

Minutes
DEFIANCE TOWNSHIP TRUSTEES
October 27th, 2009 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 October 27th, 2009 at 7:30 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 Richard Ankney; 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 present.

Township employees present: Jason Shaffer 13386 St Rte 15, Ed Young 23013 Watson Rd, & James Schlegel (equipment operator and zoning inspector) – 220 Pinewood Ave.

Other(s) present were: Junior & Connie Duerk 1585 South Clinton St, Diane Mayer 500 Harrison St, Penny Bakle 1204 Wayne Ave., Don Brown 20472 Kiser Rd., Roy Perez 812 Indian Bridge Lane, Robert Layne 13373 Harding Rd., Jeff Leonard Def City Administrator, Jim Ankney 19167 Hammersmith rd, Mary Ankney 19133 Hammersmith rd, John Ankney 26596 Bowman rd, David & Mary Mick 21639 Hammersmith rd, Tom Mick 21389 Hammersmith rd, Donna Schlegel 220 W. Pinewood , Ronald & Marilyn Steel 15107 St Rt 66, and JoEllen Houck 8 Deville Dr.

ORDER OF BUSINESS NO. 1

Review and approval of minutes of the previous session.

- a) Chairman Peck requested a motion for the approval of minutes from the September 29th, regular Twp session.

Mr. Bakle then moved to accept the mins of the September session.

Mr. Ankney seconded

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

The MINUTE'S for the September 29th, session were approved.

ORDER OF BUSINESS NO. 2 - Citizen concerns:

- a) The chair asked for citizen concerns from the floor & recognized Mr. Leonard. Mr. Leonard was present to present information to the Twp on a proposed City contract with the Township to provide rescue services.
- i) Leonard said: the current status is that the City is providing rescue services and charging the Twp \$30 per run. The City must call in staff on runs and thusly the citizens of the city are subsidizing the Twp residents. The City is looking to increase its charges to the Twp for this service.
- (1) Also the city is providing this service without a contract with the Twp and the City believes there may be a question of loss of its sovereign immunity.
- (2) The City has been in contact with Hicksville and has drafted a contract similar to the one Hicksville uses with the Twps that it services.
- (3) Mr. Leonard stated: he does not wish to provide specifics such as costs etc at this time but would appreciate an opportunity to present the contract to the fiscal officer who could then provide the info to the Trustees. After the Trustees have had time to review and study the contract proposal the city would be happy to meet with the Trustees. (the City's purpose of presenting this information to the fiscal officer is due to public meeting notice requirements if 2 or 3 Trustees are present)
- ii) Trustees agreed to send the fiscal officer to meet with the City Administrator. The discussion closed.
- b) The chair asked if there were any other citizen concerns:
- i) Tom Mick was recognized:
- (1) Mick said that the Twp put in a crossover in front of his house. The work killed the grass. He wanted to know when the Twp was going to repair this problem.
- (a) Trustees said they would seed the area in the spring as it is to late in the year to seed now.
- (2) Mick continued – he said that snowmobiles running the ditch would hit the cement basin of the catch

basin and wreck, possibly causing a serious injury.

(a) Trustees said they would erect posts to indicated the catch basin.

(3) Mick then continued with a general complaint concerning the condition of the Twp roads; he specifically questioned the effort to repair-maintain Hammersmith rd.

(a) Trustees again stated that this road was a haul road for the US 24 construction project and the State is going to repair.

(b) Trustees assigned Mr. Bakle to check with ODOT to find out the timeframe.

(4) Mick noted what he called a severe depression on the east end of the bridge on Hammersmith near Larry Couts residence.

(a) Trustees said they would check out this concern.

(5) The Mick's then amplified a concern with Krouse road south of Hammersmith saying the road was again deteriorating.

(a) Trustees said they will order more grindings to be placed on this section of Krouse road.

(6) Don Brown was recognized: and again restated his concern about a line of sight issue for traffic on Canal road just before the road turns into Ball rd. Tree branches on the west side of Canal road are – in his opinion - obstructing the view.

(a) Trustees noted that this section of Canal Rd is a county road and the Trustees have no authority.

(i) Brown said he would contact the County Engineer.

c) Chairman Peck asked if there were any other concerns to be discussed.

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 \$94,616.11.. balance is minus the outstanding checks and Township investment funds.

b) Receipt & Payment reports

i) Receipts for October 2009 were \$16,062.58. Payments for October (bills & payroll) totaled \$40,061.50.

c) The Cash fund summary through October 31st, 2009, showed an “ending cash balance” of \$771,687.23.

d) The unencumbered cash balance “cash available” was \$516,664.25 which is the balance after encumbrances are subtracted from the cash balance.

e) Appropriation Status showed that through October 31st, 2009, 35% of the years' appropriations had been expended. The budget is in line with the goals set by the Trustees 2009. All reports will be on file in the Fiscal Officer's office.

f) The fund status report showed:

i) The money market investment fund balance as of 10-31-09 was \$701,070.04.

g) Trustees then reviewed and signed the October bills.

Mr. Peck requested a motion to accept the October financial reports.

MOTION by: Charles Bakle

SECOND by: Richard Ankney

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. Jim Schlegel provided the following electronic copy of this report.

i) October 2009

(1) Site Review New Home Parkview Dr. Permit Issued

(2) Site Review Power Dam Rd Possible Horse Barn to be Constructed. This is a Postage Stamp Parcel only 35 ft frontage. Realtor was advised no home may be built without a variance.

(3) Residents are still calling about possible purchase of home on Hammersmith Rd. I still do not know whom owns it.

(4) Site Review Lakeview Dr. Enclosed Swimming Pool Permit Issued

b) Mr. Peck then asked if there were any other zoning issues to be discussed. 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) There were none.

- b) Trustees noted that in the August session the Trustees authorized the purchase through a State Bid (department of administrative services) of a new tractor and boom type mower for the Twp. The units were ordered in September and are to be delivered in early (est Feb) 2009.
 - i) from Homier and Sons for a New Holland 6050 – \$45,999.00 (tractor only)
 - ii) a diamond boom arm type mower attachment for the tractor purchased – bid through Kalida Truck - \$37,500

- c) The Chair asks if there is any other equipment discussion....
 - i) Trustee Bakle said that Twp employee Daniel should be called in to service the trucks for snow removal.
 - (1) Trustees approved.
 - ii) Tom Mick – was recognized and complained about last year's snow removal efforts as did Corrine Duerk.
 - (1) Jim Schlegel (twp eq operator) lodged a disagreement relative to the lack of effort noted in the Mick complaint. Schlegel noted he was always out between 2am and 3am depending on when snow started to fall and accumulate.
 - (2) Durek said the roads should be salted better this year than last.
 - (a) Schlegel again noted that the Trustees adopted the Co Engineer's policy (this was done due to the salt market and the ability to buy salt supplies).
 - iii) The discussion ended with charge and counter.

- d) Mr. Peck then asked if there were any other equipment issues to be discussed..
 - i) There were no other issues noted.

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 Ankney was reviewed.
 - i) Twp employees present were provided a copy of the report and instructed to work on the items noted.
 - ii) The November - Rd review is to be done by Trustee Bakle

- b) Twp Project(s) were then reviewed: –
 - i) Up-date on existing road projects:
 - (a) Trustees noted that they continue to review the list of road projects – from Feb 09 session provided by co engineer – (feb session exhibit 6-c-ii).
 - (i) The Twp is awaiting a fall review by the Eng at which time a priority will be assigned to the projects as determined by the Trustees.
 - (b) Trustees then discussed the proposed work noted in the Sept 09 Trustee session – trimming of overhanging tree branches along McCollister rd. This project was to be completed by the Boy Scout Camp Lakota maintenance dept on a volunteer basis.
 - 1. it was reported that the equipment is being moved to camp Lakota from another scout camp. Work will be done by scout employees. The Twp road crew will assist as needed.
 - ii) Other possible road projects???
 - (1) Mr. Bakle is pursuing a CDBG grant through Maumee Valley Planning for road work to Indian bridge Lane – this could be a 2010 project.....
 - (2) Bakle reported that he is still attempting to acquire economic surveys of two residents. One at 832 and the other at 837. He has attempted 12 contacts without success.
 - (a) Bakle noted these surveys are important in order to establish economic distress in the area which is necessary to acquire a CDBG grant.
 - iii) Mr. Peck asked if there were any other possible road projects to be discussed.
 - (1) There was no further project discussion

ORDER OF BUSINESS NO. 7 – Twp cemeteries –

- a) It was noted some trimming and vegetative debris removal was necessary. Road crew to address.

ORDER OF BUSINESS NO. 8 – Handouts were distributed as noted below:

- a) the monthly (October 09) GrassRoots clippings – exhibit 7a was distributed.
- b) Exhibit 8-b – reviewed, this was an invitation to attend NIMS training coarse at the Defiance County Emergency Management Agency on Nov 17th. Trustees were informed they should call in if they intend to attend.
- c) Exhibit 8-c –was a zoning training notice from the Def Co Prosecutor’s office. This session would be held Tuesday, November 10th. Trustees & the zoning inspector asked the fiscal officer to rsvp on their behalf.
- d) Exhibit 8-d – was an invitation to attend the ribbon cutting ceremony Oct 29th @ 10a.m. to officially open a portion of the us 24 construction project from the Ohio-Indiana Line to Napoleon, Ohio. Trustees indicated they would attend.

ORDER OF BUSINESS NO. 9 – Old Business

- a) A bill for submittal to the County Auditor for expenses incurred by the Twp to abate a nuisance - high weeds and grass was reviewed. This issue was first discussed in the Sept session when Trustees moved to address the problem and post the cost to the property taxes. The property in question is 20419 Hammersmith rd.
 - i) Trustees determined the amount and approved by signing the bill. A resolution authorizing the work is to be written and will be signed 10-27th, 2009. The bill was presented as exhibit (invoice draft) 9-1.
- b) The fiscal officer-clerk reported that he remains in the process of preparing a “Request for Proposal” document to accept bids for the Twp to sell a more or less 1 acre parcel of Twp Property on Harding rd –
 - i) Parcel #b-110003000900
 - ii) Trustee Bakle and Corrine Duerk again voiced opposition to the sale.
 - iii) Again, Mr. Peck reiterated the Twp action and purpose for (see mins of Sept 09) – essentially an appraisal finds no value in the property as it is not of buildable size.
 - iv) No other action was taken.
- c) The fiscal officer-clerk reported that he remains in the process of preparing a “Request for Proposal” document to accept bids for the Twp to sell a computer system which was donated to the Twp from the State Auditor’s office when computer’s were changed in 2007.
 - i) There was no discussion.
- d) Mr. Peck asked if there is any other old business??
 - (1) There was none.

ORDER OF BUSINESS NO. 10 -- New Business.

- a) The Chair asks if there is any new business to come before the board?
 - i) There was no other new business brought forth.

ORDER OF BUSINESS NO. 11 - NEXT MEETING:

Date: Tuesday November 24th, 2009.
Time: 7:30 p.m.
Place: 2nd floor of the Defiance County Commissioners building – conf room EMOC
 500 Court Street - Defiance, Ohio

Mr. Peck then requested a motion to adjourn the meeting of October 27th, 2009.

It was moved by: Mr. Bakle
 SECOND by: Mr. Ankney

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