

*Minutes*  
***DEFIANCE TOWNSHIP TRUSTEES***  
***November 25<sup>th</sup>, 2014 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, November 25<sup>th</sup>, 2014 at 7:00 p.m. Following the Pledge of Allegiance the Chair instructed the clerk to call the roll. Answering as present were Diana Mayer, Daniel Peck, & Charles A. Bakle Jr., also present was Tim Houck, Township fiscal officer. All three (3) members of the BOARD OF TRUSTEES having answered the roll, a quorum was declared.

Township employees present were: Mike Daniels 21786 State Rte 637, John Diemer 23361 Defiance-County Line Rd., and Jason Shaffer 13386 State Route 15, all from Defiance, Ohio.

Visitors present: Penny Bakle 1204 Wayne Ave., Patty Diemer 23361 Defiance-County Line Rd., Rhonda Shaffer 13386 State Rte 15, Angie Ransdell 21786 State Rte 637, & JoEllen Houck 8 Deville Drive, - all from Defiance, Ohio.

**ORDER OF BUSINESS NO. 1**

Reviewed and approved the minutes of the previous session.

Chairman Bakle requested a motion for the approval of minutes from the October 28<sup>th</sup>, 2014 regular Township 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 –**

The following financial reports provided to the Board were reviewed.

- a) The Reconciliation for October - noted a primary checking reconciliation balance of \$270,507.24-- balance is minus the outstanding checks and Township investment funds & is taken from the Bank's monthly statement.
- b) Receipt report:
  - i) Receipts for November (UAN software-) were \$14,095.44.
- c) Payment reports:
  - i) Payments for November (UAN software-) were \$21,901.82.
- d) The Cash fund summary through November 25<sup>th</sup>, 2014, (UAN software) showed an "ending fund balance" of \$954,468.26.
  - i) The "cash available" for encumbrances (current reserve- UAN software) was \$364,937.82.
- e) Appropriation Status showed that through November 25<sup>th</sup>, 2014 (UAN software), 24% 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 11-25-14 was \$704,769.32.
- g) Trustees reviewed and signed the October bills.
- i) Fiscal Officer reviewed Supplemental Appropriations posted during November to Twp accounts.
  - (1) Exhibit 3-I showed the fiscal officer adjusted fund line within the fund per authority (resolution 2014-01) – so that anticipated expenses could be posted to the correct line and to account for the annual amended certificate regarding the OPWC grant funds used on the Twp's behalf under the authority of the County Engineer..

b) Exhibit 3-h was a packet of information documenting an amended certificate indicating the value in dollars of the 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 2014 OPWC grant of \$675.62 was used on road projects in 2014. Refer to the County Engineer letter dated 11-18-14 as part of this packet.

i) The OPWC grant amount has increased the previous (original) amended certificate amount of \$1,243,337.93 approved January 2<sup>nd</sup>, 2014. The new amended certificate will be issued by the County Auditor in the amount of \$1,244,013.55. By law the OPWC grant funds provided for Twp work are required to be posted into and out of the Twp fiscal records. Resolution 2014-18 – approved the amended certificate.

ii) The packet (exhibit 3- H) contains:

- (1) The County Engineer's letter dated 11-18 explaining the use of OPWC funds of 2014.
- (2) The amended certificate#1 dated January 2, 2014
- (3) Resolution 2014-18 – approving the new amended certificate
- (4) Information packet to the co auditor for the Co Budget Commission to approve the new amended certificate – with documentation for the request
- (5) A UAN appropriation status and fund ledger report showing the OPWC funds posted to the 2014 Twp accounts.
- (6) A "Then & Now" purchase order to expend the funds- needs Trustee signatures.
- (7) A memo receipt noting the posting of the grant funds to the proper account (4401-538-000)- & the expenditure of the funds from the proper (4401-330-360-000) account line.

iii) Trustees voted unanimously to approve the resolution. (see resolution)

c) The fiscal officer noted that the fiscal year 2014 is coming to a close(December 31<sup>st</sup>), per usual, the Twp accounts will need to be closed so that the December meeting can be prepared (12-18-14). All account activity will be closed as of 12-14 so that all bills can be processed for year end. Once the books are closed any spending should be for emergency purpose only and prior approval should be acquired from the Trustees who should then inform the fiscal officer. There should be no spending until the Trustees adopt the 2015 budget at their re-organizational session January 13th.

i) Employees and Trustees should make sure that the fiscal officer has all bills by the 14th of December and that no new billing is created.

(1) For any bills in Dec, Twp personnel making purchases must notify the fiscal officer and should acquire an invoice with the purchase and take to tjh in the time of purchase.

d) Payroll & November's time cards (time cards provided trustees prior to session) were then reviewed by Trustees – there was no comment.

h) Mr. Bakle then requested a motion to accept the November 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) November Zoning report –

i) Mr. Shaffer noted there had been no activity since the last (October) Twp session. No report.

Jason A. Shaffer  
Defiance Township Zoning Inspector  
Defiance, Ohio 43512

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

- i) There were none.

#### **ORDER OF BUSINESS NO. 5 -- Equipment;**

- a) The Chair asked if there were any comments or concerns on current or proposed new eq.
  - i) Mike Daniels was recognized.
    - (1) He asked the fiscal officer to provide him with contact information to have the used oil from services on Twp equipment recycled.
      - (a) The fiscal officer will email the requested information.
  - ii) Daniels noted that all equipment has been serviced and the snow removal equipment is up and ready for service.
- b) The Chair asked if there were any other comments or concerns regarding the Twp's equipment.
  - i) There was none.

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

- a) The monthly road inspection report –was presented as exhibit 6-a and reviewed by Mr. Bakle.
  - i) The reported noted some potholes needed patched and some berming should be placed.
  - ii) The December Rd review will be by Trustee Peck.
- b) Trustees continue their review of the proposed 2014 projects.
  - i) The proposed project list was prepared by the Defiance County Engineer's Office for the Trustees. The project list was presented at the January 28<sup>th</sup> session as exhibit 6-b 2014 Def Twp preliminary estimate. Trustees modified the project list at their March 2014 session as follows:
    - ii) purchase orders of 2014 that will fund the projects listed are:
      - (a) P.O.'s 9-2014, &
      - (b) B.C.'s 36-2014
      - (c) P.o.s total \$225,000
      - (d) Expenses exceeding this amount with the Co Eng will require transfers and new p.o.s
    - iii) As of 11-25-14 this list is as follows:
      - (1) **Hammersmith rd re-build project: Resurfacing:**
        - (a) A .7 mile rebuild of *Hammersmith* from Singer to State Route 111- Trustees were reminded to review the minutes from 2011 forward for history:
          - (i) This rebuild project was designed to be financed over a three year period starting in 2012.
          - (ii) In 2014 – resurface ( from Singer to State rt 111) with asphalt – estimated cost \$59,615.00 – previous estimate was \$63,000.
          - (iii) Pavement markings - \$824.00
          - (iv) As of this session the project is complete and billing has been processed. Cost was \$59,806 posted to Twp rd accounts. The Twp awaits cost for pavement markings- which were placed in Oct. .
      - (2) Trustees approved during their April 2013 session to add floors to the salt bins.
        - (a) Work is to be in 2014 – see mins from June forward of 2013 for details.
        - (b) Trustees noted that the south side floor was completed Oct 25<sup>th</sup>.
          - (i) During the Oct meeting Mr. Diemer requested that the north side be addressed in spring of 2015 as the Twp should fill the salt bins for possible November winter weather.
          - (ii) Trustees concurred.
      - (3) In the March session Trustees approved the berming of Cromley Road to reduce or eliminate drop off.
        - (a) Trustees assigned this to staff as soon as possible.
      - (4) In the March session Trustees instructed staff to complete the insulation of the maintenance building as directed in 2013.
        - (a) Trustees directed staff to address in November with a not to exceed expense of \$3,000 for materials.

- (i) Crew was unable to address this task in November.
  - (ii) Trustees directed that this be a priority in December.
- (5) Due to budget constraints all other road projects as presented on exhibit 6-b during the January regular Twp. session will be delayed at least one year and will be reviewed again for the 2015 construction year.
- e) A financial impact review by the fiscal officer:
  - i) As of this session total anticipated cost of all approved projects for 2014 are \$146,000 more or less with the expense for Hammersmith rd., & Sponseller Rds. being billed to Twp. road funds.
  - ii) Trustees are reminded that:
    - (1) Regular twp. expenses are estimated – based on historical review, at between \$70,000 and \$100,000
    - (2) Anticipated 2014 revenues as noted in the 2014 amended certificate from the County Auditor for road work was \$159,092.00.
    - (3) Total road expenses year to date are **\$174,546.21**
    - (4) Total road fund revenues year date are **\$197,009.92**
      - (a) Expenses exceeding income utilize Twp. road carry over funds.
    - (5) A recap of the OPWC grants – see minutes of previous sessions for history. The last update from the **Co Engineer's Office is dated 11-18-2014** and is presented at this session as part of **exhibit 3-h**. The update includes expenditures from future OPWC grants that the Twp. might receive.
      - (a) (See minutes from 2011 forward thru December 2013 for history).
      - (b) Note: the 2014 OPWC grant of \$34,355.00 had been posted against the future grant amounts used, as directed by the Trustees.
        - (i) In addition the Engineer has posted \$675.62 of project work (Bowman rd patching, Hammersmith rd asphalt testing and Krouse rd dura-patching to future grants. It is this amount actual work performed on the Twp's behalf that is posted to the 2<sup>nd</sup> amended certificate as noted in section 3 of this minute.
      - (c) Current status – the OPWC has utilized future grants in the amount of \$61,483.00 (reduced from the \$95,267.50 at the beginning of 2014..
- f) The Chair asks if there are any new proposed 2014 projects that are not now on the above project list:
  - i) None were offered.
- g) Trustees again noted the November work assignments for the Twp. crew are noted in the monthly road report.
- h) Twp cemeteries –
  - i) no issues were reported.

#### **ORDER OF BUSINESS NO. 7 – Personnel:**

- a) Trustees learned that Joe Kolb has resigned.
  - i) Fiscal officer asked that Trustees acquire a written notice of resignation signed by Kolb for the records – Twp needs an end date for OPERS.
- b) Fiscal officer as requested by Mr. Bakle prepared an ad (exhibit 7-b) for the local newspaper seeking possible candidates for the position of part time Twp eq operator.
- c) Mrs. Mayer asked for a previously submitted application – see application (exhibit 7-c) from Matt Siebert.
- d) Trustees also reviewed information from a Douglas Fisher of Defiance. Mr. Fisher had asked to be considered for part time employment by the Twp.
- e) Trustees directed that the ad be placed in the Crescent News with a deadline for applications to be just before the December 18<sup>th</sup> session.
  - i) Trustees will consider applications from the ad at the December session.
- f) Trustees then discussed the application of Douglas Fisher.
  - i) Mr. Peck moved to hire Fisher - based on the need to address snow removal for the safety of Twp citizens and the current lack of appropriate staff.
  - ii) Mrs. Mayer seconded.

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

The motion passed.

iii) The fiscal officer will prepare a resolution for Trustee signatures.

- (1) Beginning pay to be \$11.60 as established by Twp resolution #2012-3.
- (2) Probationary period is for 90 days – probationary period to end Feb. 28<sup>th</sup>, 2015.
- (3) Pay rate will then become \$13.00 after Trustee review and approval.

iv) The fiscal officer informed the Trustees that Mr. Fisher must be signed up with OPERS and also the Twp must notify its insurance company “the Ohio Plan” before he can be assigned to work.

v) The fiscal officer will undertake these duties and upon completion notify the Chair.

#### **ORDER OF BUSINESS NO. 8 - Handouts were distributed as noted below:**

a) The monthly ( November 14) GrassRoots clippings was distributed as exhibit 7a.

#### **ORDER OF BUSINESS NO. 9 –Old Business**

a) The Fire – Rescue service contract for Def. Twp with the City of Defiance was modified per the City direction by the Twp during the July meeting. The cost for rescue services was increased by \$24k.

- i) In response the Twp Trustees placed a ballot issue before the voters (November 2014) of Twp precincts A & B where that service is rendered.
- ii) See minutes from January 2014 forward to review history of a 2014 proposed fire-rescue service levy to be placed on the November 2014 ballot to cover the proposed City increase.

iii) As of November 25<sup>th</sup>:

(1) The ballot issue was defeated – see exhibit 9-a – from the County Board of Election certifying the election results.

(a) 276 votes for – 318 against.

(2) Trustee’s acknowledged that without additional revenue the Twp’s fire fund cannot sustain the current charges from the City for fire-rescue services.

(a) The fiscal officer suggested that with current revenue and carryover the fund could meet current obligation in 2015 but would probably run short in 2016.

(3) Trustees discussed the possibility of placing the levy before the voters again in 2015.

iv) Mr. Peck moved to again place the proposed fire levy (same as the November levy) on the May primary ballot.

v) Mrs. Mayer seconded

vi) A roll call vote was taken.

Mr. Peck – yea, Mrs. Mayer – yea, Mr. Bakle – nay

The vote being 2 to 1 the issue to place the fire levy as presented to the voters in November will be placed on the May 2015 ballot.

(a) Trustees to contact the prosecutor’s office to begin the process.

b) The Chair asked if there was any other additional old business to come before the Board?

i) There was none.

#### **ORDER OF BUSINESS NO. 10 – New Business.**

a) Exhibit 10-a was reviewed. This exhibit was a Fire Dept inspection report which noted that the Hammersmith rd maintenance garage failed its inspection. The smoke alarm detector batteries were dead.

i) Twp staff was directed to replace the batteries and notify fiscal officer so that an email can be sent documenting the twp has addressed the violation. ORC 3737.51

(1) Mr. Bakle stated that the issue was addressed earlier today (11-25).

(2) The fiscal officer will wait until the bill arrives and then email it to the fire department documenting the required action was taken.

b) Exhibit 10-b – a notice from the Ohio Division of Liquor Control that liquor licenses will be granted to Club 111

(formerly Scottys. The restaurant bar is now owned by Beverly Grant.

- i) Trustees may request a public hearing if desired.
  - ii) Trustees determined to take no action.
- c) Exhibit 10-c was a notice from the Defiance, Fulton, Paulding Williams Joint Solid Waste District that the District's policy committee has approved a draft plan (revision to current plan) for submission to the District's political subdivisions for adoption. The plan was provided to the Twp on CD and is also posted to the District's web page [www.4cswd.com](http://www.4cswd.com).
- i) See letter from District.
  - ii) A resolution of adoption is requested.
  - iii) The Chair asked for Trustee direction.
- iv) Mr. Peck moved to approve the resolution(2014-19) – of support for the Solid Waste District Plan
- v) Mrs. Mayer seconded
- YEA(s) 3 NAY(s) 0 Passed X Failed  
The motion passed.
- d) Mr. Bakle noted that the City of Defiance has annexed into the city Indian Bridge Lane, ProCom Drive, & Radio Drive. These streets were formerly under the jurisdiction of the Defiance Township Trustees.
- i) The City has, as of this Twp session, failed to notify the Township of their action.
- e) The Chair asked if there was any other new business to come before the board?
- i) There was none.

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**ORDER OF BUSINESS NO. 11 - NEXT MEETING:**

Due to the Christmas holiday Mrs. Mayer proposed to move the regular December Twp session from the 4th Tuesday – December 23rd to December 18th – same time and location.

Mr. Peck seconded.

The vote was called:

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

**Next session -**

Date: Thursday – December 18<sup>th</sup>, 2014, - Regular scheduled session  
Time: 7:00 p.m.  
Place: 2<sup>nd</sup> floor of the Defiance County Commissioners building – conf room EMOC  
500 Court Street - Defiance, Ohio

**ORDER OF BUSINESS NO. 12 – Adjournment:**

Mr. Bakle requested a motion to adjourn the meeting of November 25<sup>th</sup>, 2014

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