

The Bainbridge Township Board of Trustees met in regular session at the Bainbridge Town Hall on January 5, 2004. 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 7:00 P.M.

#### ORGANIZATIONAL MEETING REQUIREMENTS

##### OATH OF OFFICE

The clerk administered the oath of office to trustee elect Christopher Horn.

##### ELECTION OF OFFICERS

Mr. Horn made a motion to nominate Mr. Hesse for 2004 Chairman of the Bainbridge Township Board of Trustees.

Mr. Desiderio seconded the motion that passed unanimously.

Mr. Desiderio made a motion to nominate Mr. Horn as 2004 Vice-Chairman of the Board of Trustees.

Mr. Hesse seconded the motion that passed unanimously.

##### ROBERT'S RULES OF ORDER

Mr. Hesse moved that the Bainbridge Township Board of Trustees adopt Robert's Rules of Order as the official rules of operating business which may be abridged as necessary.

Mr. Desiderio seconded the motion that passed unanimously.

##### PAST ACTIONS

The trustees wished to have the record show that all past actions taken by the Bainbridge Township Board of Trustees, unless subsequently rescinded or superceded, are still "in full force and effect".

##### RESOLUTION TO COMPLY WITH OHIO REVISED CODE 149.43

Mr. Hesse moved that the Bainbridge Township Board of Trustees readopt the "Public Record" Resolution originally passed on July 21, 1980.

Mr. Horn seconded the motion that passed unanimously.

Note: A copy of said resolution is attached to, and becomes a permanent part of, these minutes.

##### RESOLUTION TO COMPLY WITH OHIO REVISED CODE 121.22 (G)

Mr. Hesse moved that the Bainbridge Township Board of Trustees readopt the "Public Meeting" Resolution per O.R.C. 121.22 (G) and that said resolution remain the same as 2003.

Mr. Horn seconded the motion that passed unanimously.

Note: A copy of said resolution is attached to, and becomes a permanent part of, these minutes.

TRUSTEE MEETING SCHEDULE FOR 2004

Mr. Hesse moved that the Bainbridge Township Board of Trustees adopt for 2004 the trustee's meeting schedule as every Monday at 7:00 P.M.

Mr. Horn seconded the motion that passed unanimously.

Note: A copy of said meeting schedule is attached to, and becomes a permanent part of, these minutes.

COMPENSATION FOR TRUSTEES AND CLERK

The trustees noted for the record that they, as well as the clerk be compensated for their services in equal bi-weekly payments with any adjustments to be made in December.

BENEFITS

Medical and Major Medical - All full-time employees as well as the trustees and clerk are eligible for these benefits. Those who enroll assume 10% of the cost for same. Township personnel are offered United Health Care Insurance.

Life Insurance - Full time employees: \$18,000; Trustees and Clerk: \$18,000.

Weekly Disability Income - Full-time employees receive 60% of their weekly income.

Dental - All full-time employees, the trustees and the clerk are covered at no cost to them should they choose to enroll.

Additional benefits are included in the Personnel Policy Manual which has been distributed to all full-time employees since 1987.

HOLIDAYS

Mr. Hesse moved that the Bainbridge Township Board of Trustees observe the following holidays for non-bargained for employees:

- New Year's Day
- Martin Luther King Day
- President's Day
- Memorial Day
- Independence Day
- Labor Day
- Thanksgiving and the Day After
- Christmas Day

In addition to those listed, each employee shall be entitled to three (3) personal holidays. These personal holidays are to be scheduled with the concurrence of the department head and may be scheduled a minimum of four hours at time.

Mr. Horn seconded the motion that passed unanimously.

#### EMPLOYMENT POLICIES AND PROCEDURES

The trustees were in general agreement that the 2003 Personnel Policy Manual will remain in effect and will be updated as necessary.

#### ROAD DEPARTMENT

The trustees noted that, per O.R.C. 5571.02, the Bainbridge Township Board of Trustees will operate the Road Department with a Township Highway Superintendent in 2004.

#### TOWNSHIP APPOINTMENTS - 2004

Mr. Hesse made a motion to affirm the following appointments for 2004:

Fire Chief	Brian A. Phan
Police Chief	James P. Jimison
Town Hall Superintendent/Cemetery Sexton	Donald Mitchell
Zoning Inspector	Michael F. McIntyre
Highway Superintendent	Alan L. Halko

Mr. Horn seconded the motion that passed unanimously.

Trustees' Note for Clarification - All of the above employees are exempt employees per the Fair Labor Standards Act; and neither they nor other exempt township employees, shall be required to submit time cards.

#### GEAUGA COUNTY HEALTH DISTRICT ADVISORY COUNCIL

The trustees were in general agreement that Mr. Hesse should represent Bainbridge Township on the Geauga County Health District Advisory Council.

#### TOWN HALL RATES AND BURNS-LINDOW BUILDING RATES

Mr. Hesse made a motion to retain the 2003 Town Hall and Burns-Lindow rates for 2004.

Mr. Desiderio seconded the motion that passed unanimously.

Note: A copy of said rates is attached to, and becomes a permanent part of, these minutes.

#### CEMETERY RATES

Mr. Hesse made a motion to retain the Cemetery rates as adopted on December 23, 2002 for the year 2004.

Mr. Desiderio seconded the motion that passed unanimously.

Note: A copy of said rates is attached to, and becomes a permanent part of, these minutes.

#### FEE SCHEDULE FOR COPIES OF TOWNSHIP DOCUMENTS

The trustees were in general agreement to retain the present rate schedule for copies which is as follows:

The fee for all black and white copies of documents, is 5 cents per copy and color copies are \$2.00 per copy per the recommendation of the legal division of the State Auditor's Office. Disk media copies are \$1.00 per diskette and CD ROM.

#### ZONING FEE SCHEDULE

Mr. Desiderio made a motion to retain the 2003 Zoning Certificate Fee Schedule.

Mr. Hesse seconded the motion that passed unanimously.

Note: A copy of said schedule is attached to, and becomes a permanent part of, these minutes.

#### MILEAGE REIMBURSEMENT FOR 2004

Mr. Desiderio made a motion to set the Bainbridge Township mileage reimbursement of 37.5 cents (pursuant to IRS code) per mile, for miles driven by authorized township personnel using their own vehicles for documented township business.

Mr. Hesse seconded the motion that passed unanimously.

#### OHIO TOWNSHIP ASSOCIATION CONVENTION

Mr. Horn moved that the township reimburse any trustee, clerk, deputy clerk or assistant-to-the-clerk who attends the Ohio Township Association Winter Convention to be held in Columbus, Ohio from January 28 - 31, 2004 for mileage, parking, lodging, meals and any other necessary expenditures.

Mr. Hesse seconded the motion that passed unanimously.

#### FIRE PREVENTION PERMITS

The trustees were in general agreement that the Fire Prevention Permit System of 1990 remain in effect for 2004.

OHIO FIRE CODE/OHIO BASIC BUILDING CODE

Mr. Hesse moved adoption of the following resolution:

"WHEREAS, the Bainbridge Township Board of Trustees have previously, by resolution, adopted by incorporation the Ohio Fire Code and Ohio Basic Building Code; and

WHEREAS, the Ohio Fire Code and Ohio Basic Building Code have been amended subsequent to the initial adoption by incorporation by the Board of Township Trustees of Bainbridge Township;

NOW, THEREFORE, BE IT RESOLVED that all amendments to the Ohio Fire Code and Ohio Basic Building Code are hereby adopted and incorporated by the Bainbridge Township Board of Trustees."

Mr. Desiderio seconded the motion that passed unanimously.

TRANSIENT VENDOR RESOLUTION

The trustees wish to have noted for the record that the Transient Vendor Resolution as adopted December 10, 1983, is still, "in full force and effect".

Note: Transient Vendor Permit will be issued only after review and recommendation of the Zoning Inspector.

ADVANCE ON TAXES COLLECTED

Mr. Horn moved that the Bainbridge Township Board of Trustees authorize the Clerk to request an advance of the real estate taxes, first half collection, in the maximum amounts available in the General, Road and Bridge, Fire District and Police District Funds upon receipt of the schedule of dates for advances as determined by the Geauga County Auditor.

Mr. Desiderio seconded the motion that passed unanimously.

POLICE DEPARTMENT

Mutual Aid Agreement - The trustees were in agreement to readopt the present Police Mutual Aid Agreement as last revised on January 1, 1987.

Parking Regulations - The trustees wished to have noted for the record that, per a Resolution adopted October 15, 1983, there was established in Bainbridge Township a Parking Violation Bureau which provided for the enforcement of the Bainbridge Township Parking Regulations, effective November 19, 1983.

FIRE DEPARTMENT

The trustees were in agreement to readopt the present Fire Department Mutual Aid Agreement as amended on December 17, 1995.

FALSE SECURITY ALARM PROCEDURES

The trustees were in general agreement to put in effect the False Security alarm system resolution as adopted December 15, 1990 per the Ohio Revised Code Section 505.511.

2004 TOWNSHIP TEMPORARY APPROPRIATIONS

Mr. Hesse made a motion to adopt the 2004 Temporary Appropriations as prepared by the clerk's office.

Mr. Horn seconded the motion that passed unanimously.

POLICE DEPARTMENT

NEW BUSINESS

Mr. Hesse made a motion authorizing payment of \$1,500.00 to Savon Supplies for 1,000 tapes for video cameras.

Mr. Horn seconded the motion that passed unanimously.

FIRE DEPARTMENT

NEW BUSINESS

Resignation - Part-time Secretary

The trustees accepted the resignation of Terry Montello from the Fire Department effective January 2, 2004.

ROAD DEPARTMENT

OLD BUSINESS

Storm Water Drainage

The trustees were in general agreement to secure easements on properties that may involve township storm water drainage.

Sugar Hill Trail

The trustees met with Sugar Hill Trail residents for a discussion on plans for the proposed road project.

TOWN HALL/OTHER

OLD BUSINESS

Community Center Owner's Representative

The trustees were in agreement to schedule a work session on Saturday, January 24, 2004 to discuss Community Center Owner's Representative.

Letter of Endorsement - Liquor Permit

The trustees were in general agreement to not oppose the transfer of a Class D-5 liquor permit into Bainbridge Township from another city per the request of MAL Management Co., LLC to be located at 8586 E. Washington Street, Bainbridge Township, Ohio 44023 in part as it is an economic development project resulting in the creation of jobs in the community.

NEW BUSINESS

Supplemental 2003 Annual Appropriations

Mr. Hesse moved that, in order to place the necessary funds in the proper category to meet township obligations, the Bainbridge Township Board of Trustees authorize the following transfer of funds:

GENERAL FUND

Transfer \$525.00 from 1000-110-599-0000 Other to 1000-110-111-0000 Trustees Salary

Transfer \$225.00 from 1000-110-599-0000 Other to 1000-110-121-0000 Clerk Salary

Mr. Horn seconded the motion that passed unanimously.

Supplemental 2003 Annual Appropriations

Mr. Hesse moved that, in order to place the necessary funds in the proper category to meet township obligations, the Bainbridge Township Board of Trustees authorize the following transfer of funds:

POLICE FUND

Transfer \$6,000.00 from 2081-210-599-0000 Other to 2081-210-211-0000 PERS

GENERAL FUND

Transfer \$160.00 from 1000-110-599-0000 Other to 1000-110-111-0000 Trustees PERS

Transfer \$450.00 from 1000-110-599-0000 Other to 1000-130-150-0000 Zoning PERS

Mr. Desiderio seconded the motion that passed unanimously.

ZONING

Proposed Zoning Amendment Z-2003-5

The trustees acknowledged receipt of Bainbridge Township Zoning Commission's December 22, 2003 motion of approval of proposed zoning amendment Z-2003-5. Enclosed was a copy of the proposed amendment which was initiated by motion of the zoning commission on November 24, 2003, a letter dated December 10, 2003 from the Geauga County Planning Commission wherein it noted that said commission on December 9, 2003 voted to recommend approval of Z-2003-5 with comments listed; and a copy of the application and the documents required for submission of said application for the proposed amendment. The Bainbridge Township Zoning Commission held a Public Hearing for Proposed Zoning Amendment Z-2003-5 on December 22, 2003.

Mr. Hesse moved that the Bainbridge Township Board of Trustees authorize the clerk to place the necessary legal notice in the News Herald for a Public Hearing for Proposed Zoning Amendment Z-2003-5 to be held at 8:00 P.M. on January 19, 2004.

Mr. Desiderio seconded the motion that passed unanimously.

Proposed Zoning Amendment Z-2003-6

The trustees acknowledged receipt of Bainbridge Township Zoning Commission's December 22, 2003 motion of approval of proposed zoning amendment Z-2003-6. Enclosed was a copy of the proposed amendment which was initiated by motion of the zoning commission on November 24, 2003, a letter dated December 10, 2003 from the Geauga County Planning Commission wherein it noted that said commission on December 9, 2003 voted to recommend approval of Z-2003-6 with comments listed; and a copy of the application and the documents required for submission of said application for the proposed amendment. The Bainbridge Township Zoning Commission held a Public Hearing for Proposed Zoning Amendment Z-2003-6 on December 22, 2003.

Mr. Hesse moved that the Bainbridge Township Board of Trustees authorize the clerk to place the necessary legal notice in the News Herald for a Public Hearing for Proposed Zoning Amendment Z-2003-6 to be held at 8:10 P.M. on January 19, 2004.

Mr. Desiderio seconded the motion that passed unanimously.

Proposed Zoning Amendment Z-2003-4

The trustees acknowledged receipt of Bainbridge Township Zoning Commission's December 22, 2003 motion of denial of proposed zoning amendment Z-2003-4. Enclosed was a copy of the proposed amendment which was initiated by Raymond Arnold on November 24, 2003, a letter dated December 10, 2003 from the Geauga County Planning Commission wherein it noted that said commission on December 9, 2003 voted to recommend denial of Z-2003-4 with comments listed; and a copy of the application and the documents required for submission of said application for the proposed amendment.



The Bainbridge Township Zoning Commission held a Public Hearing for Proposed Zoning Amendment Z-2003-4 on December 22, 2003.

Mr. Hesse moved that the Bainbridge Township Board of Trustees authorize the clerk to place the necessary legal notice in the News Herald for a Public Hearing for Proposed Zoning Amendment Z-2003-4 to be held at 8:20 P.M. on January 19, 2004.

Mr. Desiderio seconded the motion that passed unanimously.

#### Proposed Zoning Amendment Z-2003-7

The trustees acknowledged receipt of Bainbridge Township Zoning Commission's December 22, 2003 motion of approval of proposed zoning amendment Z-2003-7. Enclosed was a copy of the proposed amendment which was initiated by the zoning commission on November 24, 2003, a letter dated December 10, 2003 from the Geauga County Planning Commission wherein it noted that said commission on December 9, 2003 voted to recommend approval of Z-2003-7 with comments listed; and a copy of the application and the documents required for submission of said application for the proposed amendment. The Bainbridge Township Zoning Commission held a Public Hearing for Proposed Zoning Amendment Z-2003-7 on December 22, 2003.

Mr. Hesse moved that the Bainbridge Township Board of Trustees authorize the clerk to place the necessary legal notice in the News Herald for a Public Hearing for Proposed Zoning Amendment Z-2003-7 to be held at 8:30 P.M. on January 19, 2004.

Mr. Desiderio seconded the motion that passed unanimously.

#### JANUARY MEETING SCHEDULE

The trustees were in general agreement to not cancel any regularly scheduled meetings in January and to hold a special meeting on January 8, 2004 at 7:00 P.M. to discuss Centerville Mills 2004 Budget and any other necessary business and on Saturday, January 24, 2004 at 8:30 A.M. to discuss Community Center Owner's Rep Proposals and any other necessary business.

#### ZONING

##### Zoning Commission

Mr. Hesse made a motion to re-appoint David Weiss to the Bainbridge Township Zoning Commission for the period January 1, 2004 to December 31, 2008.

Mr. Desiderio seconded the motion that passed unanimously.

##### Board of Zoning Appeals

Mr. Desiderio made a motion to re-appoint Don Takacs to the Bainbridge Township Board of Zoning Appeals for the period January 1, 2004 to December 31, 2008.

Mr. Hesse seconded the motion that passed unanimously.

TOWNSHIP REPORTS

The trustees acknowledged receipt of the following township reports:

Zoning Inspector's Report - December 2003  
Town Hall/Cemetery Report - November-December 2003

CORRESPONDENCE/COMMUNICATIONS

Memo from the Geauga County Planning Commission, dated December 24, 2003. RE: Reserves of Weathervane Subdivision (Auburn and Bainbridge Townships) - Preliminary Plat.

Minutes of Zoning Commission, dated November 24, 2003.

Memo from NOPEC, dated December 22, 2003. RE: Media Update.

Letter from Robert L. Phillips, Geauga County Engineer, dated December 5, 2003. RE: State Route 43 Road Name Change - Proposed Resolution.

Letter from Robert L. Phillips, Geauga County Engineer, dated December 22, 2003. RE: Road Name Change Request - State Route 43.

EXECUTIVE SESSION

Mr. Desiderio moved that the Bainbridge Township Board of Trustees go into executive session to consider the purchase of property and the employment of a public employee.

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

The trustees recessed their regular meeting at 9:27 P.M. in order to go into executive session to consider the purchase of property and the employment of a public employee.

The trustees returned from executive session after considering the purchase of property and the employment of a public employee and reconvened their meeting at 9:45 P.M.

Since there was no further business to come before this meeting of the Bainbridge Township Board of Trustees, the meeting was adjourned at 9:46 P.M.