

The Bainbridge Township Board of Trustees met in special session at the Bainbridge Town Hall on July 28, 2004 to meet with Centerville Mills Executive Director and to consider any other necessary business. Those present were trustees Mr. Samuel Desiderio, Mr. Charles Hesse and Mr. Christopher Horn and clerk Susan R. Angelino. Mr. Hesse presided and called the meeting to order at 6:10 P.M.

EXECUTIVE SESSION

Mr. Hesse moved that the Bainbridge Township Board of Trustees go into executive session to consider pending litigation.

Mr. Desiderio seconded the motion. Vote: Mr. Desiderio, aye; Mr. Hesse, aye; Mr. Horn, aye.

The trustees recessed their regular meeting at 6:11 P.M. in order to go into executive session to consider pending litigation.

The trustees returned from executive session after considering pending litigation and reconvened their meeting at 7:40 P.M.

COMMENTS BY GUESTS AND VISITING PUBLIC

Chagrin Falls Park resident Carmen Alexander questioned the validity of the asbestos report on his house that was demolished by the township. The trustees commented that they used a licensed asbestos removal firm to handle the project.

NEW BUSINESS

PCS - COMMUNITY CENTER OWNERS REPRESENTATIVE

The trustees met with Richard Mayer from PCS for an update on the process of negotiating the contract with the architect for the proposed community center.

CENTERVILLE MILLS CAMP - UPDATE

The trustees met with Executive Director, David Birkhead for a report and discussion on his camp budget from January 2004 - June 2004, Projections from September 2004 - December 2004, summer revenues including usage, volunteer efforts and future operational challenges. Also discussed was a possible winter shut down and a meeting in the near future with the YMCA CEO.

KCE Board President Scott Barren asked the trustees as to what role KCE would have at Centerville Mills and expressed interest in meeting with trustees to discuss.

Resident Carol Lynch was concerned with the trustees using public funds to operate a private business and whether this was in the best interest of the public.

Resident Ann Myers asked for a prosecutor's opinion regarding the township spending public money for public use.

David Birkhead told the trustees he would forward camp schedules to the clerk's office.

ZONING

8:30 P.M. - Public Hearing - Z-2004-1

8:35 P.M. - Public Hearing - Z-2004-2

Mr. Hesse opened the Public Hearings at 8:30 P.M.

Mr. Hesse made a motion to delay the hearings until 10:00 P.M. so as to not interrupt the present discussions.

Mr. Desiderio seconded the motion that passed unanimously.

Mr. Hesse closed the Public Hearings at 8:35 P.M.

ZONING

PUBLIC HEARING - PROPOSED ZONING AMENDMENT Z-2004-1

Mr. Hesse recessed the trustees' regular meeting and opened the public hearing for proposed zoning amendment Z-2004-1 at 10:00 P.M.

Mr. Hesse noted that the legal notice for this public hearing was duly published in the News Herald on July 18, 2004. This amendment proposes to amend Chapter 135.02 (c) - Accessory Uses (Outdoor Swimming Pool Fences).

This amendment was initiated by motion of the Zoning Commission on May 27, 2004; and the Geauga County Planning Commission on June 8, 2004 voted to recommend approval of Z-2004-1, with comments as listed. The Bainbridge Township Zoning Commission held a public hearing for proposed amendment on June 24, 2004 and subsequently recommended approval of the amendment.

Mr. Hesse solicited comments for and comments against the proposed amendment.

Comments for the proposed amendment: None.

Comments against the proposed amendment: None.

Mr. Hesse moved to close the public hearing at 10:03 P.M.

Mr. Desiderio seconded the motion that passed unanimously.

PUBLIC HEARING - PROPOSED ZONING AMENDMENT Z-2004-2

Mr. Hesse recessed the trustees' regular meeting and opened the public hearing for proposed zoning amendment Z-2004-2 at 10:05 P.M.

Mr. Hesse noted that the legal notice for this public hearing was duly published in the News Herald on July 18, 2004. This amendment proposes to amend Chapter 161.01 - Compliance with Regulations to correct Chapter 161.01 (b) and (c) from the result of Amendment Z-2000-6.

This amendment was initiated by motion of the Zoning Commission on May 27, 2004; and the Geauga County Planning Commission on June 8, 2004 voted to recommend approval of Z-2004-2, with comments as listed. The Bainbridge Township Zoning Commission held a public hearing for proposed amendment on June 24, 2004 and subsequently recommended approval of the amendment.

Mr. Hesse solicited comments for and comments against the proposed amendment.

Comments for the proposed amendment: None.

Comments against the proposed amendment: None.

Mr. Hesse moved to close the public hearing at 10:08 P.M.

Mr. Desiderio seconded the motion that passed unanimously.

RESOLUTION TO COMMENCE APPROPRIATION PROCEEDINGS FOR THE PURPOSE OF ESTABLISHING ESPLANADES, BOULEVARDS, PARKWAYS, AND/OR PARK GROUNDS AROUND AND/OR LEADING TO BAINBRIDGE TOWNSHIP PUBLIC BUILDINGS AND RELATED PURPOSES

Mr. Hesse made a motion authorizing the above resolution in regard to parcel #02-250900 and directing the Geauga County Prosecutor's Office to commence appropriation proceedings to acquire said interest in the subject property.

Mr. Horn seconded the motion that passed unanimously.

PROFESSIONAL SERVICES

Mr. Hesse made a motion authorizing payment of \$10,000.00 to Walter & Haverfield for legal services in regard to township matters. (P.O. 304)

Mr. Desiderio seconded the motion that passed unanimously.

CENTERVILLE MILLS

Change Order - 15

Sunrise Springs
P.O. Box 232
Newbury, Ohio 44065

Original Contract	-	\$2,722.50
Additional Payment	-	277.50
New Total	-	<u>\$3,000.00</u>

Mr. Hesse made a motion authorizing an additional \$277.50 to Sunrise Springs for additional water to fill pool.

Mr. Desiderio seconded the motion that passed unanimously.

CAMP LABOR - Week 22 - Period Ending 5/9/2004

Mr. Hesse made a motion authorizing payment of \$2,616.79 to YMCA of Greater Cleveland for Camp Labor. (P.O. 316)

Mr. Desiderio seconded the motion that passed unanimously.

CAMP LABOR - Week 23 - Period Ending 5/23/2004

Mr. Hesse made a motion authorizing payment of \$2,929.66 to YMCA of Greater Cleveland, for Camp Labor. (P.O. 317)

Mr. Horn seconded the motion that passed unanimously.

TOWNSHIP EMPLOYEE PHYSICAL EXAMINATIONS

The trustees noted that the following employees have completed their biennial physical examinations per the Bainbridge Township Personnel Policy Manual and have no contraindications for continuous employment:

Rob Rank
Andy Kelley
Jon Bokovitz
Mike Kramer
Dale Buckingham
Raymond Arnold
William Tevepaugh

CLERK'S OFFICE

Mr. Hesse made a motion to re-enroll in the Ohio Township Association Group Rating Program and authorized payment of \$10,154.00 to The Frank Gates Service Co. to manage the Township Worker's Compensation Program. (P.O. 308)

Mr. Horn seconded the motion that passed unanimously.

RESOLUTION AUTHORIZING DIRECT DEPOSIT OF FUNDS

Mr. Hesse made a motion authorizing the Geauga County Treasurer to transfer all tax advances directly to the Township's depository account, to wit:

Bank One - Acct. # 296942299

Mr. Desiderio seconded the motion that passed unanimously.

BLANKET CERTIFICATES

Mr. Hesse made a motion authorizing the renewal of the following Blanket Certificates:

Supplies Administration	-	\$10,000
YMCA Repairs	-	\$10,000
Town Hall Other	-	\$10,000
Road Department Other	-	\$10,000
Police Department	-	\$10,000
Fire Department	-	\$10,000

ZONING

Consent for Off-Site Drainage

The trustees were in general agreement to not object to off-site drainage at 16783 Snyder Road per the recommendation of the Geauga County Health District.

TOWNSHIP POSTAGE METER

Mr. Hesse made a motion authorizing payment of \$5,000.00 to the U.S. Postal Service for postage for meter per the recommendation of Township Administrative Assistant Linda Zimmerman. (P.O. 292)

Mr. Desiderio seconded the motion that passed unanimously.

AUGUST MEETING SCHEDULE

The trustees were in general agreement to cancel the regularly scheduled meetings of August 16, 2004 and August 30, 2004.

INSTITUTION NOTICE FOR LIQUOR PERMIT

The trustees were in general agreement to not object to a liquor permit for J. & M. Deli, 17800 Chillicothe Road, Bainbridge Township, Chagrin Falls, Ohio 44023.

TOWNSHIP REPORTS

The trustees acknowledged receipt of the following township report:

Town Hall/Cemetery Report - May-June 2004

POLICE DEPARTMENT

New Police Station

Printers

Mr. Hesse made a motion authorizing payment of \$3,785.00 to Hewlett-Packard Corp. for (3) printers for the new Police Department, per the recommendation of Police Chief James Jimison. (P.O. 294)

Mr. Desiderio seconded the motion that passed unanimously.

Lightning Protection

Mr. Hesse made a motion authorizing payment of \$2,110.00 to Western Reserve Lightning Rod Co. for lightning protection at the new police station. (P.O. 303)

Mr. Horn seconded the motion that passed unanimously.

Mr. Hesse made a motion authorizing payment of \$1,653.00 to Communications Services to move service base, run new cable, install ground kit for lightning protection (equipment). (P.O. 302)

Mr. Horn seconded the motion that passed unanimously.

Automatic Irrigation System

Mr. Hesse made a motion authorizing payment of \$1,800.00 to Radick's Landscaping for an automatic irrigation system for the new police facility, per the recommendation of Police Chief James Jimison. (P.O. 307)

Mr. Desiderio seconded the motion that passed unanimously.

Change Orders - New Police Station

#38

Mr. Hesse made a motion authorizing an additional \$1,250.56 to R. & M. Heating & Air to provide fire protection system revisions as required by Fire Marshal, per the recommendation of Horne & King and Heery International.

Mr. Horn seconded the motion that passed unanimously.

#39

Mr. Hesse made a motion authorizing an additional \$1,992.00 to John G. Johnson for additional countertop work, per the recommendation of Horne & King and Heery International.

Mr. Desiderio seconded the motion that passed unanimously.

#40

Mr. Hesse made a motion authorizing an additional \$4,490.00 to Doan/Pyramid to provide a fire alarm system for fire protection valves as requested by Fire Marshal and as directed by the trustees.

Mr. Horn seconded the motion that passed unanimously.

Professional Training

The trustees were in general agreement to approve the following professional training requests, per the recommendation of Police Chief James Jimison:

Elaine Marconi - Motivational Seminar - 8/2/2004 - \$84.16
April Kallay - OPOTA - 8/9/2004 - 8/11/2004 - \$497.26
Don Swindell - Accident Investigation - 9/13/2004-9/17/2004 - \$551.30
Chris Smith - OPOTA - 9/20/2004-9/24/2004 - \$240.00
Brian Reardon - OPOTA - 9/20/2004-9/24/2004 - \$360.45
Jon Weiner - K-9 Workshop - 9/22/2004-9/24/2004 - \$100.00
Frank Chickos - OPOTA - 10/4/2004-10/6/2004 - \$105.00
Jon Newcomb - OPOTA - 10/22/2004 - \$45.00
Brian Frew - OPOTA - 11/29/2004 - \$160.00
Jon Weiner - OPOTA - 11/29/2004 - \$160.00
Robert Weir - OPOTA - 12/7/2004 - \$45.00

FIRE DEPARTMENT

Reports

2003 Annual Report
Volunteer Fire Company Profit & Loss - January - June, 2004

CORRESPONDENCE/COMMUNICATIONS

Notice from the Geauga County General Health District, dated July 27, 2004. RE: Public Health Alert - Rabid raccoon in Lake County.

News Release from the Geauga County General Health District, dated July 29, 2004. RE: Rabid raccoon found in Chardon, Township, Geauga County.

Notice of Hearing from United States Bankruptcy Court - Southern District of New York. RE: Adelphia Communications Corporation.

Letter from Adelphia, dated July 23, 2004. RE: Adelphia OnDemand.

Memo from David Birkhead, Director of Centerville Mills, dated July 28, 2004. RE: Auto Accident at Centerville Mills.

Memo from NOPEC, dated July 27, 2004. RE: New Gas Supplier Sought.

Chagrin River Land Conservancy Summer Journal 2004. RE: Annual Report Issue.

Letter from Anne Murphy, Director of Stewardship and Conservation Resources, Chagrin River Land Conservancy, dated July 23, 2004. RE: Henry Property on Geauga Lake Road.

Letter from Edward F. Myers of the Chagrin River Land Conservancy, dated July 13, 2004. RE: Centerville Mills.

Copy of letter from Robert L. Phillips, Geauga County Engineer to Sugar Hill Trail Residents, dated July 12, 2004. RE: Road Construction Schedule.

Copy of letter from Robert L. Phillips to Mr. Randall S. Over, ODOT District 12, dated July 14, 2004. RE: GEA-Pettibone Road Project PID 22203 - Final Inspection.

Letter from Robert L. Phillips, Geauga County Engineer, dated July 23, 2004. RE: Geauga Lake Road Relocation.

Copy of letter from Robert L. Phillips to Geauga County Board of Commissioners, dated July 22, 2004. RE: Road Name Change Request - Hillingknapp Circle, TR 1002.

Site Inspection Report from the Geauga Soil & Water Conservation District, dated July 9, 2004.

Site Inspection Report from the Geauga Soil & Water Conservation District, dated July 9, 2004. RE: Outlet D - Marketplace at Four Corners.

Site Inspection Report from the Geauga Soil & Water Conservation District, dated July 9, 2004. RE: Circuit City - Marketplace at Four Corners.

Site Inspection Report from the Geauga Soil & Water Conservation District, dated July 7, 2004. RE: Bainbridge Township Police Station.

Site Inspection Report from the Geauga Soil & Water Conservation District, dated July 9, 2004. RE: Kenston High School.

Site Inspection Report from the Geauga Soil & Water Conservation District, dated July 15, 2004. RE: Bainbridge Township Police Station.

Copy of letter to Gutoskey & Associates, Inc. from the Geauga Soil & Water Conservation District, dated July 20, 2004. RE: Kenston High School Plan Review - Submittal #3.

Memo from David Birkhead, Director, Centerville Mills YMCA Camp, dated July 13, 2004. RE: Fundraising skydive.

Letter from Sid and Nancy Saunders of Huntsburg, Ohio, dated July 7, 2004. RE: Operation Pencil Box for children in Iraq.

Letter from Mr. Steve Huckabee, dated July 12, 2004. RE: Shed on Miller property.

Letter from Chester Township Trustees, dated July 1, 2004. RE: Support of House Bill 148.

Memo from Dale B. Wedge, Director, Geauga County Department of Emergency Services, dated June 29, 2004. RE: News Release - Geauga County to receive disaster assistance.

Copy of letter to Mr. Fahim F. Gemayel, Lakeland Management Systems, Inc. from Stephen Ciciretto, Architect, dated July 20, 2004. RE: Bainbridge Township Road Department - Service Department Addition.

Bainbridge Township Board of Zoning Appeals Meeting Minutes, dated June 17, 2004.

EXECUTIVE SESSION

Mr. Hesse moved that the Bainbridge Township Board of Trustees go into executive session to consider the purchase of property.

Mr. Desiderio seconded the motion. Vote: Mr. Desiderio, aye; Mr. Hesse, aye; Mr. Horn, aye.

The trustees recessed their regular meeting at 11:20 P.M. P.M. in order to go into executive session to consider the purchase of property.

The trustees returned from executive session after considering the purchase of property and reconvened their meeting at 11:25 P.M.

TANGLEWOOD TRAIL PROJECT

Mr. Hesse made a motion authorizing payment of \$200,000.00 to Thomas Asphalt Company for work done on the Tanglewood Trail Road Project.

Mr. Desiderio seconded the motion that passed unanimously.

Since there was no further business to come before this meeting of the Bainbridge Township Board of Trustees, the meeting was adjourned at 11:28 P.M.