

**WESTFIELD TOWNSHIP BOARD OF TRUSTEES**  
**OCTOBER 6, 2008**  
**REGULAR MEETING-7:00 PM**

Chairperson of the Board of Trustees Carolyn Sims called to order the regular meeting of the Westfield Township Board of Trustees at 7:00 p.m. Trustee Sims, Likley and Kratzer were present as well as Fiscal Officer Evans. The following were also in attendance: Ron Oiler.

**FISCAL OFFICER REPORT**

Fiscal Officer Evans stated that it was coming to the end of the year and you (Trustees) will need to make supplemental appropriations, which are in front of you. There needs to be \$500.00 to the PeterBuilt Account, which was taken from Contracted Services. We also needed more money for Tax Collection Fees. Fiscal Officer Evans stated she underestimated the taxes in the amount of \$120.00, which was taken from Contracted Services (Road and Bridge). \$184.00 was taken from Travel and put in Dues and Fees to pay for the E-Bay account to sell the tractor. The Trustees also created a new job (Trustees Staff) and that money was taken from the Fiscal Officers Staff. We needed \$25. 00 to pay for the water for the Townhall. Repairs was taken out of Gas Tax Contracted Services for repairs on the roads.

**Trustee Sims made a motion to accept the Supplemental Appropriations as presented. It was seconded by Trustee Likley.**

**ROLL CALL- Kratzer-yes, Sims-yes, Likley-yes. Motion carried.**

The Trustees have been presented the bills for payment this evening. The bills were in the amount of \$28,489.66. The majority of that amount was for payroll.

**Trustee Kratzer made a motion to pay the bills in the amount of \$28,489.66. It was seconded by Trustee Likley.**

**ROLL CALL- Kratzer-yes, Sims-yes, Likley-yes. Motion carried.**

**Fund Status**

Fiscal Officer Evans stated that per the Fund Status Report before the Trustees this evening there was \$865,972.29 in our investments and \$115,894.73 in our checking account. The bank balance has been reconciled for the month of September. Before the Trustees was a collective report (Cash Summary Report) giving the starting balances for 2008 and all of the receipts and expenditures to date.

Fiscal Officer Evans stated that the Trustees would need to pass a Resolution (2008-17) regarding the proposed budget for next year for the amounts and rates as proposed by the Budget Commission and authorizing the necessary tax levies and certifying them to the

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County Auditor. The Resolution would need to be passed by the Trustees by November 3, 2008.

**Trustee Sims made a motion to table the proposed budget for next year for the amounts and rates as proposed by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor in order for the Trustees to have the opportunity to review the information just handed to them. It was seconded by Trustee Likley.**

**ROLL CALL-Sims-yes, Kratzer-yes, Likley-yes. Motion carried.**

Fiscal Officer Evans stated that the Trustees would need to pass a Resolution (2008-18) to approve an agreement with the Public Utilities Commission of Ohio for Safety Enhancement at White Rd. Medina County and Supplemental Assistance Program.

Trustee Sims stated there was a gentleman coming to give a presentation this evening on this which was regarding the vegetation removal at White Rd. Fiscal Officer Evans stated this Resolution would be moved under the discussion on roads.

Fiscal Officer Evans stated she had a signed copy by Trustee Kratzer on the elevations for Westfield Landing Rd. There was also before the Trustees for consideration a work order form. This would give a detailed description of work to be done and where and when this work would be completed as well as a space for the Trustee Supervisor ordering the work to be done and signature of that trustee.

### List of Received Correspondence

- Received Sept. 25, 2008 a Land Lease Agreement from Verizon Wireless to have the Township's money direct deposited and the W-9 request.
- Thank You Note from the Kevin Evans family for use of the townhall for a funeral lunch
- Medina General Hospital Foundation Donation Cards
- Medina County Economic Development-Tax Incremental Financing Presentation to be held Oct. 21, 2008 at the Cloverleaf Board of Education. This is inconsideration of the proposed Chippewa Landings Project to be located in Lafayette and Westfield Township. Trustee Sims stated this would be on TIF's suggested this be sent to the Zoning Commission and BZA to attend.
- Ohio Township Association Risk Management Authority-They will be discussing the Board of Directors Election and if there were any interested parties
- Letter from the Senator of Local Government-Seminar on grants available on Oct. 14, 2008 in Elyria.
- Letter from Richard Condray concerning Star Ohio securities.
- Superintendent of the Cloverleaf Schools Daryl Kubilis will be in attendance at the Westfield Township Trustees Meeting on Oct. 20, 2008.

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- News Release from District 9 Natural Resourced District Council for Huron, Lorain and Medina Counties they were accepting applications for 2009 Allocation of the Clean Ohio Conservation Fund/Green Space Program.
- A letter from the Medina County Sanitary Engineer that they are rebidding the Operation of the Central Processing Facility. Trustee Likley stated it also addressed trash collection, and if the Township was interested in one provider for the entire Township, through the bid process we could participate and make a decision to have one trash provider. Trustee Kratzer stated he would look into that and report at the next Trustee meeting.
- SUMMA Care-Reminder to everyone to get a flu shot

Trustee Sims stated she had a question on the correspondence received Sept. 22, 2009 from the County Recorder on the reduction of zoning fees due to House Bill 562 but there was no further information. Fiscal Officer stated the County Recorder fees have been reduced to have a Zoning Resolution and any supplemental amendments, maps, etc. recorded.

#### **IRS Appeal Update**

Fiscal Officer Evans stated she has been working with Tom Karris from the Pros. Office and gave him a detailed list of the amounts owed per year per entity. They are looking into our liability insurance (omissions and errors) would cover that.

Trustee Likley stated he went through all the payment registers regarding Mr. Kevin Primer's pay for being a Zoning Commission member (meetings and trainings) and the closest thing he could track down was \$79.69. Fiscal Officer Evans stated she pulled everything that was on his pay sheets and it showed one payment for two meetings in February i.e. one meeting and one workshop session. Trustee Likley asked Fiscal Officer to review those documents again so this issue with Mr. Primer could be resolved.

#### **Fire Dept. Report**

Chief Snoddy stated regarding the Sept. run there were 9 Fire Truck calls, 2 fires, 4 mutual aids, (inaudible)

Equipment Analysis-We have trucks starting on Thursday for safety analysis to see whatever might be needed and a cost estimate as well. We are trying to determine what trucks are road worthy and which ones aren't i.e. what trucks and equipment may need to be replaced. It concerned him because they took a relatively new truck and it needed \$4800 in brake work and chassis repair. The chassis had a break in bracket for the front suspension and the brakes were shot. Trustee Likley asked the year and the mileage on that vehicle? Fire Chief Snoddy stated it was a 2001 and had less than 40,000 miles on it.

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Trustee Sims stated the Trustees hired an independent, third party consultant to put together a report on Fire Dept. staffing, station location, response, vehicles etc. Fire Chief Snoddy stated he gave the report on disc to Kim Ferencz and she was going to forward it to the website administrator to be placed on the web.

Chief Snoddy stated tickets were on sale for the Clambake which will be held on October 18, 2008.

The Standard Operating Guidelines (SOG's) were still being worked on. It was proposed an outside consultant would conduct an analysis of the hiring criteria and process in regards to the open position of Ass't Fire Chief. They would be doing an actual written test and then bring in a panel of 2 or 3 experts and do formal verbal interviews and then make their recommendations.

Trustee Sims stated she would like the Fire Committee to set a hard deadline to complete the SOG's. She also asked Fire Chief Snoddy to make an inventory list of the vehicles with a brief description and include a photo so for any further discussions with Council that will come out of this Fire Report so everyone will know what piece of equipment is being talked about.

### **WHITE RD. RR CROSSING**

Trustee Sims stated the Township was contacted by the PUCO regarding an accident that took place at the White Rd. RR Crossing to consider the possible need of gates and lights at this crossing. The PUCO wanted to know of any other incident reports at this crossing. It is unknown at this time if lights or gates will be erected. However, during the assessment of the crossing it was documented that there was vegetation and foliage which needed to be removed. Commission member Pat Geissman was also present at this assessment and recommended Keith Crumley, Pat Couch and Lee Evans to come up with a bid estimate for the removal of the vegetation and foliage which was a safe sight line issue. There is a grant program available that the Township may be eligible for to help pay for the removal of the vegetation/foliage.

Mr. Crumley stated that this is a great grant program that makes up to \$5,000.00 available to the Township for vegetation/foliage removal. Whatever work he would do for the Township in terms of the removal of vegetation etc. would be professional and guaranteed. The work would include cutting down trees/foliage and spraying. Trustee Sims asked Mr. Crumley to explain the supplemental assistance program. Mr. Crumley stated the Township would send his estimate and the application to PUCO. The Township would also need a Resolution to take action on this program. The PUCO would make the final determination of eligibility and when that happens the Township would need to contact him as he is not allowed to contact the PUCO. This program was a reimbursement to the Township and he did not have contact with the PUCO directly but the advantage is

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that he would do the work and submit an invoice to the Township and was willing to wait to be reimbursed by the PUCO. This is a win-win situation for everyone. Mr. Crumley stated he has worked on approximately 45 intersections throughout the 17 Townships in Medina County. The timing of when certain trees/vegetation and foliage would be removed would be season dependent.

Mr. Evans stated he spoke with Leah Dalton from the PUCO Rail Division and the application and Resolution (which Mr. Evans prepared) needed to be sent to her and the monies would not be released until they approve the application. Mr. Evans stated it was best to send in all the paperwork now so if/when the Township receives approval they can contact Mr. Crumley and set up a schedule for the vegetation removal to take place in the spring.

Mr. Evans stated that the Resolution would read, "to enter into an agreement with the PUCO to pay for the safety enhancements at White Rd. Crossing #473551N Medina County under the supplemental assistance program. The Westfield Township Board of Trustees Medina County Ohio met in regular session October 6, 2008 at 7:00 p.m. at 6699 Buffham Rd. The following members were present: Carolyn Sims, James Likley and Timothy Kratzer."

**Trustee Sims made a motion to approve the Resolution as read and presented by Mr. Lee Evans. It was seconded by Trustee Likley.  
ROLL CALL-Sims-yes, Likley-yes, Kratzer-yes. Motion carried.**

### **Zoning Report**

ZI Harris stated he gave Trustee Likley the monthly applications. He added he also gave Trustee Likley a list of items per quadrant on the Zuber property and pictures of the property; and a second notice violation on Mr. Bombard. Trustee Sims asked ZI Harris to forward copies of documents to Kim Ferencz and then she could put them in her file and also forward them to the Trustees. ZI Harris stated the Pros. Office wanted 4 complete sets of pictures for their office, the Zoning Dept., Mr. Zuber and his attorney. Mr. Evans stated he took the numerous pictures of the Zuber property and that if there needed to be that many copies he would go to Staples to print them. Trustee Sims suggested the pictures be put on disc and then the interested parties could print them out themselves.

Trustee Sims stated for the public, the Zuber property has been given a zoning violation and the Trustees have agreed to a cleanup schedule of the property which has been divided up into 4 quadrants. The first quadrant is to be completed by October 28, 2008. The second quadrant by December 12, 2008; the third by January 27 2009; and the entire property to be cleaned up by March 15, 2009. ZI Harris would have to check for compliance after each of these dates.

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Trustee Likley stated the Township has heard many excuses over the years for this property remaining in non-compliance and ZI Harris will have to be diligent in following up with this issue. Trustee Sims stated that she has expressed to Mr. Zuber over the years that the Sheriff's Dept. would be willing to use their labor and assist him to complete the cleanup free of charge. ZI Harris stated that he has explained this to Mr. Zuber and Mr. Zuber has stated he does not trust those people. He feels they would steal his scrap steel. Trustee Likley stated as long as Mr. Zuber and his attorney are aware these dates are firm then it would be their responsibility to ensure compliance by the deadlines set and agreed to by all parties.

Trustee Likley asked what the procedure was for non-compliance? ZI Harris stated he would be in touch with Trinna Devanney from the Pros. Office how the procedure will go. Trustee Sims stated that she would like Kim Ferencz to have a copy of any/all documents on the property for the zoning file and distribution.

### **Grubbs variance applications (Westfield Landing)**

ZI Harris stated the variance applications were withdrawn.

### **Westfield Terrace**

ZI Harris stated the mowing at Westfield Terrace has changed hands. He has to contact the new owners about the mowing. ZI Harris stated he would follow up with Trinna Devanney from the Pros. Office on the mowing schedule.

### **Set Trustee Public Hearing on the Kratzer Map Amendment Application**

The Trustee set the public hearing on the Kratzer Map Amendment Application for October 22, 2008 at 7:00 p.m. Trustee Sims stated she would contact Bill Thorne from the Pros. Office to be available that evening.

### **Park & Cemeteries**

Trustee Kratzer stated he has been unable to get a meeting with Pat Eddington about cutting down trees. Trustee Kratzer stated that Pat said they were not cutting down trees so the Trustees may have to hold a meeting of our own to decide what to do with our park.

### **Roads**

Mr. Evans stated regarding White Rd., Lytle Construction has not shown up yet but when they do it will be asphalted. Mr. Evans stated he would also see if Lytle would widen the road as well in this scope of work but would probably require a change of work order. The signage and paint stripping would all need to be put in place fairly quickly.

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Regarding the ditch enclosure on Buffham Rd. for Mr. Klingen; the Township has not heard from him. Trustee Sims asked Fiscal Officer Evans to find Mr. Klingen's complaint report so she could get his number and follow up with him.

Mr. Evans stated the Tractor sold on e-bay for \$12,201.00. The individual is supposed to come Friday to pick it up.

### **Issue 2 Money**

Trustee Sims stated the Trustees needed to get a letter to the Highway Engineer outlining the proposed improvements. She asked Mr. Evans to complete that in the next two weeks. Trustee Sims stated Kim Ferencz offered her assistance in this matter as well if needed. Trustee Sims stated she would get together with Mr. Evans to go over the proposal.

### **Signage Inventory Review**

Trustee Sims asked if Mr. Evans has completed a signage inventory for the Township? Mr. Evans stated he had not. Trustee Sims stated this should be completed in the next 45 days or so. Trustee Likley stated this was a recommendation from OTARMA that this signage inventory be completed and updated every few months, etc.

## **OLD BUSINESS**

### **Cell Tower Contract**

Trustee Sims stated in the contract language of the lease agreement it had her personal address in the contract. The Townhall address is what should be listed and not her personal address or the wording "or to such other person." There are discrepancies in the agreement dated September 25, 2008 from what the Trustees originally decided and what is written.

On page 2 Verizon is stating an 18 month layover before paying the Township and the Trustees suggestion was 6 months as the Township was losing the lease of the land. As soon as we (Trustees) commit the property for the tower 6 months later we should be collecting the lease fee. All references to the 18 months needed to be removed.

Also on page 2 there is a reference to Rental Documentation. Need clarification from Pros. Office as to what that entails.

There was then discussion as to the Extension and Additional Extensions. Trustee Sims stated her concern is that instead of an automatic roll over into an extension after the first 25 yrs. the Trustees should have the ability to review and potentially renegotiate the contract instead of being locked into the same terms for an additional 25 yrs. barring neither party terminates to the agreement. Trustee Likley stated there would be a solid be a 3% increase every year. He felt at the end of the 25-yr. term that was good money. Trustee Sims stated there is no mention of additional monies for additional carriers that might locate on the tower. It was in the original draft but not the one dated Sept. 25, 2008.

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All Trustees agreed that this needed to be addressed in the agreement that if there are additional carriers there will be additional money paid to the Township.

Trustee Likley stated there should be language in the document stating the type of structure (monopole) that the cell tower will be.

The Insurance Clause on page 8 needed to be reviewed by the Pros. Office as well as the question of liability on both parties in terms of insurance coverage.

On page 13, the issue of a possible tornado siren being erected on the tower was discussed. The timing of such a siren as to when it would be erected would affect which party would have to do the work and be financially responsible. This needs to be reviewed and clarified by the Pros. Office.

Trustee Sims stated there was also the issue raised by Mr. Karris from the Pros. Office regarding the drawing for the location of the cell tower in that the dimensions of the road right of way were inconsistent with the original agreement. Trustee Sims she would draft up the questions, comments and concerns on this contract and use the existing cell tower lease as a comparison of what is addressed and not addressed in the Sept. 25, 2008 agreement and forward to the Pros. Office for legal clarification.

### **Website Contract**

Trustee Kratzer contacted two individuals about taking over the web page. One individual, Mr. Bill Synch stated his operating system was Apple/MAC driven so that was not compatible with the Township. The second individual was Don Krolikowski from Independence, Ohio. He said if we just wanted to upload minutes, change meeting dates etc. he could set up a program to do those changes. Trustee Kratzer stated Mr. Krolikowski's concern was that if the Township put Dreamweaver in our system; one push of the wrong key could damage the entire page of the website. Mr. Krolikowski stated he would charge the Township a \$65.00 initial change over fee and \$35.00 a month to maintain the domain name and keep the website up and running. If the Township would want to add pictures there would be a minimal fee of \$20-\$25. Trustee Sims asked about references. Trustee Kratzer stated he was forwarded this information from former Trustee Jeff Plummer. Trustee Kratzer stated Mr. Krolikowski sent an e-mail with a list of websites he designed and he went out on one of them and it cost the client \$700.00 for the creation of the website but that does not include or involve any changes to the site. It was for the Cultural Arts Organization and was very professional.

Trustee Sims stated her concern would be what the cost would be for the changes that would have to be made i.e. just 5 sets of minutes needed to be uploaded for the Trustees. She added her thoughts were that this could all be done internally. Trustee Kratzer stated it that was his intention that Kim Ferencz could log into the program via a password and upload the minutes, change minutes, meeting dates, etc. The only changes Mr. Krolikowski will do will be the physical changes to the home page.



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Trustee Likley asked if Mr. Krolikowski had the ability to take over the existing website and transfer the domain name? Trustee Kratzer stated yes. Trustee Likley stated he hoped it would be a smooth transition to complete this and could be done in a timely manner. Trustee Sims stated she would like to be able to do this completely in house with no fees but did not have the expertise to do it.

Trustee Likley asked if there was an agreement with Mr. Krolikowski? Trustee Kratzer stated he did not have an agreement at this time just Mr. Krolikowski's e-mail of a \$65.00 initial fee and a \$35.00 a month maintenance fee. He added the Trustees could set up a 1-yr. agreement and if Mr. Krolikowski does not work then we could look elsewhere.

Trustee Sims stated she spoke with the current website administrator Greg Anderson and he is willing to extend his contract for 2 months in order for the Trustees to make a decision on the website. Trustee Sims would contact Greg Anderson to extend his contract for 2 more months. Trustee Likley asked if Mr. Krolikowski could attend a Trustee meeting and explain what he would do and how Kim would be utilized in this process to give the flexibility in-house to make the updates/changes. Trustee Kratzer stated he could contact Mr. Krolikowski and see if he could attend the next Trustee meeting.

### **COMP PLAN CONSULTANTS**

The Trustees had presentations by three companies: Arnold Architect Strategies, Oxbow Engineering and Northstar. Trustee Likley stated that Arnold Architect was the highest cost and appeared would take the longest time to complete the Comp Plan. Northstar and Oxbow had excellent presentations. Northstar has worked for the Township before in the writing of the original Comp Plan, the Update and the Zoning Resolution. Northstar's time frame for completion was 8-12 months based on a Steering Committee's formation and participation in the process. Mr. Mark Majewski from Northstar provided a complete scope of services including the additional cost of a survey and the different types of surveys he could offer (i.e. web based and mail) and the cost for additional workshops and meetings that may be needed.

Trustee Kratzer stated he liked Northstar and Oxbow Engineering. York Township has used Oxbow Engineering and has been very pleased. The Township has worked with Northstar so he had no issues with them either. Trustee Sims stated she too was comfortable with Northstar for the reasons Trustee Likley and Kratzer have stated.

**Trustee Kratzer made a motion to contract with Northstar Planning for the Comprehensive Plan Update. It was seconded by Trustee Likley.**  
**Discussion on the Motion.**

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The Board concurred to hire Northstar Planning based on the past working relationship Westfield Township has had with Northstar in the writing of the original Comp Plan, Update and Zoning Resolution Update.

### **ROLL CALL-Trustee Kratzer-yes, Sims-yes, Likley-yes.**

Trustee Sims stated that Mr. Scheetz has contacted all the potential Comp Plan Consultants. It was important to her that this project was done without bias or radicals on either side. She added that Stan Scheetz should stay out of the process and not contact the Consultants or potential Steering Committee members.

Trustee Likley stated he would contact Mr. Majewski from Northstar to see what the next step would be in the Comp Plan Update process and if he could attend the next Trustee meeting.

### **Township Newsletter**

Trustee Sims stated she contacted Camelot Printing and the newsletter is at the printers. Trustee Sims stated she was working on how to see best to get a complete list of all the addresses of the residents in the Township. Trustee Sims stated that Kim Ferencz stated she was willing to create a database to type the labels to get the newsletter out if this could be done in a timely fashion. The other Trustees stated it might be less time-consuming due to the equipment Camelot had to complete the mailings. Trustee Sims stated she would follow up and the newsletter would get out.

### **Announcements**

- Zoning Commission monthly meeting-October 14, 2008 at 7:30 p.m.
- Regular Trustee Meeting-October 20, 2008 at 7:00 p.m.
- Kratzer Map Amendment Trustee Public Hearing-October 22, 2008 at 7:00 p.m.
- Special Meeting for Pending Litigation (Executive Session for IRS Penalties) and General Business-October 10, 2008 at 9:30 a.m.

### **Outstanding Meeting Minutes**

August 27, 2008

Sept. 3, 2008

Sept. 5, 2008

Sept. 12, 2008

Sept. 15, 2008

Sept. 17, 2008

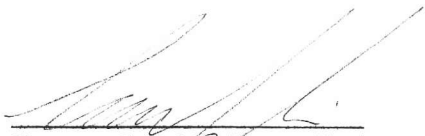
**Trustee Likley made a motion to adjourn. It was seconded by Trustee Kratzer.  
ROLL CALL-Likley-yes, Kratzer-yes, Sims-yes. Motion carried.**

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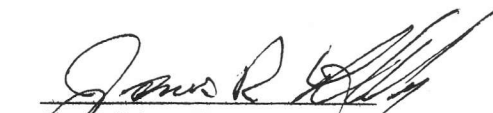
The meeting was officially adjourned at 9:00 p.m.

Respectfully Submitted,  
Kim Ferencz, Westfield Township Admin. Ass't.

**Approved as amended 2/2/09**

  
\_\_\_\_\_  
Trustee Carolyn Sims, Chairperson

\_\_\_\_\_  
Tim Kratzer, Trustee

  
\_\_\_\_\_  
Jim Likley, Trustee

**WESTFIELD TOWNSHIP TRUSTEES**  
**Special Meeting/TG Fire Consultant Presentation**  
**September 17, 2008**  
**7:00 PM**

Chairperson, Carolyn Sims opened the meeting by stating this is a special meeting with TG Fire/EMS Systems to present an overview of the evaluation of Westfield Fire/EMS needs.

TRUSTEES in attendance: James Likley, Carolyn Sims, Timothy Kratzer.

Also present: Fire Chief, Jack Snoddy, Fiscal Officer, Martha Evans, Road Supervisor, Lee Evans, representatives from Westfield Center Village Council and Mayor, Gloria Glens Village Council and Mayor. There is a sign in sheet attached to the minutes in the fiscal officer's office.

Ms. Sims turned the meeting over to Chief Snoddy as he introduced Tom Grile as the speaker for TG Fire/EMS Systems (Ohio Fire Consultant Company). A complete report is available at the Westfield Township office.

**TOPICS OF DISCUSSION:**

**Need for an increase in fire levy** - the township is now meeting current expenditures with a small amount being put into reserve for capital improvements such as housing and equipment. The amount being put into reserve, is not enough to secure adequate housing for new fire apparatuses and replacing the present 'old' trucks. For example - the 1980 pumper has many issues that need addressed to meet the national safety and performance standards.

**Response time** - possible need for a 2 part-time staff in addition to the full-time chief to reduce crucial response time for a fire and EMS calls.

**Station location** - the present station site has a sight problem on N. Leroy Road and the congestion problem that could occur during school and Westfield Co. business hours. There needs to be an engineers cost study to compare renovating & adding to the present station or adding to the Westfield Township Municipal Complex.

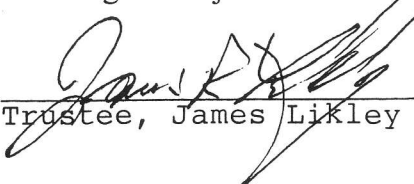
**Vehicle/equipment** - there needs to be tests and evaluations done to the present equipment and a cost estimate to make them safe and up to the national standards.

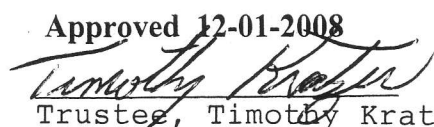
**Promotional process** - needs to be formalized

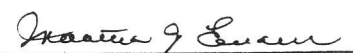
**Policy & Procedures (Standard Operating Guidelines (SOG's))-** needs to be updated. The committee is presently working on updating the SOG's .

There was a short question and answer period.

Meeting was adjourned at 8:55 pm.

  
Trustee, James Likley

Approved 12-01-2008  
  
Trustee, Timothy Kratzer

  
Martha Evans  
Fiscal Officer