

**LIBERTY TOWNSHIP TRUSTEE
RECORD OF PROCEEDINGS
March 15, 2010**

The audio recording, resolutions passed, and any attachments constitutes an accurate record of the Liberty Township Trustee Proceedings at the above dated meeting as determined by the Fiscal Officer. The following summary is provided as an overview of the meeting and a "road map" to the audio recording. Copies of this record are available by request at the Township Government Office, 10104 Brewster Lane, Suite 125, Powell, Ohio.

MOTION: Enter into Executive Session at 7:05 p.m.

Mr. Sybert made a motion to enter into Executive Session pursuant to ORC 121.22 (G)(1) the appointment, employment, dismissal, discipline, promotion, demotion or compensation of a public employee or official, or the investigation of charges or complaints against a public employee, official, licensee, or regulated individual and ORC 121.22 (G)(4) preparing for, conducting, or reviewing negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment. Mr. Mann seconded the motion and the roll call vote: Mr. Mann-yes and Mr. Sybert-yes. The motion passed with 2-yes and 0-no vote.

MOTION: Reconvene – Out of Executive Session at 7:45 p.m.

Mr. Sybert made a motion to reconvene out of Executive Session and Mr. Mann seconded the motion and the roll call vote: Mr. Mann-yes and Mr. Sybert-yes. The motion passed with a 2-yes and 0-no vote.

REGULAR MEETING PROCEEDINGS SUMMARY:

The Trustees of Liberty Township met in regular session Monday, March 15, 2010, at 7:50 p.m. at the Liberty Township Hall at 7761 Liberty Road, Powell, Ohio. Board Members present were Curt Sybert and Bob Mann. Ms. Carducci was absent. Also present were Township Administrator, David Anderson, Fiscal Officer, Mark Gerber, Chief, Tim Jensen, and Attorney, Craig Paynter. Others in attendance are listed on the attached sign-in sheet.

Chairman, Curt Sybert called the meeting to order with the Pledge of Allegiance.

RESOLUTION: 10-0315-01: Accepting "Then and Now" PO's

Mr. Sybert moved to approve Resolution #10-0315-01 Approving "Then and Now" PO's. The motion was seconded by Mr. Mann and the roll call vote: Mr. Mann-yes and Mr. Sybert-yes. The motion passed with a 2-yes and 0-no vote.

RESOLUTION 10-0315-02: Accepting Bills and Warrants

Mr. Mann moved to approve Resolution #10-0315-02 Accepting Bill, Warrants, and Charges. The motion was seconded by Mr. Sybert and the roll call vote: Mr. Mann-yes and Mr. Sybert-yes. The motion passed with a 2-yes and 0-no vote.

CITIZEN COMMENT: NONE

NEW BUSINESS:

RESOLUTION 10-0315-03: Authorize Changes in Employee Benefits

Mr. Sybert moved to approve Resolution #10-0315-03 Authorize Changes in Employee Benefits. The motion was seconded by Mr. Mann and the roll call vote: Mr. Mann-yes and Mr. Sybert-yes. The motion passed with a 2-yes and 0-no vote.

RESOLUTION 10-0315-04: Authorize Additional Employee Opt-Out Incentives

Mr. Mann moved to approve Resolution #10-0315-04 Authorize Additional Employee Opt-Out Incentives. The motion was seconded by Mr. Sybert and the roll call vote: Mr. Mann-yes and Mr. Sybert-yes. The motion passed with a 2-yes and 0-no vote.

RESOLUTION 10-0315-05: Authorize Wedgewood Sign Request

Mr. Sybert moved to approve Resolution #10-0315-05 Authorize Wedgewood Sign Request. The motion was seconded by Mr. Mann and the roll call vote: Mr. Mann-yes and Mr. Sybert-yes. The motion passed with a 2-yes and 0-no vote.

RESOLUTION 10-0315-06: Authorize Purchase of Crack Sealant Material for Road Dept.

Mr. Mann moved to approve Resolution #10-0315-06 Authorize Purchase of Crack Sealant Material for Road Dept. The motion was seconded by Mr. Sybert and the roll call vote: Mr. Mann-yes and Mr. Sybert-yes. The motion passed with a 2-yes and 0-no vote.

RESOLUTION 10-0315-07: Declare Property as Surplus

Chief Jensen would like to donate 4 analog radios and adapters to a volunteer fire department. These radios are no longer a good use for the Department with the County using digital radios. The volunteer department is struggling and would still be able to use them.

Mr. Mann moved to approve Resolution 10-0315-07 Declare Property as Surplus. The motion was seconded by Mr. Sybert and the roll call vote: Mr. Mann-yes and Mr. Sybert-yes. The motion passed with a 2-yes and 0-no vote.

**RESOLUTION 10-0315-08: Authorize Purchase of Fire Department Uniforms
TABLED TEMPORARILY**

UPDATE TO FIRE STATION 322

Last Thursday evening/Friday morning Station 322 was subjected to a random act of vandalism. This individual was apparently wondering from one of the local Pubs and decided to stop and take out some frustrations between the front doors and the inner doors (these are locked after hours). He broke out one of the double pane doors, the artificial plant ended up in pieces, kicked a hole in the wall and left boot marks on the glass.

He then wandered down to the Circle K and due to his alleged intoxicated nature the clerk called the sheriff's office to notify him of this individual. While the report is being taken the individual stated he did some damage to some buildings. The officer asked if one of those buildings was the fire station and the individual stated yes.

The dispatch newspaper carrier called the 911 center around 5:30 am to report the front door being jarred open and broken glass.

Chief Jensen stated the insurance company has been contacted and the doors are in the process of being fixed.

Trustee Mann asked if we should look into purchasing a security camera.

Trustee Sybert asked if when the Chief talks to the Prosecutor let him know the Trustees would like to see restitution in order to repay the insurance company.

RESOLUTION 10-0315-09: Authorize Support for Google Grant Application

Mr. Mann moved to approve Resolution 10-0315-09 Authorize Support for Google Grant Application. The motion was seconded by Mr. Sybert and the roll call vote: Mr. Mann-yes and Mr. Sybert-yes. The motion passed with a 2-yes and 0-no vote.

RESOLUTION 10-0315-10: Authorize Township Administrator to Execute the Health Insurance Renewal Documents

Mr. Sybert moved to approve Resolution 10-0315-10 Authorize Township Administrator to Execute the Health Insurance Renewal Documents. The motion was seconded by Mr. Mann and the roll call vote: Mr. Mann-yes and Mr. Sybert-yes. The motion passed with a 2-yes and 0-no vote.

Administrative Review #10-03 by Romanelli and Hughes Building Company Major or Minor; if Minor set a date and time for hearing. Request amendments to the Planned Residence Development Plan for Seldom Seen Acres condominiums as follows: To permit additional styles of condominium units, both attached and detached; setback variances to accommodate the proposed detached condominium units; extension of the completion date for the development; to permit the use of onsite construction trailer and onsite sales trailer.

Joel Rhoades, Epcor Communities and Romanelli & Hughes, would like to convert phase II of this community from the existing product to a different style dwelling. The density would go down and the product type would be different. Architecturally, the dwellings would be single story and would feature the same exterior colors and materials as the existing homes. They have asked for two trailers with one being a construction trailer and one being a sales trailer. The construction would be there for the duration and the sales would be there five to seven months until the model is built, all things assumed correctly.

Jim Cirigliano, 10363 Churchill, was on the committee that reviewed this project for the Community Oversight Foundation (COF). He has the opportunity to tour the New Albany units and the product is outstanding.

Holly Foust, Zoning Inspector, stated that Romanelli & Hughes asked that we not schedule with the Zoning Commission until they have had the time to discuss the separation of structures with our Fire Department.

Mr. Sybert moved to designate Administrative Review #10-03 as major. The motion was seconded by Mr. Mann and the roll call vote: Mr. Mann-yes and Mr. Sybert-yes. The motion passed with 2-yes and 0-no vote.

Administrative Review #10-01 by John and Julie Bennett request to amend the Liberty Lakes Development Plan as it applies to their property at 3355 Waltham Court, Powell, Ohio 43065, to reduce the required 25' rear yard setback to 14' for construction of a paver patio. This approximately .28 acre property is located in Range 19, Twp. 3, Section 4, Lot #3047 of Liberty Lakes Section 2 Subdivision, Liberty Township, Delaware County, Ohio.

John Bennett stated he has approval from the neighbor behind him and with the Home Owners Association.

Mr. Sybert moved to approve Administrative Review #10-01. The motion was seconded by Mr. Mann and the roll call vote: Mr. Mann-yes and Mr. Sybert-yes. The motion passed with 2-yes and 0-no vote.

Administrative Review #10-02 by Michael and Theresa French request to amend the Wedgewood Park II Development plan as it applies to their property at 5159 Daryn Court, Powell, Ohio 43065, to reduce the required 30' front yard setback to 26'4" and to reduce the required side yard setback from 12.5' to 8'8" for existing landscape walls. This .956 acre property is located in Range 19, Twp. 3, Section 3, Lot #4654 of Wedgewood Park Section 2, Phases A & B Subdivision, Liberty Township, Delaware County, Ohio.

Ms. Theresa French, stated they moved into the house in October as the landscaping was being done. We received a letter from the Zoning Department informing us of an encroachment issue when the landscape was 99% finished. We live on a cul-de-sac and obtained letters from my neighbors stating they are ok with the walls along with the Home Owners Association.

Mr. Sybert moved to approve Administrative Review #10-02. The motion was seconded by Mr. Mann and the roll call vote: Mr. Mann-yes and Mr. Sybert-yes. The motion passed with 2-yes and 0-no vote.

Cell Tower Request Update

Trustee Sybert asked Holly to get guidance from Attorney Bill Loveland. The Trustees would also like to regulate the tower as much as possible and to disguise it like the one on Riverside Drive.

Annual Easter Egg Hunt Cancelled

It was discussed and the Easter Egg Hunt would be cancelled because the cost of staff and supplies. Last year it cost the township roughly \$7,000.

Discuss Powell Memorial Day Parade Participation

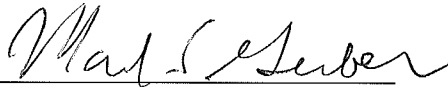
Trustee Sybert stated the trustees should participate in the parade on Monday, May 31, 2010.

APPROVAL OF MINUTES:

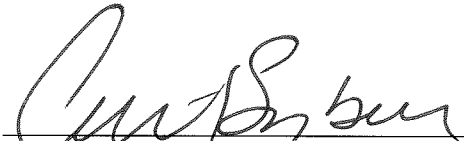
Mr. Sybert made a motion to approve the minutes of March 1, 2010. The motion was seconded by Mr. Mann and roll call vote: Mr. Mann-yes and Mr. Sybert-yes. The motion passed with a 2-yes and 0-no vote.

ADJOURNED:

There being no further business Chairperson Sybert adjourned the meeting at 8:55: p.m.



Mark S. Gerber, Fiscal Officer



Curt Sybert, Chairman
Board of Trustees