

*Minutes*  
**DEFIANCE TOWNSHIP TRUSTEES**  
**November 27<sup>th</sup>, 2018 MEETING**

The Defiance Township Trustees met in regular session at the offices of Northwest Realty – 618 South Clinton Street, in Defiance Township, Defiance, Ohio, on Tuesday, November 27<sup>th</sup>, 2018 at 6:30 p.m. Answering as present were Diana Mayer, Jason Shaffer & Dan Peck. With all three (3) members of the BOARD OF TRUSTEES having answered the roll, a quorum was declared.

Township employee(s) present were: Harry Railing 14951 Power Dam Rd., & Steve Buchholtz 1615 South Clinton St., all of Defiance, Ohio.

Visitors present: Patti Diemer 23361 Defiance-Paulding Co. Line Rd 10, Mark Rau 21880 Parkview Dr. & JoEllen Houck 8 Deville Dr. - all from Defiance Twp./Defiance City.

**ORDER OF BUSINESS NO. 1**

Reviewed and approved the minutes of the previous session(s).

Mr. Shaffer requested a motion for the approval of minutes from the October 23<sup>rd</sup>, 2018, regular session.

Mrs. Mayer moved to approve the minutes as presented.

Mr. Peck seconded.

The vote being   3   Yea(s)   0   Nea(s)

The minutes for the sessions were approved.

**ORDER OF BUSINESS NO. 2 - Citizen concerns:**

1) The chair asked for citizen concerns from the floor.

a) Mark Rau was recognized.

i) Mr. Rau was concerned with activities of his neighbor noting that security camera's were covering his property, dogs were barking at night.

ii) Mr. Rau inquired if there were Twp rules regarding noise and possible privacy infringement. Mr. Rau also asked about regulations regarding the placement of a privacy fence on his property.

iii) Trustees responded:

(1) The privacy & noise issues fall under the Sheriff's Office and/or the Co. Dog Warden Office if a violation exists.

(2) Trustees directed Mr. Rau to the Twp. Zoning Inspector as before a fence can be installed per Twp zoning requires the Zoning Inspector must issue a permit.

iv) Mr. Rau also asked Trustees if a "hidden curve" sign could be posted on Power Dam Rd. just before the entrance to Parkview. Rau stated that cars drive very fast on this road (Power Dam) and a safety issue exists for the residents of Parkview when they enter or exit Power Dam onto Parkview.

(1) Trustees stated that the Co. Engineer's office handles signage for the Twp and Trustees will discuss the issue with the Co. Engineer and then inform Mr. Rau of their decision.

v) Mr. Rau noted that there is a catch basin on Parkview, in the right of way adjoining his property, that is not draining properly. (very slow drain and during rain events his drive gets standing water.

(1) Trustees will review the situation and determine a response.

**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 \$215,533.58 - 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 \$30,322.07.

c) Payment reports:

i) Payments for November (UAN software-) were \$35,937.08.

d) The Cash fund summary through November 25<sup>th</sup>, 2018, (UAN software) showed an "ending fund balance" of \$910,389.21.

- i) The “cash available” for encumbrances (current reserve for encumbrance - UAN software) was \$206,299.64.
- e) Appropriation Status showed that through November 25<sup>th</sup>, 2018 (UAN software), 28% 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 11-25-18 was \$716,207.86.
- g) The fiscal officer reminded Trustees that the Twp accounts will be closed at year’s end and any work/or purchases done in 2018 needs posted to the 2018 accounts. (day of purchase-not date of bill).
  - (1) Any purchases and billing for any work should be provided to the fiscal officer by December 15<sup>th</sup> and no purchases other than emergency purchases should take place from the 15<sup>th</sup> forward until the 2019 Twp accounts are approved by Trustees at the January 8<sup>th</sup> (depending if the 2019 amended certificate is available from the Co Budget commission) 2019 re-organizational session.
  - (2) Trustees so instructed Twp employees present.
- h) Trustees reviewed and signed bills processed through the 26<sup>th</sup>.
- i) Payroll & November time cards (time cards provided trustees prior to session) – Trustees Reviewed & Signed.

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

MOTION by: Mayer

SECOND by: Peck

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 report –
  - i) Permits issued
    - (1) Jeff Ort – room addition on home on Watson Rd.
  - ii) Zoning questions
    - (1) None in Nov.
  - iii) Site Reviews pending –
    - (1) Signed off on a lot split request (now under review by Maumee Valley Planning).
      - (a) Request for split was made by Luke Hasselman – Watson Rd.
  - iv) Nuisance issues
    - (1) None

Respectfully submitted

John Diemer, Twp Zoning Inspector

- b) Mr. Shaffer asked if there are any other zoning/nuisance issues to come before the Board?
  - i) None were offered.

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

- a) Comments or concerns from Twp employees on current or proposed new eq &/or safety items.
  - i) No issues were reported by Eq. Operators present.

**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 Shaffer.
  - i) Mr. Shaffer’s report noted that several roads require berm.
    - (1) Trustees instructed Operators to use the report as a work order for December if weather conditions permit.
  - ii) The December Rd review is to be by Trustee Peck.

**b) 2017 Road projects:**

- i) At the February 2018 session Trustees approved the County Engineer's 2018 project list.
- ii) At the April 2018 session an amended estimate was provided dated 4-6-18 – as exhibit 6-b.
- iii) All 2018 work by the Co. Engineer has been completed and paid as of the Oct 2018 session.
  - (1) See Oct 2018 mins for details.

iv) From past 2018 sessions, Trustees had approved the Co Engineer to do the following:

(2) Repair street drain covers in the Lakeview addition.

(a) No cost estimate provided.

- (i) Trustees report no activity as of the Nov. Twp meeting.
- (ii) Mr. Shaffer to discuss with co. eng.

(b) Some storm water drains (twp catch basins) are filled with leaves - Shaffer has asked the Co. Engineer to use the jet vac to remove this debris.

- (i) It was agreed that the work will be done in Oct. or early Nov. after the leaves have fallen.
- (ii) No cost estimated provided.
- (iii) Trustees report no activity as of the Nov. Twp meeting.
- (iv) Mr. Shaffer to discuss with Co. Eng.

(c) Dura Patching is needed on Wilhelm Rd – about 500' south of McAlistar and on Co. Line Rd 10 east of 66 and again 100' further west.

- (i) No cost estimates acquired.
- (ii) As this item was not completed in Oct the project will be moved to 2019 due to weather conditions.

(d) At the Sept 2018 session Trustees noted that tree limbs overhang the road on Bowman near John Rivers Sr. property. Twp crew was instructed to trim these back of the road.

- (i) Trustee Shaffer noted this was done in Nov by Twp operators.

(e) Mr. Shaffer noted that he was contacted by a Twp resident on Garmin Rd. with a complaint that tree branches overhang onto the road and need trimmed back.

- (i) Mr. Shaffer stated he confirmed this during his Nov. road inspection.
  - 1. The tree branches overhanging are too high up in the tree for Twp operators. Shaffer will ask the Co. Engineer to address.
    - a. Trustees concurred.

**(f) Total est. expenses for co Eng work on twp behalf in 2018 as of this session is \$103,308.**

**c) Twp projects by Twp staff or other contractors for 2018:**

- i) Trustees have previously noted that Karnes Rd was damaged by contractors working to replace the Watson Rd bridge.
  - (1) The contractor acknowledges the damage per Trustee Shaffer and the contractor is to repair the road.
  - (2) There is no cost to the Twp.
  - (3) There was no work on this in Nov.
- ii) The Chair asked if there were any other projects.
  - (1) There were none offered.

**d) Future major Twp road projects – first discussed at the Feb. 2018 session.**

- i) See mins of all 2018 sessions for details.
- ii) The Bd decided that in 2019 the rebuild of Bowman Rd (twp portion) will begin.
  - (1) rebuild of Bowman Rd – to start in 2019.
    - (a) The Co. Engineer provided the following information and cost estimates:
      - 1. There is no need to acquire right of way.
      - 2. Grading and seeding will cost approximately \$30k per mile and can be done in sections.
      - 3. Widening of the road will cost an estimated \$55k per mile –
        - a. Engineer noted that the Twp could break this down 1 side at a time.
      - 4. Paving and striping is estimated to cost \$55k per mile –
        - a. Again, this can be broken into sections.

5. According to the Engineer the Twp section of Bowman road is 4 miles in length.
- (b) During the Oct. session - Trustees determined to do one mile in 2019.
  1. Said mile to include grading, seeding, widening and paving. Trustees to inform the Co. Engineer in Jan. 2019 when the Engineer will provide a form for a list of Twp projects.
  2. Total project cost for 2019 for 1 mile of reconstruction of Bowman Road is estimated – based on engineer’s est above – at \$140k.
- (c) The Chair asked for discussion.....
  1. Mr. Peck stated it is his belief that if oil prices continue to stay at there present level (approx. \$52 per barrel) the estimated price would probably be 20 to 30k less per mile.
- (d) Trustees are comfortable with budgeting the current estimated for 1 mile of work in 2019.

**e) 2018 financial impact review by the fiscal officer:**

i) The fiscal officer reported that total road expenses year to date are:

(1) Total road fund revenues year to date are	<b>\$186,265.52</b>
(2) Total road fund expenses year to date are	<b>\$168,778.35</b>

ii) Anticipated revenue for 2018 – based on the January 2<sup>nd</sup>, Twp amended certificate was:

(1) \$171,715.00 more or less

iii) Anticipated expenses for 2018 – as of this session:

(1) Regular twp. expenses are estimated – based on historical review, at between \$70,000 and \$100,000 – would include Twp projects listed above & also completed so far this year.:

(2) \$103,000 for Co Eng work- completed to-date in 2018.

(3) Salt purchases (in 2018) to-date:

(a) \$12,870

(i) Salt price in spring of 18 was \$54 per ton

(ii) Salt price in fall of 18 is \$62. – **see exhibit 6-e.**

(iii) Trustees noted the increase in price.

(iv) The Fiscal officer reported that he had contacted the Engineer to inquire why the increase.

1. The Fiscal Officer reported that the Eng. stated:

a. that they bid the salt in June/July and in 2018 only one bid was rec'd. That bid was \$70 +or – per ton. The salt bid in 2017 was \$41.

b. The Twp gets mixed salt for its roads – 1/3<sup>rd</sup> salt 2/3rds stone – stone costs did not change much in the 2018 bid (for 2019 stone) and the Twp cost for salt for 2018 worked out to be \$62.

(4) Total anticipated road fund(s) expenses based on the above:

(a) from \$150,000 to 200,000k if there are no new major Twp projects undertaken in 2018.

f) **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 10-9-18 provided at the Oct session as exhibit 6-f.

i) Current status – the OPWC report from the County Engineer’s office as of 10-9-18 indicates that:

(1) The Engineer’s Office had posted to Def Twp – the Twp’s 2018 grant of \$43,455. (money is with the Co Eng – any used in 2018 will be posted to Twp fund lines as pass through money. This left the Twp in the black.

(a) In Oct. the Engineer’s posted \$8,505 against the Twp grant line.

(i) Total grant dollars used by the Co. Eng. on behalf of the Twp for 2018 is \$8,505.

(b) As of (10-23-18) the Twp has \$2,419.32 remaining from the 2018 grant.

(c) An amended certificate is required to account for the expenditure of these funds on behalf of the Twp. Said request for the 2<sup>nd</sup> amended certificate is in the Co. Auditor’s Office awaiting approval by the Co. budget commission.

ii) The Engineer has 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 7 years or a total of \$175k remaining give or take.

g) The Chair asked if there was any other discussion regarding the fiscal impact report?

i) There was none.

h) The Chair asked if there are any **cemetery issues** for discussion

- i) Trustees noted that during the August session Trustees were requested to sell burial lots in Taylor cemetery. Trustees adopted lot fees passing resolution 14-2018. This resolution established lot sale prices for all Twp cemeteries.
- ii) The request for lot purchases in Taylor was made by Rhonda Caster in August.
  - (a) The Twp hired Merle Butler of Defiance - a licensed surveyor - to survey available lots –
  - (b) The Twp awaits the map noting available lots for sale and a bill from Mr. Butler.
  - (c) Once lots have been surveyed the Twp will complete the sale to Mrs. Caster.
  - (d) Discussion if any....
    - (i) Trustees noted Mr. Butler is behind on his work and this work for the Twp will be done in early 2019.
- i) The Chair asked if there were any other cemetery issues for discussion.
  - i) There were none.

**ORDER OF BUSINESS NO. 7- Handouts**

- a) Monthly (November 18) GrassRoots clippings – **exhibit 7a**
  - i) The 2019 pay schedule for elected officials is noted in this handout.
  - ii) There is no increase in elected official pay in 2019.
- b) The Ohio Plan again this year emailed a release form to be signed by citizens requesting a tow or push from Twp for towing/pushing motor vehicle waiver of damages form. (**exhibit 7-b**) This is in anticipation that during winter snow removal operations, Twp operator's maybe asked by motorist for a tow.
  - i) In 2016 The Trustees ordered that (from mins of Dec. 2016 session:
    - (1) Trustees discussed the towing of citizen vehicles with Twp equipment. This issue was raised by the Twp's Ohio Plan (insurance).
    - (2) During snow removal operations Twp eq might be asked by citizens to assist a citizen stuck in the snow on Twp roads.
    - (3) Insurance recommends that no towing of private citizen vehicles should be allowed unless there is an emergency/safety concern.
    - (4) Trustees instructed all Twp operators that Twp eq will not be used to move private citizen vehicles. Operators are to call the Sherriff's office then Trustee(s) and stand by until proper authority is on the scene.
  - ii) The Chair called for discussion...
    - (1) Trustees again instructed Twp operator's to follow the established 2016 directive.
    - (2) See item (4) above.
- a) **Exhibit 7-c** is notice from Co. Engineer of the 2019 annual elected officials – def twp association meeting.
  - iii) Meeting is 1-17-19
  - iv) 6 p.m.
  - v) 2249 mill st ( co ema building) Brunersburg.
  - vi) Cost is \$10 per person at the door.

**ORDER OF BUSINESS NO. 8 Old Business:**

- a) The Chair asked if there was any old business to come before the Board?
  - i) At the Oct. 2018 session Trustees moved the December meeting from the regular scheduled 4th Tuesday to Dec. 18th due to the Christmas holiday.
    - (1) Notice was sent to Twp webmaster for posting on the Twp web page.
    - (2) There was no additional discussion.
  - ii) The Chair asked if there was any other old business for discussion.
    - (1) There was none.

**ORDER OF BUSINESS NO. 9 - New Business.**

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

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**ORDER OF BUSINESS NO. 10 - NEXT MEETING:**

- a) The next regular session.

**Date:** Tuesday – December 18<sup>th</sup>, 2018 regular session.

**Time:** 6:30 p.m.

**Place:** Northwest Ohio Real Estate Services - 618 S Clinton St, Defiance, OH 43512

**ORDER OF BUSINESS NO. 11 – Adjournment:**

Mr. Shaffer requested a motion to adjourn the meeting of November 27<sup>th</sup>, 2018.

It was moved by: Mayer

SECOND by: Peck

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