

RESOLUTION NO. 08-0707-006

**RESOLUTION APPOINTING A PERSON
TO THE POSITION OF
PART-TIME ZONING SECRETARY FOR
LIBERTY TOWNSHIP, DELAWARE COUNTY, OHIO**

PREAMBLE

WHEREAS, the Board of Trustees is authorized to establish, and appropriate monies to fill, the position of Part-time Zoning Secretary for purposes of assisting in the enforcement of zoning regulations of the Township pursuant to Ohio Rev. Code § 519.16 and for purposes of assisting the Board of Zoning Appeals and the Zoning Commission pursuant to Ohio Rev. Code §§ 519.13 and 519.05; and

WHEREAS, it is in the best interest of the Township and its residents to establish the terms and conditions of employment for the part-time zoning secretary; and

WHEREAS, the Township has received applications from part-time zoning secretary applicants to fulfill those duties, and wishes to fill the position; and

WHEREAS, the Township Zoning Commission and the Township Board of Zoning Appeals should ratify the appointment of the candidate.

RESOLUTION

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF LIBERTY TOWNSHIP, DELAWARE COUNTY, OHIO (THE "BOARD") THAT THE FOLLOWING RESOLUTION BE AND IS HEREBY ADOPTED:

RESOLVED, that the Board hereby appoints TONYA DULL (hereinafter referred to as the "Part-time Zoning Secretary") as the Part-time Zoning Secretary, effective July 21, 2008, subject to the following terms and conditions of employment:

1. Term. The Secretary is an employee at will and serves at the pleasure of the Board. The Secretary is employed by the Board on an indefinite basis until such employment is terminated by a majority of the members of the Board, in the Board's sole and ultimate discretion, as provided by law, by this Resolution, and as set forth at Ohio Rev. Code § 511.10.

2. Duties. The Part-time Zoning Secretary shall serve as a part-time employee under the direction of the Zoning Inspector, the Administrator and the Board, and shall perform those jobs and duties as may, from time to time, be requested and designated by the Board or the full-time Zoning Inspector. Without limiting the generality of the foregoing, those duties shall include the duties specified and set forth in Ohio Rev. Code § 519.16, and include the enforcement of zoning regulations of Liberty Township, Delaware County, Ohio. Further, without limiting the generality of the foregoing, the Secretary shall prepare and distribute notices for, attend, and record proceedings of the Board of Zoning Appeals and Zoning Commission. A detailed description of duties is attached.

3. Wages and Compensation. The Part-time Zoning Secretary shall be paid the hourly rate of Sixteen Dollars (\$16.00) per hour until such time as that wage may be altered by the Board through formal resolution. Such compensation shall be payable at the Board's meeting next following each bi-weekly pay period. Such compensation shall be subject to withholding for federal, state and local income taxes and such other taxes and charges as may be subject to withholding from employee wages, and further subject to withholding for any other deductions or charges as may, from time to time, be authorized in writing by the Secretary and agreed to by the Board.

The Part-time Zoning Secretary shall also be reimbursed transportation costs by the Board at the rate of _____ cents (\$._____) per mile, or such other rate as the

Board may, from time to time, identify as the Township's mileage reimbursement rate, for all miles driven by the Secretary in work-related activities, excluding travel to and from the work place. Such reimbursement shall be subject to and conditioned upon provision of confirmation, satisfactory to the Board, of verification of miles driven.

4. Work Hours. The Part-time Zoning Secretary is hereby employed on a part-time basis. It is envisioned that the hours worked will not exceed twenty-five (25) hours per week, and in no event will the Part-time Zoning Secretary be authorized to exceed thirty-five (35) hours per week in any given pay period, absent express approval received in writing from the Board or the Administrator prior to the time such work is performed.

The Part-time Zoning Secretary is hired with the reasonable expectation that the hours of work for calendar year 2008 shall not exceed 1,250 hours per year, and that limitation shall not be exceeded unless additional work hours are specifically authorized by the Board prior to the actual work being performed.

All work shall be performed at meetings of the Board of Zoning Appeals, the Zoning Commission, or at the workspace provided at the Township offices, absent written approval from the Administrator or the Board to the contrary.

5. Sick Leave, Vacation Leave and Holidays. No vacation leave, sick leave, or holiday pay shall be earned by the Part-time Zoning Secretary while he or she remains in part-time status.

6. PERS Pick-up. The position of Part-time Zoning Secretary shall be subject to the provisions of Resolution No. 04-044, which provides for a fringe benefit method of pension contribution pick-up for Township employees.

7. Family and Medical Leave. While it is anticipated that the Part-time Zoning Secretary will not work in excess of 1,250 hours per year, there may be years in which the Part-time Zoning Secretary actually works in excess of 1,250 hours (calculated on a rolling basis). In such event, the Part-time Zoning Secretary may be entitled to family and medical leave as provided in the Family and Medical Leave Act.

8. Status and Termination of Employment. The Part-time Zoning Secretary is employed by the Board at will and on an indefinite basis until such time as the Part-time Zoning Secretary or the Board terminates such employment in accordance with law, with the concurrence of the Board of Zoning Appeals and the Zoning Commission (collectively the "Boards"). This Resolution is not a contract of employment, and the Part-time Zoning Secretary or the Township, by majority vote of the respective Boards, may terminate the Part-time Zoning Secretary's employment, in whole or in part, with the Township at any time, with or without cause, for any reason or for no reason whatsoever and, in the case of the Boards, in their sole and absolute discretion.

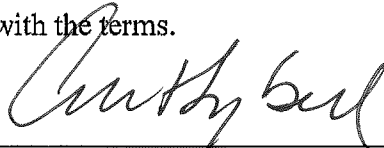
9. Entire Understanding. Unless otherwise changed or modified by the Boards after the effective date of this Resolution, this Resolution constitutes the entire compensation and benefits afforded to the Part-time Zoning Secretary named above if and while the employee continues to serve as a Part-time Zoning Secretary for Liberty Township and, for these purposes, all prior resolutions, directives and practices establishing or relating to any such benefits or compensation are hereby superseded in their entirety.

10. Amendment and/or Termination of Resolution. The Township, through the Board, shall have the right and authority to rescind, revoke or amend this Resolution. Furthermore, while it is the expectation of the Board to continue this Resolution in substantially

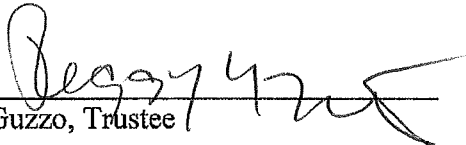
its present form, no obligation, contractually or otherwise, to do so is assumed by the Township, and the Board expressly reserves the right to alter, amend, discontinue and/or rescind this Resolution, in whole or in part, at any time.

11. Acknowledgement. The employee shall sign a statement, which is to be returned to the Board, stating, in effect, that the Part-time Zoning Secretary has read the foregoing Resolution and fully understands and agrees with the terms.

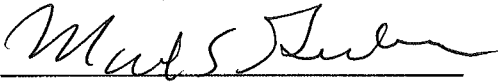
Adopted: July 7, 2008


Curtis J. Sybert, Trustee

Robert J. Mann, Trustee


Peggy Guzzo, Trustee

CERTIFIED:


Dr. Mark Gerber, Fiscal Officer

APPROVED:

The Liberty Township Board of Zoning Appeals by virtue of Resolution dated July 8th, 2008.

APPROVED:

The Liberty Township Zoning Commission by virtue of Resolution dated July 9th, 2008.

LIBERTY TOWNSHIP
ZONING SECRETARY
JOB DESCRIPTION

Liberty Township Zoning Resolution, Section 28.03 – Zoning Secretary: To assist in the administration of this Zoning Resolution, the Township Trustees shall appoint a Zoning Secretary whose duty it shall be to maintain zoning records, conform information in Applications, process all Notices required under this Zoning Resolution, record the minutes of the Zoning Commission and the Board of Zoning Appeals, assist the Zoning Inspector and perform such other duties relating to the Zoning Resolution as the Township Trustees may from time to time direct. The Zoning Secretary shall be compensated at rates set from time to time by the Township Trustees.

It shall be the primary responsibility of the Zoning Secretary to prepare for and attend all Zoning Commission and Board of Zoning Appeals (BZA) meetings and to produce the minutes of each meeting in a timely manner. This is a 25 to 30 hour per week position which shall include mandatory attendance at all meetings of the Zoning Commission and BZA. Time not spent in those meetings shall be worked in the office at the township zoning department. The Zoning Secretary shall be under the direct supervision of the Zoning Inspector.

Duties include but are not limited to:

- Verify information submitted by applicants for all meetings of the Zoning Commission and BZA;
- Schedule all meetings of the Zoning Commission and BZA;
- Prepare notices of all Zoning Commission and BZA meetings and hearings; submit notices to the newspaper and mail such notices to the applicants and adjoining property owners as required by law and submit all notices for publication on the township's website. Post notices at the Township Hall and if at a different location also post notices at the zoning office. Shall also distribute meeting notices and copies of all applications and accompanying materials to the Township Trustees, Township Fiscal Officer, Township Administrator, and Zoning Inspector. All notices shall be published and distributed not less than ten (10) days prior to a scheduled hearing.
- Attend all meetings of the Zoning Commission and BZA and record the proceedings and take notes as needed;
- Accurately prepare minutes from recordings and notes for each Zoning Commission and BZA meeting, and submit copies of prepared minutes from each meeting to each member of each respective board for review and approval prior to or at their next scheduled meeting.
- Provide a copy of approved minutes to each board member, each Township Trustee, the Township Fiscal officer, Township Administrator, Zoning Inspector, and the applicants;

- File all related materials from each meeting in the zoning office after minutes are approved;
- Respond to inquiries by all board members, Township Trustees, Township Administrator, Township Fiscal Officer, Zoning Inspector, and the public, pertaining to all meetings of the Zoning Commission and the BZA;
- Maintain a master file of all approved minutes for the Zoning Commission and for the BZA, by consecutive date, both in paper form and on computer;
- Communicate with the township's legal counsel as needed;
- Assist the Zoning Inspector as follows: type, file, answer telephones, respond to public inquiries, and perform other duties as assigned by the Zoning Inspector;
- Other duties as assigned by the Township Trustees or by the Township Administrator.

Requirements:

Proficiency in the use of word processing software; possess excellent organizational, language and communications skills; cooperation and coordination with all board members and the zoning department and the ability to work with the public in a respectful manner; ability to read and comprehend the Liberty Township Zoning Resolution and written and verbal instructions; ability to work independently; ability to concentrate on a number of tasks at one time; shall become familiar with organization and operations of the Zoning Department and shall assist with same. Previous experience as a secretary to a board is preferred but not required.