

The Bainbridge Township Board of Trustees met in regular session at the Bainbridge Town Hall on January 5, 2009. Those present were trustees Mr. Matthew J.D. Lynch, Mr. Jeffrey S. Markley, Ms. Linda W. White and Fiscal Officer Mrs. Cherianne H. Measures. Mrs. Measures presided and called the meeting to order at 7:04 P.M.

#### ORGANIZATIONAL MEETING REQUIREMENTS

##### ELECTION OF OFFICERS

Ms. White made a motion to nominate Mr. Lynch for 2009 Chairman of the Bainbridge Township Board of Trustees.

Mr. Markley seconded the motion that passed unanimously.

Mr. Lynch made a motion to nominate Ms. White as 2009 Vice-Chairman of the Board of Trustees.

Ms. White seconded the motion; Mr. Lynch, aye; Ms. White, aye; Mr. Markley, nay.

Mrs. Measures passed the gavel to Chairman Lynch.

##### ROBERT'S RULES OF ORDER

Mr. Lynch 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.

Ms. White 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to have the record show that all past actions taken by the Bainbridge Township Board of Trustees, unless subsequently rescinded or superceded, are still "in full force and effect."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. Lynch moved that the Bainbridge Township Board of Trustees readopt the "Public Record" Resolution originally passed on July 21, 1980.

Ms. White 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 121.11 (G)

Mr. Lynch 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 2008.

Mr. Markley 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 2009

Mr. Lynch moved that the Bainbridge Township Board of Trustees adopt for 2009 the trustee's meeting schedule as every Monday at 7:00 P.M.

Ms. White 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 FISCAL OFFICER

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

*Trustee Matthew Lynch informed the Board that he would like his compensation reduced by 10%.*

*Trustee Linda White informed the Board that she would like her compensation reduced by 10% due to the fluctuating economy and the bleak outlook.*

BENEFITS

Medical and Major Medical - All full-time employees as well as the trustees and fiscal officer are eligible for these benefits. Those who enroll assume 10% of the cost for the same. Township personnel are offered Medical Mutual.

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

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

Dental - All full-time employees, the trustees and the fiscal officer 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. Lynch moved that the Bainbridge Township Board of Trustees observe the following holidays for non-bargaining for employees:

- New Year's Day
- Martin Luther King Day
- President's Day
- Memorial Day
- Independence Day
- Labor Day
- Columbus Day
- Veterans 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 a time.

Mr. Markley seconded the motion, to be revisited during the compensation discussion, that passed unanimously.

EMPLOYMENT POLICIES AND PROCEDURES

The trustees are 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 2009.

TOWNSHIP APPOINTMENTS - 2009

Mr. Lynch mad a motion to affirm the following appointments for 2009:

- |                        |                  |
|------------------------|------------------|
| Fire Chief             | Brian A. Phan    |
| Police Chief           | James P. Jimison |
| Zoning Inspector       | Michael J. Joyce |
| Highway Superintendent | Alan L. Halko    |

Mr. Markley 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 employees, shall be required to submit time cards.

GEAUGA COUNTY HEALTH DISTRICT ADVISORY COUNCIL

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

TOWN HALL RATES AND BURNS-LINDOW BUILDING RATES

Mr. Lynch made a motion to retain the 2008 Town Hall and Burns-Lindow rates for 2009.

Ms. White 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. Lynch made a motion to adopt the revised Cemetery rates as recommended by the Cemetery Board for the year 2009.

Mr. Markley 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. Lynch made a motion to retain the 2008 Zoning Certificate Fee Schedule.

Mr. Markley 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 2009

Mr. Lynch made a motion to set the Bainbridge Township mileage reimbursement of 55 cents (pursuant to IRS Code) per mile, for miles driven by authorized township personnel using their own vehicle for documented township business.

Mr. Markley seconded the motion that passed unanimously.

OHIO TOWNSHIP ASSOCIATION CONVENTION

Mr. Lynch moved that the township reimburse any trustee, fiscal officer, deputy fiscal officer or assistant-to-the-fiscal officer and new fiscal officer who attends the Ohio Township Association Winter Convention to be held in Columbus, Ohio from February 4, 2009 - February 7, 2009 for mileage, parking, lodging, meals and any other necessary expenditures.

Mr. Markley 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 2009.

OHIO FIRE CODE/OHIO BASIC BUILDING CODE

Mr. Lynch 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. Markley 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. Lynch moved that the Bainbridge Township Board of Trustees authorize the Fiscal Officer 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. Markley 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 and amended on April 1, 2007 per the Ohio Revised Code Section 505.511.

2009 TEMPORARY AND PERMANENT APPROPRIATIONS

Mr. Lynch made a motion to change legal level of control from fund level to fund function object in Temporary and Permanent Appropriations, effective January 1, 2009.

Ms. White seconded the motion that passed unanimously.

TRUSTEE DEPARTMENT LIAISONS

Police Department - Mr. Markley  
Fire Department - Mr. Lynch  
Road Department - Mr. Markley  
Town Hall - Ms. White  
Zoning - Ms. White  
Parks - Ms. White  
Cemetery - Mr. Lynch

TRUSTEES CORNER

Mr. Lynch and Mr. Markley plan to attend the Zoning meeting this Saturday, January 10, 2009 as well as make a requested appearance at Bethel United Church on Franklin Street for a special celebration of Martin Luther King Jr.

All trustees and the fiscal officer have been invited to attend the D.A.R.E. Graduation of the fifth grade class at Kenston Intermediate School on Thursday, January 15, 2009 at 1:30 P.M.

Mr. Lynch will seek the opinion of the Geauga County Prosecutor's office as to the township's responsibility for broken headstones.

Mr. Lynch and Mr. Markley plan to attend the Cemetery Board meeting on Wednesday, January 7, 2009 at 3:30 P.M. where Mr. Markley will present the scope of work for surveying of new cemetery plots before the board requests three quotes.

Mr. Lynch made a motion to authorize payment for the trustees, fiscal officer, and Zoning Inspector and Assistant Inspector to attend the Geauga County Township Association Quarterly dinner on January 14, 2009 where a member of the EPA will be the guest speaker.

Mr. Markley asked the Fiscal Officer for the specific Local Government Fund income levels and how much we would see those levels drop. Mrs. Measures will bring those figures back at the next meeting.

#### TOWN HALL

#### OLD BUSINESS

##### Computer Consulting

Mr. Markley will be meeting with the Geauga County IT specialist, Steve Decatur, on Friday. and will request the name of two to three companies recommended to take over the Township's computer services. It has also been recommended to have resident Scott Rolf provide a quote for developing the scope of work needed for a township IT specialist.

#### NEW BUSINESS

##### NOPEC Electric Resolution

Mr. Lynch made a motion to sign the resolution requesting to retain the NOPEC generation discount for electric service to our residents.

Mr. Markley seconded the motion that passed unanimously.

##### Funds Transfer

Based on actions approved by the Board of Trustees, certain purchases were approved to be paid with monies from the Investment Funds. The following transfers shall be approved to move the monies to the respective accounts.

Mr. Lynch made a motion to approve a transfer from the Investment Funds from Morgan Stanley to the EMS Billing Fund Number 2281 in the amount of \$93,754.20 per the recommendation of the office of the Fiscal Officer.

Mr. Markley seconded the motion that passed unanimously.

Mr. Lynch made a motion to approve a transfer from the Investment Funds from Morgan Stanley to the Police fund number 2081 in the amount of \$8,260.00 per the recommendation of the office of the Fiscal Officer.

Mr. Markley seconded the motion that passed unanimously.

Mr. Lynch made a motion to approve a transfer from the Cemetery Expansion fund number 4902 to the Road Department fund number 2031 for reimbursement of expenses which the Road Department incurred as a direct result from work done on the cemetery expansion in the amount of \$7,675.29 per the recommendation of the office of the Fiscal Officer.

Mr. Markley seconded the motion that passed unanimously.

#### Legal Expenses

Mr. Lynch made a motion to approve the invoice from Walter & Haverfield, for State ex rel Voproco v. Bainbridge Mandamus & Decl. Judgment, in the amount of \$503.00 to be paid from the Zoning Legal Defense Fund.

Ms. White seconded the motion that passed unanimously.

Mr. Lynch made a motion to approve the invoice from Walter & Haverfield, for investigation of oil and gas drilling, in the amount of \$756.30.

Ms. White seconded the motion that passed unanimously.

#### Postage Meter

Mr. Lynch made a motion to approve the purchase order request for U.S. Postal Service in the amount of \$2,051.00 per the recommendation of Administrative Assistant Linda Zimmerman for the transfer of postage expenses from an old meter to the Township's new postage meter. (P.O. 001-09)

Mr. Markley seconded the motion that passed unanimously.

#### Resignation of Employee

The trustees were in general agreement to accept the resignation of Kim Frezza, part time assistant bookkeeper.

#### Letter to Employees

The trustees were in general agreement to send a letter to Township employees regarding 2009 compensation rates. This letter was drafted by Steve Sferra.



### Safe Routes To School Grant

Ms. White briefly explained the Safe Routes to School Grant that the Kenston Schools received, but was then rescinded. The first level of the process was to be approved for the grant. The second level of the process was to have a sidewalk study done. The third level is then to be approved for another grant to actually put in the sidewalks. Since two of the three streets are county roads, and Bainbridge Township has already put in flashing lights and a sidewalk from the schools to the intersection of Snyder Road and Washington Street, the issue of the grant is now closed.

### POLICE DEPARTMENT

The purchase order request for new digital radios has been put on hold until Liaison Markley meets with the Police Chief for further discussion.

### FOP & Bainbridge Township Contract

The trustees signed the final version of the contract between the Fraternal Order of Police and Bainbridge Township effective from January 1, 2008 through December 31, 2010.

### FIRE DEPARTMENT

Mr. Lynch moved to approve the professional training for Bill German to attend a 48 Hour Paramedic Refresher Course, which is required for recertification, in the amount of \$275.00 per the recommendation of Chief Phan.

Mr. Markley seconded the motion. Mr. Lynch, aye; Mr. Markley, aye; Ms. White absentia.

### ROAD DEPARTMENT

#### Salt Purchase

Mr. Lynch moved to approve the agreement between the Ohio Department of Transportation and Bainbridge Township for the purchase of up to 1500 tons of road salt in the amount of \$112,500 (\$75/ton) per the recommendation of Road Superintendent Alan Halko. (P.O. 002-09)

Mr. Markley seconded the motion that passed unanimously.

### Annual Township Highway System Mileage Report

The trustees were in general agreement to accept the Annual Township Highway System Mileage Report stating that Bainbridge Township maintains 85.50 miles of public roads per the recommendation of Geauga County Engineer Robert Phillips.

## PARKS DEPARTMENT

### Centerville Mills Camping Association

A website run by the Centerville Mills Camping Association is gaining momentum, but the Park Board is concerned about false representation since this site is not authorized by the Township. The organization has not been very cooperative with requests made by members of the township's Park Board. Mr. Lynch will seek advice from the Geauga County Prosecutor's office as to the extent of the liability of the Township.

### Remodeling of Various Buildings

The architectural proposals for the remodeling of the Dining Hall and Lodge restrooms has been put on hold until after the Parks Property Manager has been selected.

### Parks Property Manager

The trustees will meet in executive session on Monday, January 12, 2009 at 6:30 P.M. to make a decision on the Parks Property Manager.

### Eagle Scout Project Process

Park Board Member and resident Henri Preuss presented a very thoughtful memorandum regarding a standard Eagle Scout project process.

Mr. Lynch made a motion to adopt this standard effective as of January 5, 2009.

Mr. Markley seconded the motion that passed unanimously.

### Aurora Co-Op Contract

The trustees were in general agreement to renew the rental contract with Aurora Co-Op Preschool at Centerville Mills.

## ZONING DEPARTMENT

### Zoning Commission

The trustees were in general agreement to meet in executive session on January 12, 2009 at 6:15 P.M. to meet with two candidates for the Zoning Commission available seats, one full term member and one alternate. Ms. White will contact the candidates.

## MINUTES

The minutes of the trustees' December 8, 2008 and December 15, 2008 regular meetings were approved as read.

CHECKS DATED DECEMBER 16, 2008 THROUGH DECEMBER 31, 2008

The trustees examined the above checks and invoices for same and payroll, and the trustees were in general agreement that these checks for outstanding obligations be accepted for payment.

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

CORRESPONDENCE

Letter from Karen Bartlett, Resident, dated December 30, 2008. RE: Parkside Church.

Bainbridge Township Park Board Meeting Minutes, dated November 19, 2008.

Bainbridge Township Board of Zoning Appeals Meeting Minutes, dated November 20, 2008.

Copy of letter to Jerry Petersen, Stoneridge Land Co. Ltd. from the Geauga County Commissioners, dated December 18, 2008. RE: Conversion of Stoneridge of Geauga Condominiums.

Copy of letter to the Geauga County Commissioners from Robert L. Phillips, Geauga County Engineer, dated December 12, 2008. RE: Stoneridge of Geauga.

Letter from Pete McDonald, Stewardship Specialist, Western Reserve Land Conservancy, dated December 17, 2008. RE: Visit to Centerville Mills, Edwards and Henry South properties.

Memo from David C. Dietrich, Geauga County Planning Commission, dated December 24, 2008. RE: Canyon Lake colony Subdivision No. 12-A (Re-plat of Sublots 264 and 265) - Final Plat.

Since there was no further business to come before this meeting of the Bainbridge Township Board of Trustees, the meeting was adjourned at 10:02 P.M.