ginter rd project- project cost to Twp is remaining OPWC grants and \$81,148.24 cash anticipated to be expended in 2023.
 - (a) it is anticipated that 40k per year will be earmarked in 2022 and 2023.
 - iv) Total estimated expenses from Twp rd acct's for 2021- \$230k to \$269 if projects currently proposed are completed and Twp regular expense is 100k or less.
- g) **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 09-28-2021 (exhibit 6-g of the Sept. session).
- i) Current status as reported by the fiscal officer
 - (1) –OPWC grant work for 2021- culvert/regrading of Bowman rd rebuild project area- \$27,585.50.
 - (a) The amount of OPWC grant funds spent on the Twp's behalf in 2021 –\$27,585.50.

- (b) The amount of funds for Twp. use remaining is \$24,744.92 plus remaining grants over the next 4 years.
- (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%.
- ii) 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 4 years or a total of \$100k remaining give or take.
- iii) As of this session:
 - (1) Trustees have committed OPWC grant funds for the Twp's portion of the Ginter rd project noted above.
 - (2) Co. Engineer's office is to post to the grant, tile or dich work at the end of Krouse rd per the 9-28-21 update.
 - (3) The fiscal officer reported that he will begin the process to acquire an amended certificate to account for the use of OPWC funds on the Twp's behalf in 2021.
- h) The Chair asked if there is 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 asks if there are any cemetery issues for discussion?
 - i) 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 presented.

ORDER OF BUSINESS NO. 9 - Handouts.

- a) Monthly (October 21) GrassRoots clippings – **exhibit 9-a**
- b) **Exhibit 9-b** is notice from the Shelly Company (Stone-co) of price increases (10%) starting Jan. 2022.

ORDER OF BUSINESS NO. 10 - Old Business

- a) The Chair asks if there was any old business to come before the Board?
 - i) There was none presented.

ORDER OF BUSINESS NO. 11 - New Business.

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

ORDER OF BUSINESS NO. 12 - NEXT MEETING:

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

Date: Tuesday, November 23rd, 2021 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 26th, 2021.
 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

