

The Bainbridge Township Board of Trustees met in regular session at the Bainbridge Town Hall on November 15, 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 7:07 P.M.

TOWN HALL/OTHER

OLD BUSINESS

PHASE II NPDES

Mr. Desiderio made a motion authorizing payment of \$3,223.34 to Geauga Soil & Water Conservation District for a NPDES Phase II Survey of Bainbridge residents as part of Ohio EPA compliance requirement per the recommendation of Zoning Inspector Frank McIntyre. (P.O. 430)

Mr. Horn seconded the motion that passed unanimously.

NEW BUSINESS

TERMINATION OF YMCA/BAINBRIDGE TOWNSHIP OPERATING AND MANAGEMENT AGREEMENT

The trustees acknowledged 30 day termination notice from YMCA of Greater Cleveland with the standing Operational Management Agreement to end at 12:00 A.M. on December 15, 2004.

Trustees will review Centerville Mills Camp/YMCA Proposed Operation Models - Option 1 and Option 2 dated November 15, 2004.

The trustees were in general agreement to close the camp from November 15, 2004 - March 15, 2005.

ZONING

Proposed Zoning Amendment Z-2004-3

The trustees recessed the regular meeting at 7:59 P.M. and opened the public hearing for Z-2004-3 at 8:00 P.M. Trustees recessed the public hearing at 8:01 to continue conversations in regards to Centerville Mills Camp.

Public Hearing - Proposed Zoning Amendment Z-2004-3

Mr. Desiderio recessed the trustees' regular meeting and opened the public hearing for proposed zoning amendment Z-2004-3 at 8:38 P.M.

Mr. Desiderio noted that the legal notice for this public hearing was duly published in the News Herald on November 5, 2004. This amendment proposes to delete oil and gas well regulations from the Bainbridge Township Zoning Resolution, due to recent passage of Sub. House Bill 278. This amendment was initiated by motion of the zoning commission on September 30, 2004; and the Geauga County Planning Commission on October 12, 2004 voted to recommend approval of Z-2004-3, with comments as listed. The Bainbridge Township Zoning Commission held a public hearing for proposed amendment on October 28, 2004 and subsequently recommended approval of the amendment.

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

Comments for the proposed amendment: None.

Comments against the proposed amendment: None.

Mr. Desiderio moved to close the public hearing at 8:44 P.M.

Mr. Hesse seconded the motion that passed unanimously.

Mr. Desiderio made a motion to approve Z-2004-3.

Mr. Hesse seconded the motion that passed unanimously.

#### THE OHIO VALLEY GROUP

The trustees were in general agreement to not object to the proposed purchase by the Ohio Valley Group, Inc. of land located in the Knowles Industrial Parkway as long as it complies with the Judgment Entry.

#### PROPOSED COMMUNITY CENTER LEVY

The trustees were in general agreement to not conflict with Kenston School Board's February, 2005 Levy and therefore would not put Community Center Levy on at same time.

#### GEAUGA COUNTY AUDITOR - FORFEITED LAND SALE

The trustees were in general agreement to advise the Geauga County Auditor that they have no interest in securing Parcel 02-272500 for the township land bank.

#### CENTERVILLE MILLS CAMP

Mr. Hesse made a motion authorizing payment of \$13,243.50 to Normandy Catering for food for camps in September and October, 2004.

Mr. Horn seconded the motion that passed unanimously.

TOWNSHIP REPORTS

The trustees acknowledged receipt of the following township reports:

Police Department Report - July & August 2004  
Fire & Rescue Report - October 2004

POLICE DEPARTMENT

Re-location Expense

Mr. Hesse made a motion authorizing an additional \$827.37 to Andrews Moving & Storage for extra expenses incurred to re-locate to new building per the recommendation of Lt. Bokovitz. (P.O. 431)

Mr. Horn seconded the motion that passed unanimously.

NEW BUSINESS

Cruiser Maintenance

Mr. Hesse made a motion authorizing payment of \$1,062.86 to Forsythe Auto for maintenance of Police Department Cruisers, per the recommendation of Lt. Bokovitz. (P.O. 426)

Mr. Horn seconded the motion that passed unanimously.

VT-Prism Software Support

Mr. Desiderio made a motion authorizing payment of \$4,400.00 to NuDawn Technologies Inc. for VT-Prism Software Support for the Police Department (1/5/2005 - 1/4/2006). (P.O. 432)

Mr. Hesse seconded the motion that passed unanimously.

FIRE DEPARTMENT

NEW BUSINESS

Leave of Absence

The trustees were in general agreement to authorize an extended leave of absence for Firefighter Michael Ruth due to a medical situation, per the recommendation of Fire Chief Brian Phan.

ROAD DEPARTMENT

NEW BUSINESS

Haskins Road

Mr. Hesse made a motion authorizing payment of \$8,980.00 to Ronyak Bros. for full depth repairs and cracksealing on Haskins Road between Washington Street and Bainbridge Road per the recommendation of Highway Superintendent Alan Halko. (P.O. 433)

Mr. Desiderio seconded the motion that passed unanimously.

File Cabinets

Mr. Hesse made a motion authorizing payment of \$867.93 to Indoff for a Global lateral file and over file cabinet for the Bainbridge Township Service Garage per the recommendation of Highway Superintendent Alan Halko. (P.O. 434)

Mr. Horn seconded the motion that passed unanimously.

Professional Training

The trustees were in general agreement for Greg Marous to attend an Herbicide & Pesticide Refresher Course on November 22, 2004 at a cost of \$90.00 per the recommendation of Highway Superintendent Alan Halko. (B.C. 54)

CHECKS DATED NOVEMBER 15, 2004

The trustees examined the above checks and invoices for same, and Mr. Horn moved that these checks for outstanding obligations be accepted for payment.

Mr. Desiderio seconded the motion that passed unanimously.

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

MINUTES

Mr. Horn made a motion to approve the meeting minutes of November 3, 2004 and November 8, 2004.

Mr. Desiderio seconded the motion that passed unanimously.

CORRESPONDENCE

Letter from Todd J. Mitchell, dated November 5, 2004. RE: Public record request.

Copy of letter from the Geauga Soil & Water Conservation District to Mr. David Dietrich, Geauga County Planning Commission, dated November 5, 2004. RE: Plans currently under review by the Planning Commission.

Letter from Robert L. Phillips, Geauga County Engineer,  
dated September 7, 2004. RE: 2005 Township Projects - Geauga  
County.

Copy of letter from the Geauga County Planning Commission  
to Mr. James Crawford, J & R Development, Inc., dated November  
10, 2004. RE: Woods of Wembley Subdivision Phase VII - Final  
Plat.

Copy of letter from the Geauga County Planning Commission  
to Mr. Hugh Edwards, Canyon Lakes Colony Company, dated November  
10, 2004. RE: Canyon Lake Colony Subdivision No. 11-A - Final  
Plat.

JAMES BAYLESS, ET AL. V. BAINBRIDGE TOWNSHIP BOARD OF TRUSTEES,  
ET AL case #03A000892

The trustees read Judge Iderlied's decision regarding the  
above case involving Judson Retirement Community. The court  
found that the Board of Zoning Appeal's decisions were legal,  
not arbitrary, capricious or unreasonable and were supported by  
a preponderance of the substantial, reliable and probative  
evidence on the whole record.

THANKSGIVING HOLIDAY

The trustees were in general agreement to close the  
township offices on Friday, November 26, 2004.

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