

Minutes
DEFIANCE TOWNSHIP TRUSTEES
December 20th, 2011 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 20th, 2011 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 -Clerk. 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, Ed Young 23013 Watson Rd, Mike Daniels 21786 St Rte 637, Joe Kolb 16492 Cullen rd - eq operators & Ruth Ann Schofield 15968 Campbell Rd, & Tom Mick 21389 Hammersmith rd– Zoning Commission.

Visitors present: Dave Mick 14289 Hammersmith rd, Rhonda Shaffer 13386 State Rte 15, & JoEllen Houck 8 Deville Drive, Defiance, Ohio.

ORDER OF BUSINESS NO. 1

Reviewed and approved the minutes of the previous session. Chairman Bakle pointed out that the minutes noting the next session stated the session would be Thursday. The correct meeting day is Tuesday.

Chairman Bakle requested a motion for the approval of minutes from the November 29th, 2011, regular session noting the correction above.

Peck moved to approve.

Mayer seconded.

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

The minute's for the November 29th, session were approved as amended.

ORDER OF BUSINESS NO. 2 - Citizen concerns:

- a) The chair asked for citizen concerns from the floor.
 - i) 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 \$244,661.34 balance is minus the outstanding checks and Township investment funds.
- b) Receipt report:
 - i) Receipts for December 11 were \$14,233.82.
- c) Payment reports:
 - i) Payments for December 2011 were \$25,263.27.
- d) The Cash fund summary through December 18th, 2011, showed an “ending cash balance” of \$935,588.58.
 - i) The unencumbered cash balance “cash available” was \$684,364.60 which is the balance after encumbrances are subtracted from the cash balance.
- e) Appropriation Status showed that through December 18th, 2011, 22.8% 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 12-18-11 was \$703,315.02.
- g) The fiscal officer then reviewed proposed resolution 2011-14. This resolution – authorizes use of Twp funds for payment of membership dues for both the Ohio Twp Association and the Defiance County Township Association for 2012. ORC requires an approval by the Trustees desiring to use Twp funds to pay for said memberships. This is an annual process.

Peck moved to approve.

Mayer seconded.

The vote being 3 Yea(s) 0 Nae(s)
Resolution 2011-14 was approved.

- h) Trustees reviewed and signed the December bills without comment.
- i) The fiscal officer informed the Trustees that the final year end carryover dollars will differ slightly from the fiscal exhibits of this session as interest and several late revenue checks will be posted before closing out the year. This is due to the fact that the December Trustee meeting is held earlier due to the Christmas and New Year's holidays.
- i) Trustees reviewed and signed the December payroll –
- j) Mr. Bakle requested a motion to accept the December financial reports.

MOTION by: Peck

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 2011.
 - (1) I spoke with Matt Killion reference the Donald Bendele property on Power Dam Road. Matt explained that the City of Bryan, Ohio has right of way, or an easement along the Auglaize River to an elevation of 696 feet, and has the right to flood the Auglaize River to that elevation, as he sees fit, to produce more water flow to the Power Dam, to make more power to the City of Bryan, Ohio.
 - (2) Matt Killion and I looked at the elevation map that he has given me for the purpose of explaining it to Don Bendele. The map (copy provided to fiscal officer for records) showed that the City of Bryan, Ohio has the easement to elevation 696 feet, and that Don has hauled in materials, (Dirt, and stone products) to level out his property along Power Dam Road. According to his map Don has hauled in enough material to take about 100 feet of river bank away from the City of Bryan, Ohio.
 - (3) Matt Killion agreed that if Don Bendele does not put any more material on the bank, and does not add to the bank. Don can leave what he has there. If he does put more material there, he will have to have it removed at his expense, and possible legal actions with the City of Bryan, Ohio.
 - (4) At this time, I explained to Matt Killion, that Bendele hasn't done anything that anyone else hasn't done along the river bank, and Matt stated that he has, and he received complaints, from people reference this materials. I asked Matt who was the complainants. He would not answer, and I stated that it is Allen Killion, and Ed Steffel the only ones. Matt answered yes. Matt stated that he didn't want to make him move his trailer, or anything else, but if he did, everyone along the river would have to do the same, and Matt stated that he did not want that to happen.
 - (5) I spoke with Don Bendele on 12/17/2011. I advised Don that he is not to put anymore material down by the river bank, and explained to him that the City of Bryan, Ohio has an easement, and that it would be his loss if he builds it up more, and possible legal actions. He understood.
- b) Mr. Bakle 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.
 - i) Daniel's – in answer to a question about ongoing repairs to the International by Mr. Bakle – noted that the hydraulic pumps are being replaced. Mr. Bakle asked why this was necessary and Daniels responded that the unit hadn't been washed and the salt corroded the pumps.
 - ii) Trustees are working to acquire a vendor to wash the units at the Twp's maintenance building after each snow removal/road salting effort.
 - iii) Tom Mick was recognized and asked what was wrong with the salt spreader on the snow trucks as there was a log of salt at the intersection of Krouse and Hammersmith. Mick thought this was wasteful.

- (1) Twp Operator Daniel was asked by the Trustees for an assessment. Daniel stated he might have errored in replacing the dowels when he last worked on this unit. He will check this out.
- b) The Chair asked if there were any other equipment issues to be discussed?
 - i) There were none.

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 Peck was reviewed.
 - i) The Trustees again verbally instructed operators to notify them if the operator is unavailable for snow removal work.
 - (1) Joe Kolb was recognized and said he would be out of Town periodically over the period from December 24th to Jan 2nd.
 - ii) Mr. Peck stated the County Engineer's office will soon conduct their annual review of Township roads to be used to make project proposals to the Trustees.
 - iii) The January road review is to be by Trustee Mayer
- b) Trustees then reviewed the status of 2011 projects & proposed projects for 2012 as of this session: - see past minutes of 2011 for review of items completed.
 - i) The 2011 work of projects being done by the County Engineer on the Twp's behalf was completed as of the November session.
 - (1) The 2011 Project list final was approved in the April meeting. It was presented to Trustees as exhibit 6-c-1 in the April session.
 - (2) This list had a cover letter dated 3-24-2011 which noted the new road project(s) that the Co Engineer will undertake for the Trustees in 2011.
 - ii) Trustees are now discussing the project list for 2012. (see minutes from November 2011 for history).
 - iii) As of 12-20-2011 the 2012 list is as follows:
 - (1) Hammersmith road – ditch work – estimated cost \$20k – carryover from 2010
 - (a) As of 12-20:
 - (i) For portion of ditch west of Singer rd
 - (ii) Project was awarded to Webb Const of Defiance.
 - (iii) The Co Engineer has stated this project will be done in spring of 2012 or just before this section of the road is rebuilt.
 - (iv) The rebuild of Hammersmith rd from Krouse to Signer is now proposed for 2012 per Mr. Bakle.
 1. The estimated project cost for this section of the rebuild is \$150k.
 - a. \$80k from the OPWC grant and;
 - b. \$70k from Township funds.
 - (2) A 2nd Hammersmith ditch proj between St Rt 111 and Twp maintenance building – also initially scheduled in 2011 – estimate expense is unofficial – work is to be performed by Co Eng crew
 - (a) As of 12-20:
 - (i) The Co Engineer has stated that this project will be done by the Co when the road rebuild of this section is to be done.
 - (ii) This is now anticipated to take place in 2013 or 2014 depending on Twp available funds.
 - (iii) The Co engineer's staff will be able to do the work for \$10k or less as estimated as of August 2011.
 - (3) Indian Bridge lane: - paving project for 2012 with CDBG grant and OPWC grant - \$5,200
 - (a) As of 12-20:
 - (i) In August 2011 – Trustees voting 2-1 approved the use of Twp funds to pay the following:
 1. Drainage project – \$9k to \$12k
 - a. Consists of 9 of 11 drainage pipes – to drain storm water on east side of the boulevard to the center of boulevard ditch.
 - b. Work to be by county engineer over winter of 2011-2012
 2. In 2011 the Twp was approved to receive \$15,800 CDBG grant dollars in 2012 towards the paving project in grant funds
 3. The Twp is pledged to provide \$5,200 towards paving
 4. Trustee Bakle has indicated he will support applying for a CDBG grant in 2012 for

pavement of the west side of the boulevard.

- (4) Ball Road
 - (a) A chip & seal
 - (b) Possible replacement of the culvert at Ball and Canal (this issue was patched in the fall of 2011) and may or may not need replaced.

- (5) Cromley Road
 - (a) A chip and seal on the portion from Krouse east for approximately 2600'.

iv) In 2011 the total for agreed upon projects by Co Engineer as of 12-20-11 had been estimated to be \$69,102 more or less – not including the grant funds which must be posted to the Twp accounts.

(1) Regular twp expenses were estimated – base on historical review, at between \$70,000 and \$100,000

(2) Anticipated total projected rd work expense in 2011 was \$169,102.

(a) Actual total rd expenditures in 2011 excluding OPWC grant dollars were \$90,842.00

(3) Anticipated revenues as noted in the 2011 amended certificate from the County Auditor for road work was \$159,345.00

(a) Actual total rd \$174,833.38

v) OPWC grant funds for Def Twp – status:

(1) As reported in the amended certificate information of this agenda: an accounting by the Co Eng office of the OPWC grant funds being expended on the Twp's projects was provided.

(2) The 2011 grant includes carryover funds from previous OPWC grants–

(a) The exhibit listed the projects completed and posted from grants of 2009 through 2011

(b) The 2011 grant total as of Jan 1 was \$73,149.

(c) The expenditures from 09 through December 20th, were (\$20,679.48)

(d) The grant balance now stands at (no change from Sept) \$55,275.01

(e) The chair asked for discussion if any.....

vi) Other projects/issues were then reviewed. Trustees were provided with exhibit 6-c. This is the annual project form from the County Engineer's office. Proposed work for the Twp by the Co Engineer is to be listed on this form and submitted to the County Engineer at the annual Elected Officials – Engineer's session on January 19th. The form must be turned in by Feb 6th per the cover letter.

c) Salt purchases for 2011-2012 for snow removal efforts by the Twp.

i) Trustees reviewed exhibit 6-d - a spreadsheet noting salt mix acquired by the Twp from the County Engineer and stored in the Twp salt bins on Hammersmith road.

ii) The twp is acquiring mixed salt (2 parts salt 1 part grit) at \$55 per ton.

d) The December work assignments for the Twp crew – exhibit 6-e- was reviewed and handed out to staff without discussion.

e) Twp cemeteries –

i) No issues reported.

f) The Chair asked if there are any other questions or concerns...

i) There were none.

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

a) Monthly (December 11) GrassRoots clippings – exhibit 7a was distributed without comment.

b) The Chair asked if there were any other comments on the hand outs of this session.

i) there were none.

ORDER OF BUSINESS NO. 9 – Old Business

- a) Trustees were up-dated on “Fire-Rescue” regionalization discussion by Twp’s and the City of Defiance. Mr. Peck represents Defiance Twp. Mr. Peck stated the discussions continue per last month’s status review by Defiance Fire Chief Dave Schmaltz to the Trustees. (see mins of Nov 2011).
- b) The Chair asked if there was any other old business
 - i) There was none.

ORDER OF BUSINESS NO. 10 New Business.

- a) The Chair asked if there was any other new business to come before the board?
 - i) There was none.

ORDER OF BUSINESS NO. 11 - NEXT MEETING: will be the annual re-organizational session. This session will be held:

Date: Tuesday – January 10th, 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. 12 – Adjournment:

Mr. Bakle requested a motion to adjourn the meeting of December 20th, 2011

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