

The Bainbridge Township Board of Trustees met in regular session at the Bainbridge Town Hall on February 9, 2009. Those present were trustees Mr. Matthew J.D. Lynch, Mr. Jeffrey S. Markley, and Ms. Linda W. White and Fiscal Officer Mrs. Cherianne H. Measures. Mr. Lynch presided and called the meeting to order at 7:00 P.M.

#### FISCAL OFFICE

Fiscal Officer, Cherianne H. Measures, presented the 2008 Annual Report with a beginning balance in the General Fund of \$5,693,743.22, total receipts in the General Fund of \$2,428,397.93, total General Fund expenditures of \$1,469,756.50 for a year end balance in the General Fund of \$6,623,197.10. Mrs. Measures also presented the January monthly reports.

The financial reports are attached to, and become a permanent part of, these minutes.

The trustees were in general agreement to have all full time employees update their FormFire files in order to get new quotes for township medical insurance.

#### PUBLIC COMMENTS

Mr. Karl Kuckelheim asked for thirty minutes on February 23, 2009 in order to make a Historical Society presentation.

#### TRUSTEES CORNER

Ms. White would like to seek the County Prosecutor's opinion on two items...Can Kenston Community Education change its status to a 501(C)(3)? and should or can the township pay the invoice, or contribution, to said organization in the amount of \$13,500? The Fiscal Officer was asked to find the original contract forming Kenston Community Education.

Mr. Markley reminded those present of the Chagrin River Watershed Partners meeting at the Bainbridge Town Hall on February 19, 2009 at 4:00 PM. There is also a JEDD meeting at Solon City Hall for the existing JEDD also on February 19, 2009 at 8:00 AM.

Mr. Lynch expressed his concerns regarding the rushed vote for the Kenston Stadium Project. As Chairman of the Board, he will draft questions to the County Prosecutor office asking for an opinion regarding the ability to do the project in any way, the township's authority to contribute to other organizations, and whether Kenston Community Education can legally contribute to the Stadium Project.

Ms. White wants a definite answer on this matter, no vagueness.

The trustees were in general agreement to have Mr. Markley provide all prosecutor's email regarding the Stadium Project to the press.

The trustees were in general agreement to have Kenston Community Education attend the meeting on February 16, 2009.

The trustees were in general agreement to have Mr. Lynch draft a letter to Ms. Cindy Wojtasik offering support for the Memorial parade and ceremony to be held Sunday, May 24, 2009.

Mr. Lynch made a motion to approve the Chagrin River Watershed Partners invoice for annual membership dues in the amount of \$4,327.26.

Mr. Markley seconded the motion that passed unanimously.

The trustees were in general agreement to go into executive session to seek legal counsel on February 16, 2009 at 6:30 PM.

#### Minutes

The trustees were in general agreement to approve the minutes as read from the meeting held January 26, 2009.

#### TOWN HALL

#### OLD BUSINESS

#### Cemetery Expansion

Mr. Lynch made a motion to approve the invoice from Clemson Excavating in the amount of \$7,064.08 for the Cemetery Expansion.

Ms. White seconded the motion that passed by a vote of Mr. Lynch, aye; Mr. Markley, abstain; Ms. White, aye.

Mr. Lynch made a motion to approve the two change orders for the Cemetery Expansion.

Ms. White seconded the motion that passed by a vote of Mr. Lynch, aye; Mr. Markley, abstain; Ms. White, aye.

## NEW BUSINESS

### Conservation Easement

The trustees heard about a conservation easement on the 29 acres on the former Campane property by Mike Joyce. Scott Hill from Western Reserve and Bob Griesmer from Geauga County Soil & Water have walked the property. Estimated cost to put a conservation easement on the 29 acres is about \$2,000 per acre.

### Legal Invoices

Mr. Lynch made a motion to approve the invoice from Walter & Haverfield in the amount of \$1,268.85 regarding the Vokas Property.

Ms. White seconded the motion that passed unanimously.

Mr. Lynch made a motion to approve the invoice from Walter & Haverfield in the amount of \$689.70 regarding the Voproco vs. Bainbridge case.

Ms. White seconded the motion that passed unanimously.

Mr. Lynch made a motion to approve the invoice from Walter & Haverfield in the amount of \$671.20 regarding the investigation of Oil and Gas Drilling.

Mr. Markley seconded the motion that passed unanimously.

## ROAD DEPARTMENT

### Old Business

#### Savage Road

Mr. Lynch made a motion to approve the change order for the Savage Road project per the recommendation of Road Superintendent Alan Halko.

Mr. Markley seconded the motion that passed unanimously.

Mr. Lynch made a motion to approve the third invoice for the Savage Road Project in the amount of \$9,823.80 to Ronyak Paving, Inc. per the recommendation of Road Superintendent Alan Halko.

Mr. Markley seconded the motion that passed unanimously.

Purchase of New Truck

Ms. White made a motion to approve the purchase of a 2009 cab/chassis under the State Cooperative Purchasing Program from Miami Valley International Trucks in the amount of \$57,614.00 per the recommendation of Road Superintendent Alan Halko.

Mr. Markley seconded the motion that passed unanimously.

Ms. White made a motion to transfer the funds for the purchase of the new truck from the Investment Funds General Fund to the Road Department Fund.

Professional Training

Mr. Lynch made a motion to approve the professional training for Greg Marous to attend a certification update class titled Ohio Pesticide Commercial Applicator 2009 Recertification Conference per the recommendation of Road Superintendent Alan Halko.

Mr. Markley seconded the motion that passed unanimously.

Retirement of Road Superintendent

The trustees were in general agreement to accept the letter of intent from Road Superintendent Alan Halko stating his intention to retire May 29, 2009. The trustees were also in general agreement to meet with Mr. Halko in executive session at 6:30 PM on Monday, February 23, 2009.

CHECKS DATED FEBRUARY 4, 2009 TO FEBRUARY 9, 2009

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

Ms. White seconded the motion which passed unanimously.

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

CORRESPONDENCE

The trustees were in general agreement to refuse the right to purchase the property located at 17984 Chillicothe Road currently owned by Donald H. Nichols, II.

EXECUTIVE SESSION

Mr. Lynch made a motion to go into executive session to discuss the employment of a public employee.

Ms. White seconded the motion that passed unanimously.

The trustees recessed their regular meeting at 8:35 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 meeting at 9:46 P.M.

Cemetery Sexton

Mr. Lynch moved to retain Don Mitchell as Cemetery Sexton from February 13, 2009 thru May 31, 2009 and to be compensated at the rate of \$150.00 per week. The position of Cemetery Sexton shall then be eliminated effective May 31, 2009 and the duties of the Sexton shall be reassigned to other employees by the Board of Trustees.

Ms. White seconded the motion that passed unanimously.

Zoning Inspector

Mr. Lynch moved to increase the annual compensation of the Zoning Inspector Michael Joyce from \$55,000.00 to \$60,000.00 annually, in recognition of the end of his probationary employment period.

Mr. Markley seconded the motion that passed unanimously.

Township Administrator

Mr. Lynch moved to create the position of part-time Township Administrator to work at least 10 hours per week, with the duties as listed in Ohio Revised Code 505.032.

Ms. White seconded the motion that passed unanimously.

Mr. Lynch moved to offer the position of part-time Township Administrator to Michael Joyce at the additional compensation of \$10,000.00 annually.

Mr. Markley 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 9:55 P.M.