

Minutes
DEFIANCE TOWNSHIP TRUSTEES
November 26th, 2013 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, November 26th, 2013 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 (mechanic) – 21786 State Rte 637, John Diemer 23361 Defiance-Paulding Co Line Rd, & Jason Shaffer (equipment operator and zoning inspector) – 13386 St Rte 15, Defiance, Ohio.

Visitors present: Patty Diemer 23361 Defiance-Paulding Co Line Rd., & JoEllen Houck 8 Deville Drive, - 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 22nd, 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 October regular 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 \$343,697.65-- 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 \$14,748.01.
- c) Payment reports:
 - i) Payments for November (UAN software) 2013 were \$112,166.74.
- d) The Cash fund summary through November, 2013, (UAN software) showed an "ending fund balance" of \$947,994.96.
 - i) The "cash available" for encumbrances (current reserve- UAN software) was \$345,423.22.
- e) Appropriation Status showed that through November 26th, 2013 (UAN software), 30% 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 11-26-13 was \$704,417.04.
- g) Trustees reviewed and signed the November bills.
- h) Trustees reviewed exhibit 3-h, 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). There is also a noted adjustment of a 2010/2011 interest mis-posting into the Twp's General fund account - rainy day funds, which are held in a money market certificate with the State Bank. That error was discovered in the new UAN system during

the January 2013 reconciliation. The old UAN system did not track interest payments in the money market. The new system does. The error in posting totaled \$6.97.

i) The OPWC grant amount and the adjustment of the mis-posting has increased the previous (original) amended certificate amount of \$1,281,462.88 approved January 4th, 2013. The new amended certificate will be issued by the County Auditor in the amount of \$1,314,964.96. By law the OPWC grant funds provided for Twp work are required to be posted into and out of the Twp fiscal records. Resolution 2013-13 – was then read. This resolution approves the amended certificate.

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

- (1) The amended certificate#1 dated January 4, 2013
- (2) Resolution 2013-13 – approving the amended certificate
- (3) Information packet to the co auditor requesting the amended certificate – with documentation for the request
- (4) 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.
- (5) A “Then & Now” purchase order to expend the funds- needs Trustee signatures.

iii) Trustees approved resolution 2013.

i) The fiscal officer was recognized and noted that fiscal year 2013 is coming to a close(December 31st), per usual, the Twp accounts will need to be closed so that the December meeting can be prepared (12-17-13). 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 2014 budget at their re-organizational session January 7th.

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) Up to Dec 14th Twp personnel making purchases must notify the fiscal officer and should acquire an invoice with the purchase and take to tjh in the time as noted above.

j) Payroll & November's time cards (time cards provided trustees prior to session) – Trustees Review – Discussion and Signature.

Mr. Bakle 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 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. Jason Shaffer provided the following electronic copy of this report.

i) Monthly report for November:

(1) Building permit papers was given to the following, waiting paperwork from Defiance County Water/Soil.

- (a) Ron yaw on Link Road from an addition to his garage.
- (b) James McMinis on SR111 for a pond.
- (c) Bill Virol on Harding Road for a pond.
- (d) Ciccotelli Design LTD. on SR15 for a building structure.

(2) Caleb Grenweg (appraiser) was inquiring about properties of Rod Rittenhouse. Both being residential.

(a) No violations as of this time to report.

Jason A. Shaffer
Zoning Inspector

- b) Chairman Bakle announced that with the passing of Appeals Board member Bruce Hahn the Trustees need to fill Mr. Hahn's position on the Appeals Bd.
- i) Trustees recognized Mr. Hahn's long service on the Appeals Bd and expressed sadness at his passing.
 - ii) Mr. Bakle recommend that the Trustees appoint current Appeals Bd alternate Sherry Shock 21171 Bowman Rd to fill the regular seat now vacant.

MOTION by: Mayer

SECOND by: Peck

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

The motion to appoint Sherry Shock to the Appeals Bd was approved.

- iii) Chairman Bakle then recommended that Mr. Scott McKibben 15395 State Rte 66, be appointed to fill the alternate position now vacant with the appointment of Mrs. Shock.

MOTION by: Mayer

SECOND by: Peck

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

The motion to appoint Scott McKibben as an alternate to the Appeals Bd was approved.

- c) The Chair asked if there was any other zoning business to come before the Trustees - 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) There was none – employees present noted all equipment was up and running.

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

- a) Trustees then reviewed exhibit 6-a the monthly Twp Rd inspection by Trustee Bakle.
- i) Operators were instructed to use this report as the monthly work assignment. Each operator was assigned a specific road in the report.
- b) A notice from the Defiance County Commissioners exhibit 6-b of a citizens concern regarding approaches to bridge(s) on Bowman Rd. was reviewed.
- i) Trustees are planning to review with the County Engineer and post weight limit signs on this road.
- c) Trustees reviewed the proposed 2013 projects as of this session.
- i) The Trustees approved the Co Engineer's list edited and distributed as exhibit 6-b during the March Twp meeting. In the April Twp session Trustees delayed some projects and added others. All proposed 2013 projects are listed below.
 - ii) purchase orders of 2013 that will fund the projects listed are:
 - (a) P.O.'s 8-2013, 9-2013, &
 - (b) B.C.'s 36-2013, 45-2013
 - (c) P.o.s total \$179,500
 - (d) Expenses exceeding this amount with the Co Eng will require transfers and new p.o.s
 - iii) As of 10-22-13 this list and the additional projects approved in March are as follows:
 - (a) Trustees reviewed the proposed 2013 projects as of this session.
 - (i) The Trustees approved the Co Engineer's list edited and distributed as exhibit 6-b during the March Twp meeting. In the April Twp session Trustees delayed some projects and added others. All proposed 2013 projects are listed below.
 - (b) purchase orders of 2013 that will fund the projects listed are:
 - (i) P.O.'s 8-2013, 9-2013, &
 - (ii) B.C.'s 36-2013, 45-2013
 - (iii) P.o.s total \$179,500
 - (iv) Expenses exceeding this amount with the Co Eng will require transfers and new p.o.s

iv) As of 11-26-13 this list and the additional projects approved in March are as follows:

- (1) A .7 mile rebuild of Hammersmith from Singer to State Route 111- Trustees were reminded to review the minutes from 2011 forward for history:
 - (a) This rebuild project will take place over a three year period starting in 2013.
 - (i) The entire .7 miles will be widened & rough paved in 2013 and the drainage ditch is to be constructed. Property acquisition for right of way to widen the road and construct the ditch will also take place in 2013 and be done by the County engineer. The engineer's office will also contract or construct the ditch in 2013.
 1. As of the November 2013 session the project is complete for 2013.
 2. Widening with rough paving - \$22,327.50
 3. Right of way acquisition – \$10,000
 4. Drainage ditch construction - \$10,000
 - i. The Co Engineer provided a report on this portion of the project dated 9-10-13
 - ii. Excavation, rock, rock chute, seeding, catch basin and misc items by co engineer's and contractor J. Webb totaled \$23,271.02
 - iii. The entire amount was posted to the Twp's future OPWC grants.
 - (ii) Remaining elements of this project:
 1. A smooth paving will be applied in 2014- estimated exp ??- due to fluctuation of asphalt prices.
 2. And a final smooth paving will be done in 2015 – estimated exp ??.
- (2) Cromley Road
 - (a) The County Engineer's will coordinate a cement stabilization in 2013 from the end of pavement to the west end of the road just past the Webb residence. This is approximately 3,200 feet more or less.
 - (i) See Twp Trustee mins of February through July 2013 for details.
 - (ii) The Engineer estimated the project cost at \$85,000 initially if done as a standalone project. In the June meeting the Engineer reported that they were able to coordinate this project with another project and the new cost estimate was reduced to \$45,000.
 1. In the August session Trustees approved (2 to 1 vote) to surface the cement stabilized road with asphalt at estimated cost of \$55k.
 2. **As of this session** –the project is complete – billing was included in this month's packet.
 3. Project costs:

i.	Cement stabilization	\$41,487.48
ii.	Asphalt paving	<u>\$53,178.57</u>
iii.	Total	\$94,666.05
- (3) Krouse rd – earlier this year it was reported that the road had been damaged by traffic. This report was noted by a citizen during the March meeting.
 - (a) Trustees reviewed the road earlier this year and determined that dura patching will be done in July to address the issue.
 - (b) At the July session – Trustees reported that there is a hold on this project and Chairman Bakle was to discuss the issue with County Engineer's and report back at the August Trustee's session.
 - (c) During the August session Mr. Bakle said he spoke with the engineer and they will re-assess and prepare a recommendation for the Trustees.
 - (d) In September - The fiscal officer asked for a cost estimate if the work is to be done in 2013.
 - (i) Mr. Bakle responded that the cost should not be more than \$1000.
 - (e) As of this session the engineer's office informed the fiscal officer that the project is complete and will be billed in 2014.
- (4) Trustees approved during their April session to add floors to the salt bins.
 - (a) In June the Trustees instructed the crew to place remaining salt on one side and add the floor then move that salt back and add the floor to the other side.
 - (b) The floor is to be cement-
 - (c) Estimated cost unknown.
 - (d) Due to weather conditions this project was moved to spring of 2014.

- d) A financial impact review by the fiscal officer was heard:
- i) As of this session total anticipated cost of all projects for 2013 per exhibit 6-b have been completed or moved to 2014.
 - (1) Trustees are reminded that:
 - (a) Regular twp expenses are estimated – base on historical review, at between \$70,000 and \$100,000
 - (b) Anticipated 2013 revenues as noted in the 2013 amended certificate from the County Auditor for road work was \$155,845.
 - (c) Total road expenses year to date are **\$196,728.30**
 - (d) Total road fund revenues year date are **\$160,299.75**
 - (i) Expenses exceeding income utilize Twp road carry over funds.
 - (2) A recap of the OPWC grants - this report update came from the Co Engineer's Office –updated 11-22-13. The update includes expenditures from future OPWC grants that the Twp might receive. If the Twp fails to receive such grants the twp road funds will be accountable. (see minutes from 2011 forward thru November 2013 for history).
 - (a) 2013 OPWC postings –

(i) <i>Hammersmith rd const (ditch work) posted 9-10</i>	\$23,271.02
(ii) <i>Singer Road drainage project – 30" tile posted 10-9</i>	<u>\$ 3,536.22</u>
(iii) <i>Total grant dollars posted in 2013</i>	<u>\$26,807.24</u>
(iv) <i>Actual value posted to Twp fund lines in 2013 was \$33,509.05</i>	
1. <i>The engineer reduces amount charged to grant per agreement by an applicable percentage.</i>	
2. <i>The full amount (\$33,509.05) must be posted to the Twp accounts by law.</i>	
 - (b) Current status – the OPWC has utilized future grants in the amount of \$(95,267.50)
 - 1. See letter- from Co Engineer dated 11-22-13 in exhibit 3-h of this agenda
 - 2. The amount reported in this exhibit was added to the Twp's 2013 budget in the amended certificate updated in this exhibit.
 - (c) The Twp rd projects for 2013 to date has exceeded revenue as projected.
- e) The Chair asked if there are any other projects/issues for 2013.
- i) Trustees discussed the need to have water, heat and restroom facilities at the Twp maintenance building on Hammersmith rd.
 - (1) Trustees determined to have a water tank installed(500 gallons) so vehicles could be cleaned after salt spreading or other twp work projects.
 - (2) Trustees determined to insulate the building for use of a salamander type heater.
 - (3) Trustees determined to rent a Port a John.
 - ii) Trustees instructed the crew verbally to address this project with a cost not to exceed \$5,000, without review and discussion with the Trustees.
 - iii) The Chair then called for a motion to approve the work as noted above.

MOTION by: Peck

SECOND by: Mayer

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

The motion was approved.

- f) The Chair asked for proposed 2014 projects for discussion:
- i) Asphalt paving of Hammersmith rd .7 that was widened in 2013.
 - ii) Lakeview work- repairs to surface and drainage- that was this year moved to 2014 –
 - iii) The Co Engineer will also prepare a proposed list for review.

- g) Trustees again noted the November work assignments for the Twp crew – are noted in the monthly road report.
 - i) Trustees instruct Twp operators to use the monthly road inspection report as their work assignments. Each operator's name is assigned to a Twp road and work that needs done is noted on the report.
- h) Twp cemeteries –
 - i) No issues were reported.

ORDER OF BUSINESS NO. 7 – Handouts were distributed as noted below:

- a) Monthly (November 13) GrassRoots clippings – exhibit 7a was distributed.
 - i) In this addition it was noted that the pay rate for 2014 for Township elected officials will remain at the 2009 rate as established by the legislature.

ORDER OF BUSINESS NO. 8 – Old Business Personnel

- a) Bonds for newly elected/reelected Trustees
 - i) The Twp's insurance with the Ohio Plan provides free bonds for the Twp's Trustees.
 - ii) Bonds for Trustees Mayer and Peck were reviewed, signed and witnessed. The Bonds will be filed by the fiscal officer with the Defiance County Treasurer as required by law.
- b) Trustee Mayer recommended that the fiscal officer be designated by the Trustees to acquire the required Public Records training for the Def Twp. Trustees have the authority to designate someone to attend this required training once per term training.

MOTION by: Mayer

SECOND by: Peck

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

The motion to appoint the fiscal officer as the Trustees designee to acquire the required Public Records training was approved.

- c) Trustees noted that they will not be attending the 2014 OTA conference scheduled for Feb. 12-15, 2014 at the Columbus Convention Center
 - i) Zoning officer Jason Shaffer stated he would like to attend this conference.

Chairman Bakle asked for a motion to approve the Zoning inspector's travel request.

MOTION by: Mayer

SECOND by: Peck

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

The motion travel request for the Zoning Inspector to attend the 2014 OTA winter conf was approved.

- a) Up-date on "Fire-Rescue" regionalization discussion by Twp's and the City of Defiance. Mr. Peck represents Defiance Twp.....
 - i) Mr. Peck was asked if there was any update.
 - (1) He responded that there was no new information – the city is waiting to see if their proposed levy to increase city income tax to fund police and fire is successful at the November election.
- b) The Chair asked if there is any other old business
 - i) There was none

ORDER OF BUSINESS NO. 9 – Old Business.

- a) The fiscal officer reported that the Twp has rec'd its new computer system from UAN. The system went online in early November. Per Trustee direction the old computer will be provided to the Zoning Inspector. At the advice of UAN the old computer was not cleaned of Twp information until the fiscal officer has determined that all data properly transferred. That determination is now affirmed. The old unit will be processed and turned over to the zoning inspector as soon as practicable.
- b) The Chair asks if there was any other old business - there was none.

ORDER OF BUSINESS NO. 10 – New Business.

- a) The fiscal officer reported that the Auditor of State has informed all Twp's in Ohio of a one year surcharge holiday. The \$50 per month equipment replacement surcharge will be suspended in 2014. The savings to the Twp will be \$600.
- b) The Chair asks if there is any new business to come before the board?
 - i) Mr. Bakle suggested that the Township pass a resolution that would allow the Twp to keep its property tax on all property annexed into the City.
 - (1) Mr. Bakle will review this possibility with the Prosecutor's Office.

ORDER OF BUSINESS NO. 11 - NEXT MEETING:

Date: Tuesday – December 17th, 2013, due to the Christmas holiday.
Time: 7:00 p.m.
Place: 2nd 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 26th, 2013

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