

Monday, January 24,

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The Bainbridge Township Board of Trustees met in Regular session at the Bainbridge Town Hall on January 24, 2011. Those present were trustees, Mr. Jeffrey S. Markley, Mr. Matthew J.D. Lynch, Mrs. Lorrie Sass Benza and Fiscal Officer Mrs. Cherianne H. Measures. Mrs. Benza presided and called the meeting to order at 6:00 P.M.

EXECUTIVE SESSION

Mr. Markley made a motion to go into executive session to discuss the employment of a public employee per Ohio Revised Code Section 121.22(G)(1).

Mrs. Benza seconded the motion that passed unanimously.

The trustees recessed their regular meeting at 6:01 P.M. in order to go into executive session to discuss the employment of a public employee.

The trustees returned from executive session, after discussing the employment of a public employee, reconvening their regular meeting at 7:19 P.M.

INSTALLATION OF POLICE LIEUTENANT

Chief Jon Bokovitz presented Robert Weir as the new Lieutenant of the Bainbridge Police Department. Mr. Weir has been with the department for 24 years and is very dedicated. He was presented with his badge on January 20, 2011. Lt. Weir thanked all the members of the department for coming on their own time.

MINUTES

The minutes of the trustees' January 12, 2011 and January 17, 2011 special meetings were approved as read.

DEPARTMENTAL REPORTS

POLICE DEPARTMENT

Chief Jon Bokovitz presented the monthly report for the Police Department for the month of December, 2010. He also wanted to be sure the residents of Bainbridge are aware that the Police still do house checks for residents who are out of town.

FIRE DEPARTMENT

Chief Brian Phan presented the monthly report for the Fire Department for the month of December, 2010. There were 1301 calls in 2010 making it a record year. There was a severe house fire today. Be advised that regular use of a wood burner or fireplace requires the chimney to be checked and cleaned at least annually.

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ZONING DEPARTMENT

Mr. Shane Wrench, Zoning Inspector, presented the monthly report for the Zoning Department for the month of December, 2010. Mr. Wrench received the information from GES, and will be sending an information packet for claims.

Mr. Wrench also stated that the Police Department well project is not going well.

PRESENTATION BY GUESTATC Associates, Inc., Chagrin River Watershed Partners, and EnviroScience

Mrs. Amy Brennan of the Chagrin River Watershed Partners gave a brief overview of the project. Mr. Doug Darrah, from ATC Associates, Inc. explained the hydrogeological study and the results of the study. ATC has a copy of the full report in the front room for questions.

Mr. Joel Bingham, restoration biologist for EnviroScience, explained how 3 companies merged to form Riverworks. Mr. Bingham proceeded to explain the process of the stream restoration project.

Mrs. Benza asked that anyone with questions move to the front room to take full advantage of the experts present.

A short recess was called at 7:54pm. The meeting reconvened at 8:00pm.

POLICE DEPARTMENT – NEW BUSINESSRetirement of a Public Employee

Mr. Lynch made a motion to accept the letter dated January 10, 2011 from Danya Morgan, Dispatcher, announcing her retirement effective February 25, 2011, per the recommendation of the Police Chief.

Mrs. Benza seconded the motion which passed unanimously.

Professional Training Requests

Mr. Markley made a motion to approve the professional training request dated January 11, 2011 for Sergeant Andy Kelley to attend a class for methamphetamine drug class in Richfield, OH on February 24, 2011 at a cost of \$50.00, per the recommendation of the Police Chief.

Mr. Lynch seconded the motion which passed unanimously.

Mr. Markley made a motion to approve the professional training request dated January 11, 2011 for Patrolman John Bodovetz to attend a class for methamphetamine safety concerns of clandestine laboratories in Richfield, OH on February 24, 2011 at a cost of \$50.00, per the recommendation of the Police Chief.

Mr. Lynch seconded the motion which passed unanimously.

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Mr. Markley made a motion to approve the professional training request dated January 12, 2011 for Patrolman Brian Frew to attend a class for methamphetamine safety concerns in clandestine laboratories in Richfield, OH on February 24, 2011 at a cost of \$50.00, per the recommendation of the Police Chief.

Mr. Lynch seconded the motion which passed unanimously.

Mr. Markley made a motion to approve the professional training request dated January 12, 2011 for Patrolman John Ross to attend a class for OPOTA traffic collision investigation level I in London, OH from March 14, 2011 to March 25, 2011 at a cost of \$1,068.00, per the recommendation of the Police Chief.

Mr. Lynch seconded the motion. Vote was tabled until the February 14, 2011 meeting awaiting further clarification.

Mr. Markley made a motion to approve the professional training request dated January 11, 2011 for Sergeant Andy Kelley to attend a class for civil liability for law enforcement managers in Richfield, OH on March 31, 2011 at a cost of \$50.00, per the recommendation of the Police Chief.

Mr. Lynch seconded the motion which passed unanimously.

Mr. Markley made a motion to approve the professional training request dated January 11, 2011 for Patrolman John Bodovetz to attend a class for arrest and search and seizure in Richfield, OH on February 1, 2011 at a cost of \$50.00, per the recommendation of the Police Chief.

Mr. Lynch seconded the motion which passed unanimously.

ROAD DEPARTMENT – NEW BUSINESS

Cemetery Deed

The trustees signed Deed Number 486, for Section 9, Lot 52, Grave 5. Joan Demirjian and David Pfouts attested to their signatures.

TOWN HALL – NEW BUSINESS

Proclamation for Therapeutic Riding Center

Mrs. Benza stated that she is working on the proclamation and it should be completed before the next regular meeting.

South Franklin Circle PILOT

Mr. Charles Riehl is in contact to gather additional information citing the original agreement.

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Newspaper Selection for Legal Notices

The trustees were in general agreement to proceed with The News Herald as the paper where the notices will appear.

Kenston Lake Culvert Second Invoice

This topic was tabled for further clarification.

Invoice Approval for Oxbow Engineering

Mr. Markley made a motion to approve the invoice dated January 5, 2011 for Oxbow Engineering in the amount of \$3,000.00 for services rendered as an expert witness in the Voproco vs Bainbridge Township Case.

Mr. Lynch seconded the motion which passed unanimously.

Letter of Support for Business Expansion

Ms. Julie Collister from Park Place Technologies explained their success and need to expand. They plan to create 57 jobs over the next 3 years due in part to the job creation tax credit which amounts to 50% of withholdings. Ms. Sarah Risher explained how the "grant" works. Ms. Risher instructed anyone interested in more information to call.

Mr. Lynch made a motion to submit a letter of support once details are obtained.

Mr. Markley seconded the motion which passed unanimously.

Regular meeting was recessed at 8:15.

PUBLIC HEARING CONTINUANCE – PROPOSED ZONING AMENDMENTZ-2010-1

The public hearing was opened at 8:21pm.

Ms. Benza expressed her concerns regarding the alternate language for the regulation and wondered whether this should be denied.

Mr. Steve Yingling expressed the concerns of the zoning commission regarding the review of the prosecutor's office.

Mr. Lynch explained the Board of Zoning Appeal's review of the proposed amendment.

Mrs. Benza asked for comments in favor of the proposed amendment – none.

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Mrs. Benza asked for comments opposed to the amendment:

Linda White – stated that in December, Mr. Smerigan said that he did not contact the Prosecutor's Office because the Prosecutor claimed there were constitutional violations. The Zoning Inspector, Mr. Shane Wrench did not want to make a judgement call on the amendment since there is no definition, and no grandfather clause. Cities cannot be compared to townships regarding zoning laws. Costs spent on consulting were ill spent.

Mr. Tom Keck generally opposes limiting free speech.

Mr. Steve Yingling stated that the zoning commission currently regulates political signage and are merely trying to correct the shortcomings of the current regulations.

Mr. Nevil Arjanj would like little to no limits on free speech and would rather take the time to get it right.

Mr. Lynch was concerned about the distinction of political sign from personal opinion.

Mrs. Benza made a motion to adjourn the public hearing at 8:40pm

Mr. Lynch seconded the motion which passed unanimously.

Mrs. Benza made a motion to continue the Public Hearing on February 28, 2011 at 8:15pm.

Mr. Markley seconded the motion which passed unanimously.

Healthcare Funding Discussion

Mr. Markley made a motion to move to a Health Reimbursement Account (HRA) plan at current levels of funding: \$2250.00/single and \$4500.00/family, effective February 1, 2011.

Mr. Lynch seconded the motion which passed unanimously.

It has also been brought to the board's attention that the Healthcare Committee Meetings need to be publicly advertised from now on as it is a sub-committee and is subject to the same rules as any public meeting.

Blanket Certificate Request

Mrs. Benza made a motion to approve the Blanket Certificates 1-51 as submitted by the Fiscal Office in total amount of \$458,000.00.

Mr. Markley seconded the motion which passed unanimously.

The trustees were in general agreement to have Mrs. Benza attend the Voproco meetings.

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PUBLIC COMMENTS

Ann Meyers was concerned about financial statements from Kenston Community Education. Also the "No Trespassing" signs have multiplied – there are now three. She also expressed concern about raises for those employees who are deserving of an increase.

Carol Fitch suggested that Kenston Community Education may be on a fiscal year as opposed to a calendar year.

Linda White clarified that Dave Mitchell, Parks Superintendent offered to work at the same rate for one year then go through a review.

Gil Meyers stated that he sat through meetings for a year and listened to the board talk about performance evaluations and merit raises and wants to know where that stands. Mr. Markley answered Mr. Meyers as to the progress and hopefully, the process will be completed by the end of 2011.

Gina Zahn is concerned about KCE's lack of payment for field rentals.

CORRESPONDENCE

- SouthPointe Hospital meeting announcement.
- Chagrin River Watershed Partners invitation to board meeting.
- Unsigned and Undated Letter
- Walter & Haverfield letter regarding non-binding mediation for Voproco.

Since there was no further business to come before this meeting of the Bainbridge Township Board of Trustees, the meeting was adjourned at 9:33 P.M.

Respectfully Submitted,

Cherianne H. Measures,
Fiscal Officer, Bainbridge Township

_____ Date

_____ Date

_____ Date

Minutes Read: _____

Minutes Approved: _____