

Minutes
DEFIANCE TOWNSHIP TRUSTEES
November 24th, 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 November 24th, 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, Joe Kolb 16492 Cullen 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., Tom Mick 21389 Hammersmith rd, Darwin Niese MedCorp EMS, Scott Boecker MedCorp EMS, 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 October 27th, 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 October 27th, session were approved.

ORDER OF BUSINESS NO. 2 - Citizen concerns:

- a) The chair asked for citizen concerns from the floor. There were none voiced.

ORDER OF BUSINESS NO.3 - FINANCES –

The following financial reports provided to the Board were reviewed.

- a) The Reconciliation for October – noted a primary checking reconciliation balance of \$70,626.77. balance is minus the outstanding checks and Township investment funds.
- b) Receipt & Payment reports
 - i) Receipts for November 2009 were \$14,185.17. Payments for November (bills & payroll) totaled \$5,370.99.
- c) The Cash fund summary through November 30th, 2009, showed an “ending cash balance” of \$779,514.94.
- d) The unencumbered cash balance “cash available” was \$525,165.65 which is the balance after encumbrances are subtracted from the cash balance.
- e) Appropriation Status showed that through November 30th, 2009, 37% 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 11-30-09 was \$701,214.10.
- g) Trustees then reviewed and signed the November bills.
- h) Trustees then reviewed an Amended certificate – presented as exhibit 3-I. The amended certificate indicated the value in dollars of the receipt of work performed by the Def Co engineer’s office for Def Twp and funded with “Ohio Public works Commission” OPWC grant funds (formerly issue 2 and LTIP). The value amount was \$31,115.25. The fiscal officer prepared the amended certificate which by law is required to be posted into and out of the Twp fiscal records. Resolution 2009-15 approves the amended certificate.

- i) Mr. Peck asked for discussion.
- ii) There was none.

Mr. Peck requested a motion to adopt the resolution which increased the 2009 Twp budget to \$1,238,722.13.

MOTION by: Daniel Peck

SECOND by: Charles Bakle

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

- i) Trustees were then presented with the 2010 Twp Budget estimated revenue which was exhibit 3-j. The fiscal officer prepared this document which is required by the Co Auditor's office. The document is based on rev estimates from the County budget commission & a study of the history of tax receipts. Trustees were informed that this is the 3rd year in a row that projected receipts are lower then the preceding year (in total).
 - i) The fiscal officer was recognized and passed out study sheets which indicated:
 - (1) That the twp general fund in 2009 through Nov had posted only \$2,000 more income then exp. Houck noted that it was his opinion that 2009 was a typical exp year. That the economy was flat at best and may falter further in 2010. Therefore it would be ill advised to add any permanent new expenses to the general fund.
 - (a) The gen fund has a rainy day amount available but that would be one time use only.
 - (2) The road acc'ts were then reviewed. Houck again noted that the proposed road projects (see handout by the Co Eng) for 2010 totaled just over \$197,000. Rev in these acc'ts are projected at \$220,000. Trustees had most recently addressed the possibility of rebuilding Hammersmith rd. the estimated cost (based on 2009 Kiser rd project) is roughly \$300,000 per mile including land acquisition and drainage ditch construction. The total for the 1.3 miles of Hammersmith should be estimated at \$400,000 given that the project will take several years to acquire funds.
 - (a) Therefore, it was advised that the savings for the project must be balanced against proposed road expenses.
 - (b) it was noted that the rev has been falling for the past 3 years and there is no reason to believe this will change in 2010. (the state has over 700,000,000 dollar deficit to fill.) That money may come at least in part from the revenues now being sent to local governments.
 - (i) Houck noted that the average normal road expenses have been between \$70,000 and \$100,000 per year.
 - (c) Houck also noted that the Ohio Public works commission grant dollars the Twp received in 2009 will not be designated to Def Twp again until 2011. (if those grant dollars exist by that time).
 - (d) Houck then reviewed the Fire fund. This acc't is funded by a local property tax and can be spent only on fire – rescue.
 - (i) The current exp for fire protection under agreement with the city of Def is approximately \$56,000 per year. The costs for rescue is averaging \$1,000 per year.
 - (ii) Rev for 2009 is \$77,000 through Nov.
 - (iii) The city of def is proposing to increase the cost for rescue from the current \$30 per run to \$650 per run or approx \$24,000 per year.
 - (iv) Estimated total exp would be \$80,000 per year
 - (v) Estimated rev if flat would remain \$77,000. At some future point the fire fund would be in the red and any expenses would have to be posted to a probably depleted gen fund; or new taxes would have to be requested.
 - (vi) The fiscal officer concluded his report.

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

MOTION by: Charles Bakle

SECOND by: Richard Ankney

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

The November 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) November 2009

- (1) Site Review Krouse Rd Ref a storage barn for machinery. This falls under agriculture. Permit required no fee. Paperwork must still be filed.
 - (2) Site Review Power Dam Rd. This is a postage stamp parcel with limited frontage no R1 without a variance.
 - (3) Site Review Link & Power dam appears to have enough frontage however since this is a subdivision the 40% rule would apply.
 - (4) Lady called ref a garage addition after much discussion she advised she lives on Lincoln Dr. She advised the City referred her to the twp.
 - (5) Realtor called ref an inheritance on Bowman rd. Again this is a postage stamp parcel with limited frontage. No R1 without a variance.
- b) Mr. Peck then asked if there were any other zoning issues to be discussed.
- i) Schlegel noted that during a appeals bd hearing earlier in the year (keller) an issue of set back relative to replacing destroyed buildings was discussed. To avoid this problem in the future a change to the zoning rules needs to take place. Schlegel wanted to know if the Trustees desired to assign the Zoning Commission the task of reviewing the issue and recommending any changes. Further, Schlegel noted there were other minor items he wished to propose for changes or new adoptions to the Zoning ordinances.
 - ii) Trustees agreed and asked Schlegel to prepare a bullet point list. Once the list is complete it is to be provided to the fiscal officer clerk who will then present to the prosecutor and begin the process to hold the required public hearings to make changes to the Zoning codes.
 - (1) The fiscal officer noted that process is a minimum of three months.
- c) The again asked for any other comments or concerns relative to zoning.
- 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) Twp employees Jason Shaffer and Ed Young stated that the Twp needs to replace Mr. Ankney's personal tools which had been made available for Twp use.
 - (1) Mr. Bakle suggested that employees prepare a list of tools that they need and present this list to the Trustees at the next Twp session for Trustee review.
 - (2) Mr. Ankney said he would be willing to sell to the Twp the welding bench, the oil cans, and the hitch for \$100, if the Twp wanted to keep those items. (Trustees believe the welding bench alone would cost more than the asking price.)

It was moved by Mr. Bakle to purchase the noted items for the asking price of \$100.

It was seconded by Mr. Peck.

A roll call vote was made:

Bakle – yes, Peck –yes --- Ankney abstained.

The vote being 2 – 0 with 1 abstention the motion to purchase the noted eq from Mr. Ankney was approved.

- b) Trustees directed the employees to get the plows ready so they can easily be placed on the F550 and the International in the event of a snow fall.
- c) Trustees asked the fiscal officer to open and read aloud the sealed bids for the sale of the Twp's 2005 Dell model DCNE GX 520 computer system. An ad was run the in the Crescent news soliciting bids.
 - i) One bid was received.
 - (1) \$75 was bid by Steve Delaney of 1118 Latty St., Defiance, Ohio
 - ii) the chair asked if Trustees wished to accept the bid.

MOTION by: Richard Ankney

SECOND by: Charles Bakle

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

Trustees approved the sale of the computer system. The fiscal officer was instructed to provide the system to Delaney once the check was received.

- d) 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
- iii) The Chair stated that due to the recent reductions in anticipated revenue and the proposed road projects for 2010 which if undertaken will potentially exceed the anticipated revenue and due to the potential budget impact relative to the City of Def proposal to raise expenses for rescue service from the current \$1,000 ave per year to nearly \$24,000 per year it is his opinion that the Twp should cancel the proposed purchases.

(1) The chair asked for discussion....

- (a) Mr. Bakle noted he was never in favor of purchasing the New Holland tractor or the boom mower. He concurred with Mr. Peck's recommendation. He and Mr. Peck believe a used unit could be purchased for much less.
- (b) Mr. Ankney said that a ditch type mower would be needed. He also reminded the Trustees that one of the reasons for the new tractor purchase was so that other items could be attached to address ditch maintenance etc.
- (c) The chair acknowledged the point but noted a used unit should be able to meet those concerns.
- (d) Mr. Bakle noted that a lean to needs to be added onto the Twp maintenance building to protect our equipment from the elements. There is not enough room in the building for all of our equipment.
- (e) Mr. Peck asked Trustee elect Diana Mayer for her opinion.
 - (i) She said she agreed with the proposal to cancel the order.
- (f) Mr. Peck then moved to cancel the equipment order:
 - (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
- (g) Mr. Bakle seconded.

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

The motion to cancel the equipment order was approved. Mr. Peck was assigned to notify the vendors.

- (h) Trustees agreed to begin the search for used equipment. A report on that effort will be made at future Trustee sessions.
- e) 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 Bakle was reviewed.
 - i) Mr. Bakle noted that he placed an * by roads that had more than 2" of drop off at road edge. More berm materials were needed in these areas and should be applied asap.
 - ii) Twp employees present were provided a copy of the report and instructed to work on the items noted.
 - iii) The December - Rd review is to be done by Trustee Peck
- b) Twp Project(s) were then reviewed: –
 - i) Up-date on existing road projects:
 - (1) Trustees were provided an up date to the list of road projects – from Feb 09 session by co engineer's department.
 - (i) The Co Engineer's office will review this list with the Trustees in the Dec Twp meeting.

1. the fiscal officer met with the Eng to acquire a rough estimate for budgeting in 2010 during Nov and reported the following:
 - a. these projects are dependent upon Trustee concurrence
 - i. \$70,000 for cement stabilization of Krouse Rd
 - ii. \$30,000 for patching Hammersmith rd – to be followed by a planned rebuild over the a three year period – depending on funds available
 - iii. \$10,000 for a culvert replacement on Hammersmith rd
 - b. the above reflects the major construction projects for 2010 if approved by Trustees
 - i. normal annual road maintenance expenses have averaged between \$70,000 and \$100,000. this amount includes eq maintenance and purchases/payments on eq debt.
 - ii. Estimated rd revs for 2010 are approx \$235,000.
 - iii. The items above do not reflect expense or income for fire fund or gen fund.
 - iv. Mr. Peck said he would try to meet with the engineer to discuss the proposed list before the next session.
 - v. The revised rd list spread sheet will be on file with the minutes of the Nov session.
- (2) 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. Rd crew member Shaffer stated there has been no activity on this project since the Nov session. This will be done when the Scout camp again has the eq which is now at a different scout camp.

ii) The chair asked if there were other possible road projects to be discussed.

(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.....

(a) Bakle reported that he had just received word that the project area qualifies for CDBG funding.

The next steps are:

(i) Draw up a project

(ii) Submit to Co Commissioners for approval

1. Commissioners determine priority of projects under CDBG funding

(b) Mr. Peck asked that the Twp get notice of the eligibility in writing.

(c) Mr. Bakle said then a public hearing with the residents of the area and the Co Engineer should take place to define the project.

(d) The discussion on this item concluded.

iii) The City of Defiance requested a support letter for a grant project to enhance the City Reservoir which is located in Def Twp. The city provided a letter for Trustee review and signature. This was presented as Exhibit 6-iii. Trustees agreed to and signed the letter. The fiscal officer-clerk will provided the signed letter to the city.

iv) It was noted that grass seed needs to be placed around the new catch basin on Hammersmith rd. also, warning signs for snowmobiling need to be erected. (the concrete catch basin rises above ground level and when covered with snow would not be visible this could cause an accident if someone were snowmobiling in the ditch.

(1) The fiscal officer said signs would be ordered immediately.

v) 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) Needed work on the cemeteries was noted in the road report. Road crew to address.

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

a) the monthly (November 09) GrassRoots clippings – exhibit 8a was distributed.

ORDER OF BUSINESS NO. 9 – Old Business

a) Defiance city has proposed a contract to Def, Noble & Tiffin Twps for the purpose of providing rescue services.

- i) Trustees have been provided a copy of the proposed contract which essentially raises the charge for runs into the Twp (rescue only) from the current \$30 to \$650 for a rescue unit that treats and transports. A second unit would incur a similar charge for similar service.
 - (1) Mr. Peck asked for discussion.
 - (a) Mr. Peck had invited representatives from Medicorp and asked them if their company could provide this service and @ what expense.
 - (b) Representatives were: Darwin Niese & Scott Boecker.
 - (i) They reported that MediCorp currently provides EMS services to many areas in Ohio (Toledo & Findlay are two). The company is based in Toledo. Their Def location is at the 15-18 split in Noble Twp.
 - (ii) They can be 911 dispatched. They feel that if Def, Noble, & Tiffin could join to contract with them their company could provide 24-7 service (the need is for 5 or 6 runs daily to generate sufficient revenue. Their company would be solely responsible for billing.
 - (iii) If less than 5 or 6 runs then a subsidy of some sort would be necessary.
 - (c) Trustees said they will meet with representative from Noble and Tiffin to assess what interest may be in working to establish an agreement with Medicorp.
 - (d) Mr. Peck will contact Trustees from Tiffin and Noble.
 - (e) The fiscal officer noted the potential impact on the Twp budgets and the need to eventually use general fund money to pay for this service as the fire – rescue levy does not generate enough revenue to cover the possible \$23,000 increase under the proposed new city of defiance contract.
 - (f) The discussion concluded.
- 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) The ad has been reviewed and approved by the prosecutor’s office
 - iii) The sales procedure has been defined by the prosecutor’s office
 - (1) Run ad 2 consecutive weeks – fiscal officer to run ad in c/n during weeks of dec 14 and 21.
 - (2) Sealed bids submitted to Twp by 7:30 p.m. on dec 29th will be opened and read aloud.
 - (3) Those who have submitted a sealed bid which had been read will be afforded the opportunity to raise their bid at that time.
 - (4) Trustees will then approve or reject the bids.
 - (5) There was no further discussion.
- c) 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 December 29th, 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 November 24th, 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