

Minutes
DEFIANCE TOWNSHIP TRUSTEES
December 17th, 2012 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, December 17th, 2012 at 7:00 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 Diana Mayer; 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: Jason Shaffer (equipment operator and zoning inspector) – 13386 St Rte 15, Brian Grant 15168 Williams Rd, Mike McKibben 28678 Steinmaier Rd, & Joe Kolb 16492 Cullen Rd., - Defiance, Ohio.

Visitors present: JoEllen Houck 8 Deville Dr.

ORDER OF BUSINESS NO. 1

Reviewed and approved the minutes of the previous session.

Chairman Peck requested a motion for the approval of minutes from the November 27th, regular session.

Bakle moved to approve.

Mayer seconded.

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

The minutes for the November 27th, 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 November – noted a primary checking reconciliation balance of \$276,228.06 balance is minus the outstanding checks and Township investment funds.
- b) Receipt report:
 - i) Receipts for December were \$6,653.22.
- c) Payment reports:
 - i) Payments for December 2012 were \$7,122.27.
- d) The Cash fund summary through December 30th, 2012, showed an “ending cash balance” of \$978,500.95.
 - i) The unencumbered cash balance “cash available” was \$739,549.40 which is the balance after encumbrances are subtracted from the cash balance.
- e) Appropriation Status showed that through December 30th, 2012, 33% 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 12-30-12 was \$704,019.81.
- g) The fiscal officer noted that the fiscal year 2012 is coming to a close(December 31st) and as usual, the Twp accounts are now closed. The fiscal officer will post any new checks or new bills rec’d by month’s end. The checks will need signed. The fiscal officer will email each Trustee when/if new bills are processed to see who is available to sign.
 - i) no new spending is allowed until the Trustees adopt the 2013 budget at their re-organizational session in January.
- h) The fiscal officer than addressed exhibit 3-h, a packet of information documenting a 3rd Twp budget amended

certificate request to the County Auditor. This 3rd of the year amended certificate is again posting the value of OPWC grant funds used on Twp road projects under the auspices of the Defiance County Engineer (formerly issue 2 and LTIP). The value amount has increased the previous (2nd) amended certificate amount of \$1,335,460.13 approved November 16th, 2012. The new amended certificate will soon be issued by the auditor's office and will increase the 2012 Twp fund total by \$44,497.50. (Trustees were referred to the engineer's revised opwc accounting letter dated 11-30-12 in this exhibit). The new Twp fund total for 2012 will be \$1,379,957.63. By law this is required to be posted into and out of the Twp fiscal records. Trustees were asked to approve resolution 2012-16 which adopts the new amended certificate.

- i) The Exhibit 3-h packet contained:
 - (1) The amended certificate#2 dated November 16, 2012.
 - (2) Resolution 2012-16
 - (3) Letter 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- which also needed the Trustees signatures.
- ii) The Chair asked for discussion...

Trustee Bakle moved to approve resolution 2012-16 approving the new Township fund amounts as noted above.

Trustee Mayer second

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

The resolution approving the new amended certificate in the amount of \$1,379,957.63 was approved.

- i) Trustees reviewed and signed the December bills without comment
- j) Trustees, having prior to the meeting been provided with Twp employee's time cards had reviewed same and then, signed the December 2012 payroll without debate.
- k) Exhibit 3-k was then discussed and the fiscal officer stated that the information was provided from the Ohio Twp Association and notes the 2013 pay schedule for Twp elected officials. The pay remains the same as in 2012 – Trustees to receive \$4857.33 and the fiscal officer to be paid \$16,977. Pay increases for elected officials requires legislative action which has not been forthcoming.

Mr. Peck then requested a motion to accept the December financial reports.

MOTION by: Bakle

SECOND by: Mayer

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

The December 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) report for December 2012.
 - (1) Talked to Defiance Municipal Court reference properties on Hammersmith Rd, and Lowell /Brand Rd. and was advised to mail another letter to owners to finish with the clean up by a couple of weeks, or they will be cited to appear in Court.

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

- b) Mr. Peck asked if there are any other zoning issues to come before the Board.
 - 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.
- b) The Township continues to seek informal quotes to purchase:
 - i) A replacement truck for the recently sold 95 Dodge – straight pick up;
 - ii) There was no progress reported on this acquisition since the October session.
 - (1) Trustee Peck is checking with local dealers.
 - (2) Trustee Bakle is monitoring ODOT for any of their equipment that might meet the Twp's needs.
- c) Trustees asked if Twp employees had any comments or concerns
 - i) Mike McKibben presented information that the Defiance County Soil and Water office had the basic parts of an old road/ditch sprayer. The unit needed a motor but in Mckibben's opinion could be fixed and used by the Twp. Soil and Water wanted \$400.
 - ii) Trustees instructed Grant to negotiate the price.

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

- a) Trustees reviewed exhibit 6-a monthly Twp Rd inspection by Trustee Peck.
 - i) Mr. Peck noted that Carter rd has some minor potholes. Fixing these due to time of year would require employees to use a torch to heat up the asphalt. This is to be done if conditions permit.
 - ii) Mr. Bakle noted that he has spoken with the County Engineer and there is a segment of Bowman road that is failing and will probably require full depth repairs. Employees are to monitor the depressions and patch as needed until the repairs can be effected which will be in the 2013 construction season.
 - iii) Employees were instructed to follow the work order of November if there was a need for snow removal in December.
 - iv) Trustee Peck will be conducting the monthly road inspection for December.
- b) Trustees reviewed the status of the proposed & completed 2012 projects as of this session.
 - i) The Trustees & the Co Engineer have confirmed the project list for 2012 with the County Engineer's office.
 - ii) As of 12-17-2012 this list is as follows – see co engineer's exhibit 6-b from the April Twp session- see minutes from Feb thru July for project history:
 - (1) purchase orders of 2012 that will fund the projects listed.
 - (a) P.O 9-2012 &
 - (b) B.C. 29-2012
 - (2) Trustees were referred to the minutes of the August session for a list of completed projects. Those projects that have not been posted to the Twp acc'ts remain on this agenda.
 - (3) Hammersmith road – ditch work – estimated cost \$20k –
 - (a) For portion of ditch west of Singer rd
 - (b) Project was awarded to Webb Const of Defiance.
 - (c) The work is complete, as of the August session
 - (d) The expense was in December posted to future Def Twp OPWC grants in November 2012.
 - (i) The amount was for \$44,497.50. (see attached amended certificate of this session which documents this expense)
 - (4) The remaining .7 mile of Hammersmith from Singer to State Route 111- Trustees are reminded to review the minutes from 2011 forward for history:
 - (a) County Engineer Warren Schlatter and the Trustees determined in the November 12 session to address this .7 mile rebuild project over the next three year period anticipated to begin in 2013.
 - (i) The entire .7 miles will be widen in 2013 and rough paved. The drainage ditch is also to be constructed. Property acquisition for right of way to widen the road and construct the ditch will be done by the County engineer. The engineer's office will also contract or construct the ditch in 2013.
 - (ii) .7 mile will be paved again in 2014
 - (iii) And the final smooth paving will be applied in 2015.
 - (iv) Cost estimates are being prepared by the Co Eng and should be provided to the Trustees by

the January County Engineer's elected officials session.

- (5) Indian Bridge lane: -
 - (a) A proposed future effort - on Indian Bridge lane:
 - (i) Pavement of the west side of the boulevard.
 - (ii) Trustees will apply for a 2013 CDBG grant for construction in 2014.

- (6) Singer Rd-Hammersmith intersection – drainage project - exhibit 6-b
 - (a) Chairman Peck noted that during the November session Trustees discussed the drainage concern at the intersection of Hammersmith Rd and Singer Rds. with the County Engineer Warren Schlatter.
 - (b) Storm water backs up and flows over Singer and Hammersmith during heavy rain events. This is believed to be caused from a collapsed tile under a private farm field. The field is also impacted as it does not drain properly. This project has been on hold since the spring of 2011. The project requires acquisition of right of way along Hammersmith and Singer Rds.
 - (c) County Engineer Warren Schlatter had described the proposed project at the Nov session.
 - (i) there is a tile under a field that abuts the east side intersection of Singer and Hammersmith roads. This tile is either plugged or collapsed. However, the tile is on private property and there is no history to document any agreement of maintenance or even how the tile came to be placed under this private farm field. The field is owned by George Newton 14309 Singer rd. The farm land is rented to Andy Schinninger 16158 Bostater Rd, Ney, Ohio. Mr. Shinninger proposed the plan which was prepared in part by Defiance County Soil and Water and is being presented by the County Engineer.
 - (ii) The plan (exhibit 6-b) is based on the need for certain property owners along Hammersmith and Singer to give up some land for right of way in order to expand the ditch system. Property owners are the County Commissioners, Walter Nickerson, George Newton, Joe Wiseman and Scott Galbraith. Each property owner would be asked to donate the right of way land.
 - (iii) The Farm Service Agency (FSA) would provide a grant to construct a swale over the farm property.
 - (iv) A 30" tile would be placed under Singer rd replacing the current 15" tile.
 - (v) The drainage area into the tile would be enhanced.
 - (vi) The ditches would be widened and possibly a new tile would be placed under Hammersmith near the Nickerson property.
 - (vii) As Hammersmith and Singer are Twp rds the Twp was asked to commit to expending \$11,200.
 - (viii) Mr. Schlatter noted that the Twp would need to place another tile along Hammersmith as well and that price was not part of this detail. Mr. Schlatter was asked by the Trustees what the total amount might be to the Twp. Mr. Schlatter responded that approximately \$20,000 to \$22,000.
 - (ix) Trustees noted that the present 15" tile under Singer road appears to be draining properly and that the problem exists on the private field. Trustees asked if a swale were constructed wouldn't that address the problem?
 - (x) Mr. Schlatter stated that there needed to be significant shaping & removal of soil from the east side drainage point of Singer rd. and a deeper swale in the field for the drainage to work properly. Also that FAS required a 30" tile. The FAX grant is not available without the 30" tile. That tile and the construction necessary to facilitate its proper drainage requires a cash outlay by the Twp.
 - (d) Trustees determined to table the project for further study until their January 2013 session.

- (7) Cromley Road – see minutes from Jan 2012 forward for history.
 - (a) Trustee Peck was to meet with a sales representative to review possible road projects that could be addressed through an application of a "micro surface product". The company was SCI Inc of Hamilton, Ohio.
 - (i) Mr. Peck stated he was unable to set this up as of this session but will continue to make this effort.

- (8) Defiance-Paulding Co line road #10 – Twp portion. From the Sept 2012 session, Trustees noted a section of the road was failing probably due to the summer's drought. Trustees were working with the County Engineer's office to have the failed area repaired before year's end. No cost estimate was provided in the Sept session...

- (a) In the Oct session Trustees noted that the County Engineer was not able to get a contractor to address this project in the remaining months of 2012 without significant mobilization costs. The price would also be higher due to the small size of the project.
 - (b) Trustees in discussion with the county engineer's office opted to address the repair in 2013 and have the County Engineer do patching and maintenance until the permanent repairs can be made in 2013. (will be part of the 2013 county engineer road project list – with more work the price is anticipated to be less).
- c) A financial impact review was presented by the fiscal officer:
- i) The total amount of expenditures proposed for 2012 special projects by the County Engineer's office through this session is \$287,022.27 (not including the Def-Paulding Co line rd #10 repairs). This includes \$144,509.70k in OPWC grants.
 - (1) (see minutes from Jan thru October for details).
 - (2) Trustees were reminded that:
 - (a) Regular twp expenses are estimated – base on historical review, at between \$70,000 and \$100,000
 - (i) Actual 2012 expenses paid with twp funds through December is \$142,512.57
 - (ii) Actual 2012 OPWC grant funds posted were \$144,509.70
 - (b) Anticipated revenues as noted in the 2012 amended certificate from the County Auditor for road work was \$156,345.00
 - (i) At present the Twp posted a positive cash flow of \$29,622.62 in its road accounts.
 - (3) The 2012 OPWC grant report update from the Co Engineer's Office –updated 11-30-12 by the County engineer's office. Trustees are referred to exhibit 3-h of this session regarding the amended certificate. The engineer's update is in that packet. This 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 October 2012 for history).
 - (a) 2012 OPWC postings:

(i) Indian Bridge Lane – culverts	\$11,057.52
(ii) Hammersmith rd – widening contractor work	\$81,275.00
(iii) Hammersmith rd – widening (by county)	\$ 7,679.68
(iv) <u>Hammersmith rd – (ditch contractor & pipe)</u>	<u>\$44,497.50</u>
(v) Total OPWC grant posting in 2012	\$144,509.70
 - (b) Current status – the OPWC has utilized future grants in the amount of **\$(68,460.26)**
 - (i) See letter from Co Engineer dated 11-30-12 in amended certificate packet
- (c) The Chair asked for discussion..... There was none.
- d) Chairman Peck stated that Trustees are to prepare for the County Engineer the Trustee's annual project list – which was distributed as exhibit 6-c- for road work on Twp roads during 2013. The form needs to be filled out and submitted to the County Engineer by Feb 4th, 2013.
- e) The December work assignments for the Twp crew – Trustees verbally instructed Twp operators to following the November work orders and in addition note the items discussed at this session..
- f) The Chair asked if there were any other projects/issues?
 - i) There were none presented.
- g) Twp cemeteries –
 - i) It was noted that a dead deer was laying exposed at the back end of Cromley cemetery.
 - (1) Trustees instructed Grant and Mckibben to pick up and dispose of this deer at the Defiance County Landfill.
 - (a) The fiscal officer noted that the operators should bring the invoice for the disposal charge asap to him for processing so that the 2012 expense is properly posted to the 2012 budget.

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

- a) The monthly (December 12) GrassRoots clippings – exhibit 7a was distributed.

ORDER OF BUSINESS NO. 8 – Old Business

- a) Up-date on “Fire-Rescue” regionalization discussion by Twp’s and the City of Defiance. Mr. Peck represents Defiance Twp.
 - i) Chairman Peck reported the Fire Rescue Regionalization Committee meeting is proceeding and will promote a regional fire/rescue service. This will require additional taxes and the committee is planning to place that request before the voters probably in 2013.
 - (1) The region will probably consist of the City of Defiance, Noble, Highland, Richland, Defiance and Tiffin Townships.
 - ii) Trustees then discussed the possibility of placing a levy before the Def Twp voters to see if they wished to have a volunteer fire department of their own.
 - (1) Trustees believe it may be less expensive for Defiance Twp citizens then participating in the regional concept.
 - iii) Mr. Peck again suggested that the hospitals of Defiance should be charged for at least a portion of the transport charges. According to his research hospitals everywhere use government paid for rescue services to provide transportation of emergency patients to the hospital emergency room. This free for hospital transportation service, creates a large revenue stream for the hospital. He reasoned that if the hospitals revenue is enhanced by providing medical care through the emergency process then hospitals should be charged for at least some of the expense of getting their patients to their facility.
 - iv) Mr. Peck will continue to report to the Trustees on the developments.
- b) The Fiscal officer reported that he has successfully completed the new UAN accounting software training. The program will be used as of January 1, 2013.
 - i) The new software requires converting data in present system to the new system then set up the 2013 accounting in the new software.
- c) The Chair asked if there is any other old business.
 - i) There was none.

ORDER OF BUSINESS NO. 9 - New Business.

- a) The Chair asks if there is any new business to come before the board?
 - i) It was noted that the 2013 Ohio Twp Winter Conf – in Columbus, Ohio January 30th, through Feb 2nd.
 - ii) The fiscal officer will register for the conference those who are approved to attend.
 - (1) Trustees Bakle, Mayer, Zoning Officer Shaffer and Fiscal Officer Houck.
 - (2) Trustee Mayer will make room arrangements.
- b) The Chair asked if there was any other new business to come before the board?
 - i) there was none

ORDER OF BUSINESS NO. 10 - NEXT MEETING: will be the annual re-organizational session. This session will be held:

Date: Tuesday – January 8th, 2012.
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. 11 – Adjournment:

Mr. Peck requested a motion to adjourn the meeting of December 17th, 2012
It was moved by: Bakle

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