

Minutes
DEFIANCE TOWNSHIP TRUSTEES
December 20th, 2022 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, 2022 at 6:30 p.m. Answering as present were Dan Peck, & Jason Shaffer. Diane Mayer was excused due to health issue. With two (2) of three (3) members of the BOARD OF TRUSTEES having answered the roll, a quorum was declared.

Township employee(s) present were: Steve Buchholz 1615 South Clinton St., & John Diemer 23361 Defiance-Paulding Line Rd. all of Defiance, Ohio.

Visitors present: Rhonda Shaffer 13386 St. Rt 15, and JoEllen Houck 8 DeVille Dr. of Defiance, Ohio.

ORDER OF BUSINESS NO. 1

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

The Chair requested a motion for the approval of minutes from the November 22nd, 2022 regular session.

Mr. Peck moved to approve the minutes as presented.

Mr. Shaffer seconded.

The vote being 2 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 –

- 1) The following financial reports provided to the Board were reviewed.
 - a) The Reconciliation for November - noted a primary checking reconciliation balance of \$306,040.29 - balance is minus the outstanding checks and Township investment funds & is taken from the Bank's monthly statement.
 - b) Receipt report:
 - i) Receipts for December (UAN software-) were \$20,676.82.
 - c) Payment reports:
 - i) Payments for December (UAN software-) were \$32,332.37.
 - d) The Cash fund summary through- December 18th, 2022 (UAN software) showed an "ending fund balance" of \$1,428,898.04.
 - i) The "cash available" for encumbrances (unencumbered fund balance- UAN software) was \$973,305.40.
 - e) Appropriation Status showed that through December 18th, 2022 (UAN software), 27% 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 12-18-2022 was \$1,155,083.24.
 - g) American Rescue Plan Act – Def. Twp – refer to mins of Twp sessions from July 2021 forward for details.
 - i) The Ohio Office of Budget Management (OBM) is managing the grants for many of Ohio's political subdivisions.
 - (1) As of this session the Def. Twp award is for \$176,505.54 + \$352.32 from OBM received in March 2022.
 - (2) All awarded funds have been deposited into the Twp's accounts.
 - (3) In April 2022's Twp session Trustees approved resolution 10-2022 which designates use of these funds on the 2022 Bowman Rd rebuild.
 - (a) A payment for widening Bowman road was made in June to the Co. Eng.
 - (b) A second payment for paving was made in November to the Co. Eng.

- (c) Total expended to date is \$158,703.95.
- (d) Remaining funds in this fund line is \$32,611.06.
 - (i) This includes \$352.32 from the state in a distribution in March 2022. The Federal American Rescue Plan web site does not acknowledge this disbursement.
- (4) The chair asked if there are any questions?
 - (a) Will Trustees apply remaining funds in this line to the 2023 Bowman Rd rebuild?
 - (i) Trustees asked the fiscal officer to prepare a resolution to approve use of the Township's remaining American Recovery Act funds to the 2023 Bowman Rd rebuild project.
 - (ii) the fiscal officer will prepare a resolution dedicating remaining funds to the project as required by law. Resolution will be prepared for adoption at the budget session in January.
- h) ODOT grant "Twp Stimulus Program". Funding provided by Federal government – part of covid relief to states. See mins of sessions from August 2021 forward for details.
 - i) On November 23rd, 2021, the County engineer prepared grant applications:
 - (1) The Twp was awarded a grant of \$175k for the reconstruction of Ginter Rd. (joint project with the City of Defiance).
 - (a) The award (grant) has been deposited in the Twp's checking account.
 - (b) The fund line in the UAN system has been set up and the award/grant has been posted to the fund. The State Auditor's Office provided guidance on the required use of fund line.
 - ii) As of this session:
 - (1) The money is not appropriated at this time as it is not needed until 2023.
 - (2) The chair asked for any discussion?
 - (3) There was none.
 - i) Arps Hardware – billing issues:
 - i) In early Dec the fiscal officer received a statement from Arps Hardware stating the Twp was beyond 60 days on its bill.
 - ii) Upon a check of Twp records it was established that Twp had paid and mailed checks for all bills owed. This was conveyed to Arps Hardware.
 - iii) Arps called and stated they had not received the Twp checks issued in Sept or Nov. (they did have and deposited the Oct check).
 - iv) As of this date (12-20) the Twp emailed the following to Arps.
 - v) The fiscal officer has reissued checks for twp checks 6323 issued 9-24 and check 6372 issued 11-19. Documentation of both were previously provide to Arps in pdf form via email.
 - vi) The Twp fiscal officer instructed Arps that if either check shows up, they have agreed to void it and send it to the fiscal officer for the Twp records.
 - vii) Further, Arps was informed that the Twp meeting is dec 20 - trustees will sign the reissued checks and fiscal officer will mail them on 12-23 along with the Dec check.
 - viii) The Twp fiscal officer will include copies of the invoices the checks cover. This should balance out the Twp account.
 - ix) The fiscal officer recommends that the Twp does not do any additional business with Arps until Arps confirms that our debts have been satisfied.
 - x) Discussion?
 - (1) Trustees agreed to suspend business with Arps until Arps' has confirmed to the fiscal officers' satisfaction that the Twp's account has been verified as clear of debt.
- j) December bills through the 20th, – Trustees Review – Discussion and Signature.
- k) Payroll & December time cards (time cards provided trustees prior to session) – Trustees Review – Discussion and Signature.
- l) Mr. Shaffer requested a motion to accept the November financial reports.

MOTION by: Peck

SECOND by: Shaffer

YEA(s) 2 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) December monthly Zoning report -
 - i) permits issued:
 - (1) Bill Hughes Haymaker Road- addition to garage none
 - ii) Zoning issues:
 - (1) Talked to Gary(appraiser) for zoning on Williams Road
 - (2) Talked to someone about Zoning for Sponseller Road property- was listed for sale
 - iii) Nuisance violations:
 - (1) None in December
 - iv) Site reviews:
 - (1) None
 - v) Misc :
 - (1) None

Respectfully submitted
John Diemer, Twp. Zoning Inspector

- b) The Chair again asked if there were any other zoning or nuisance issues to come before the Board.
 - (1) There were none.

ORDER OF BUSINESS NO. 5 -- Equipment;

- a) Comments or concerns from Twp employees/Trustees on current or proposed new eq &/or safety items.
 - i) Possible new truck to replace 2005 F550 – refer to mins from July 2022 Twp session forward for details.
 - (1) December Update –
 - (2) The fiscal officer was contacted by Stykemain’s Paulding store.
 - (a) 1255 N. Williams St
 - (b) Paulding, Ohio 45879
 - (c) 419-399-2031
 - (3) The sales rep is Brian Davis – brian@stykemainchevy.com
 - (4) Davis said he was instructed to call me by Steve Buchholz
 - (5) We confirmed:
 - (a) Stykemain’s is not part of the DAS system.
 - (i) The fiscal officer provided contact information for Stykemain’s and they will see if they can become a DAS dealer.
 - (b) Stykemain’s will also provide a bid spec document in word formatting to the Township. Said specs must be modified to allow for other brands to bid.
 - (c) The fiscal officer informed Stykemain’s that we would like to begin the public bid process as soon as possible in the new year.
 - (d) As of this session we await the bid specs.
 - (e) Discussion
 - (i) There was none.
 - ii) **Exhibit 5-ii** was an email noting a citizen request for a Hammersmith rd sign. Mr. Peck was contacted.
 - (1) The fiscal officer noted that road name signage is the responsibility of the County Engineer.
 - (2) Discussion..
 - (a) There was none.
 - iii) Trustees asked if the equipment was ready for a snow/ice event or if there were any eq. issues.
 - (1) Buchholz stated the eq is ready and there are no issues at present.
 - iv) The Chair asked if there were any other eq issues for discussion?
 - (1) There were none offered.

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) It was noted that May road may need graded this spring. It is beginning to “wash board”.
 - ii) There were no other issues.
 - iii) The January review is to be by Trustee Peck.

b) 2022 Road projects:

- i) Trustees should refer to exhibit 6-b dated March 31st, 2022, from the Co. Engineer presented at the April 26th session. This is the 2022 list of Trustee approved projects for the Co. Engineer.
- ii) The road maintenance program is tracked separately in this agenda from the Bowman Rd rebuild or other Twp road expenses assigned by Trustees to Twp personnel or other private contractors.

(1) Trustees approved the Co. Engineer proposals as follows for 2022:

	Est.	Actual cost
(a) Paving: -		
(i) Link Rd. 1124' – from Power dam to Power Dam	\$16,864	\$16,083.33
1. Proj complete – and pd as of 11-22-22		
(b) Chipseal:		
(i) Kibble Road – from Canal to Winn - 2652'	\$5,078	\$5,136.09
(ii) Winn Rd – from Kibble to dead end – 718'	\$1,388	\$1,495.40
(iii) Estimated total exp. of chip seals	\$6,466	\$6,631.49
1. Proj complete – and pd as of 11-22-22		
(c) Patching: for 2022 completed and pd as of 5-24-22.		
(i) Estimated total patching exp -	\$12,891	\$14,067.20
(d) Crack Seal-		
(i) None in 2022		
(e) Pavement Markings:		
(i) None in 2022		
(f) Total est and final expenses for 2022-	\$36,221	\$36,782.02

- iii) Re-build and widen 4 miles of Twp's portion of Bowman Rd. – see mins from Feb. 2018 for history.
 - (a) There was no construction work done in 2019 due to scheduling issues.
 - (b) Approximately 1 mile of the 4 mile project was completed in 2020:
 - (c) Approximately 1 mile of the 4 mile project was completed in 2021.
 - (d) Approximately 1 mile of the 4 mile project was completed in 2022.

(1) As of this session: all work for 2022 is complete and paid.

- (i) TOTAL ESTIMATED ON BOWMAN PROJECT IN 2022 was \$135,320
 - 1. **Actual total** **\$144,599.12.**
 - 2. Trustees have determined to dedicate the Twp's American Rescue Plan grant to this project. Refer to item 3-g above.

(2) **2023 section (final mile of proj)**

- (a) prep by co engineer to be billed to OPWC grant in 2023.
 - (i) Estimated owed per Co Eng Office – Jeff Timbrook - is 80k plus or minus this may include some tree trimming projects the Trustees had requested.

(3) Per past practice, the County Engineer's Office will coordinate all activity.

iv) Twp projects by Twp staff or other contractors for 2022:

- (1) The Chair asked if there are any proposed or in progress projects for the Twp staff or private contractors for 2022?
- (2) Re-build Ginter Rd. from Jefferson Ave. (St. Rt 66) to Carter Rd - see mins from Jan 2020 forward for details.
 - (a) Trustees and the City agreed to a rebuild project. An agreement is on file and prints out a summary of the work to be performed.
 - (i) Estimated project cost is: \$162,296.49.
 - (ii) this is for road reconstruction only – the City has agreed to pay for the proposed sidewalk-bike path.

(iii) As of 03-29-22 an ODOT stimulus grant written by Co. Eng. Schlatter on the Twp's behalf was approved for funding this project.

1. The grant award is for \$175k

(iv) This grant has been posted to Twp fund lines as of this session.

(b) This project is scheduled for 2023.

(c) Discussion:

(i) There was none.

(3) Rebuild of Carter Rd. refer to mins of 8-24-21 Twp session.

(a) Trustees to determine timeframe based on available road dollars in the Twp road funds:

(b) Discussion:

(c) None.

c) A City of Def and Def. Twp road share Maintenance Agreement –see mins from August 2021 session:

(1) as of this session – 12-22:

(a) **Exhibit 6-c-** is the executed agreement.

(b) This item will be removed from future agendas.

d) **2022 financial impact review by the fiscal officer:**

i) The fiscal officer reported:

(1) Total road fund revenues year date are **\$237,431.15**

(2) Total road fund expenses year to date are **\$ 76,242.49**

(a) These figures are tracking road tax revenues regularly received and expended by the Twp.

(b) **These figures do not include the grant money- American Rescue Plan or ODOT stimulus.**

(c) Road salt purchased - 2022– total \$5,927.50

ii) Anticipated road funds revenue (tax receipts) for 2022 – based on the January 7th, 2022 1st Twp amended certificate was:

(1) \$227,450 more or less

iii) Anticipated expenses for 2022 – as of this session:

(1) Regular twp. expenses anticipated for the year, baring emergencies. The estimate for 2022 – based on historical review, is placed at between \$70,000 and \$100,000 – would include Twp projects estimated or completed so far this year.:

(2) 36 k Road maintenance program by Co. Engineer - has been estimated by fiscal officer - in 2022 – refer to proposal from Co. engineer – exhibit 6-B of the 3-29-22 Twp session.

(a) Project is completed and pd as of this session – 11-22-22.

(3) \$136k – estimated for Bowman Rd rebuild in 2022 - exhibit 6-B of this session.

(a) To be funded by American Rescue Plan grant per Trustee resolution.

(i) Project complete and pd as of this session – 11-22-22.

(4) savings towards Carter rd rebuild - project construction is expended in 2023. (unless Trustees determine another project.)

(i) it is anticipated that 40k per year will be earmarked in 2022 and 2023.

i) Discussion;

(1) none

e) **A recap of the OPWC grants (LTIP & Issue 2)**– see minutes of previous sessions for history. An update was last received from the Co Engineer's Office dated 01-06-2022 (exhibit 6-f of the Jan. 25th session).

i) Current status as reported by the fiscal officer

(1) The Engineer had 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 3 years (2022, 23 & 24) or a total of \$75k remaining give or take.

(2) The 2022 grant of \$48,700.00 is posted to Twp grant as of 1-6-22.

(a) Grant fund balance as of 1-6-22 is \$73,444.92.

(3) –OPWC grant work anticipated for 2022 - none.

(a) Trustees are reminded that there is no longer a discount in effect from the Co. Engineer for work done on the Twp's behalf by Engineer staff.. Use of funds is 100%.

(4) Discussion:

(a) None.

f) The Chair asked if there was any other discussion regarding the fiscal impact report or other road issues?

- i) There was none.

ORDER OF BUSINESS NO. 7 - Cemetery issues for discussion.

- a) The Chair asked if there are any cemetery issues for discussion?
 - i) **Exhibit 7-i** is an updated drawing of the available Taylor cemetery lots.
 - (1) On Dec 3 a Betty Varner (cremated remains) was buried in lot 31. Note there is also a Raymond Varner in lot 31. There is 1 remaining plot in lot 31.
 - (2) Until this burial the map provided by the surveyor did not indicate any bodies buried in the lot.
 - (3) Also, there was no deed provided to the Twp which showed that Betty Varner or family owned the lot. This is required per Twp policy – attached as part of the exhibit.
 - (4) Also attached to the exhibit is a certificate of cremation from Shaffer funeral home.
 - (5) The funeral home did collect the Twp cremation burial fee \$50 and has provided it to the Twp. The fiscal officer has deposited it into the Twp accounts.
 - (6) Discussion:
 - (a) Trustees reviewed the drawings and policy and instructed the fiscal officer that the remaining plot in lot 31 **will not be sold**. This was noted on the drawing.
 - ii) **Exhibit 7-ii** is a drawing of Cromley cemetery.
 - (1) Recently there was a burial of an urn (cremated remains) that took place without Twp knowledge.
 - (2) Per Steve Buchholz there is an issue with lot 23.
 - (3) The fiscal officer notes that the only record(s) of burials or ownership of lots is the drawing of the cemetery.
 - (4) Discussion.
 - (a) Buchholz stated he had contacted the City of Defiance and was told that people also dispose of ashes at the City Riverside cemetery without proper authority.
 - (b) Trustees reviewed exhibit 7-ii and took no further action.

ORDER OF BUSINESS NO. 8 – PERSONNEL

- a) The Chair asked if there are any personnel issues for discussion.
 - i) The fiscal officer stated that Buchholz had informed the fiscal officer that Nicholas Schlosser verbally resigned his Twp operator's position. Buchholz confirmed.
 - ii) The fiscal officer noted he had sent Schlosser an email on 11-19-22 asking for a return email stating Schlosser's intention to resign.
 - iii) The fiscal officer spoke via cell phone on 12-11-22 with Schlosser asking for a written resignation. Schlosser agreed. The fiscal office emailed confirmation of this request also on 12-11-22.
 - iv) As of this session 12-20-22 we await a written resignation from Schlosser.
 - v) Trustees instructed the fiscal officer to prepare a resolution accepting the verbal resignation of Schlosser. Trustees intend to approve the request via the resolution at their Jan. budget/regular session.

- i) The Chair asked if there were any other personnel issues for discussion?
 - (1) There were none.

ORDER OF BUSINESS NO. 9 - Handouts.

- a) Monthly (December 22) GrassRoots clippings – **exhibit 9-a**
- b) **Exhibit 9-b** – is a required to be displayed BWC work place safety poster. Copy to be placed in Twp building bulletin board.
 - i) Trustees provided a copy to Buchholz and instructed him to place the notice on the bulletin board in the Twp maintenance building.
- c) **Exhibit 9-c** – is notice of insurance coverage reductions from OTARMA.
 - i) Impacts – reduces coverages on:
 - (1) Communicable disease
 - (2) General liability and;
 - (3) Employment practice liability

ORDER OF BUSINESS NO. 10 - Old Business

- 1) The Chair asked if there was any old business to come before the Board?
 - i) OTARMA is conducting its annual "risk management" review on 11-02.
 - ii) **Exhibit 10-a** is the inspection report with recommendations that require a response from the Twp.
 - (1) Trustees should fill out the responses and return it to the fiscal officer who will then forward it back to OTARMA.
 - (2) Discussion?

- (a) Trustees Shaffer and Peck will determine preparation of a response.
 - (b) Trustees asked the fiscal officer to prepare a sexual harassment policy for their review.
 - (c) Trustees asked the fiscal officer to draft language to update the Township's present driving policy to include language as noted in the OTARMA recommendation that does not allow non-township employees in Twp trucks.
- b) The Chair asked if there was any other old business to come before the Board.
- i) There was none.

ORDER OF BUSINESS NO. 11 - New Business.

- c) The Chair asked if there was any new business to be discussed....
 - i) There was none.
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ORDER OF BUSINESS NO. 12 - NEXT MEETING:

- 1) The next regular session.
- a) The next session.

Date: Tuesday, January 17th, 2023 regular business/re-organization and budget session. This meeting is to be posted to the Twp web page for public notice.

Time: 6:30 p.m.

Place: Defiance County Commissioners building
2nd floor conference room
500 Court St.
Defiance, Ohio 43512

ORDER OF BUSINESS NO. 13 – Adjournment:

- 1) Mr. Shaffer requested a motion to adjourn this meeting of – December 20th, 2022.
- It was moved by: Peck
SECOND by: Shaffer

The roll was called and the vote was:

YEA(s) 2 NAY(s) 0 The motion: Passed X Failed

MEETING ADJOURNED

Respectfully Submitted

Timothy J. Houck, Fiscal Officer-Clerk