

**LIBERTY TOWNSHIP TRUSTEE  
RECORD OF PROCEEDINGS  
August 16, 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.

**REGULAR MEETING PROCEEDINGS SUMMARY:**

The Trustees of Liberty Township met in regular session Monday, August 16, 2010, at 7:30 p.m. at the Liberty Township Hall at 7761 Liberty Road, Powell, Ohio. Board Members present were Mary Carducci and Curt Sybert. Bob Mann was absent. Also present were Fiscal Officer Mark Gerber, Fire Chief Tim Jensen, Zoning Inspector Holly Foust, Attorney William Loveland, and Attorney Don Brosius. Others in attendance are listed on the attached sign-in sheet.

**APPROVAL OF MINUTES:**

Mr. Sybert made a motion to approve the minutes of July 28 and August 9, 2010. The motion was seconded by Ms. Carducci and roll call vote: Ms. Carducci-yes and Mr. Sybert-yes. The motion passed with a 2-yes and 0-no.

**RESOLUTION: 10-0816-05: Participate in a Bureau of Workers Compensation Group Rate Program**

Ms. Carducci moved to approve Resolution #10-0816-05 Participate in a Bureau of Workers Compensation Group Rate Program. The motion was seconded by Mr. Sybert and the roll call vote: Ms. Carducci-yes and Mr. Sybert-yes. The motion passed with a 2-yes and 0-no.

**RESOLUTION: 10-0816-01: Approving Purchase Orders**

Mr. Sybert moved to approve Resolution #10-0816-01 Approving Purchase Orders. The motion was seconded by Ms. Carducci and the roll call vote: Ms. Carducci-yes and Mr. Sybert-yes. The motion passed with a 2-yes and 0-no.

**RESOLUTION: 10-0816-02: Approving Bills and Warrants**

Mr. Sybert moved to approve Resolution #10-0816-02 Approving Bills and Warrants. The motion was seconded by Ms. Carducci and the roll call vote: Ms. Carducci-yes and Mr. Sybert-yes. The motion passed with a 2-yes and 0-no.

**RESOLUTION: 10-0816-07: Establish Park Department Capital Fund**

Mr. Sybert moved to approve Resolution #10-0816-07 Establish Park Department Capital Fund. The motion was seconded by Ms. Carducci and the roll call vote: Ms. Carducci-yes and Mr. Sybert-yes. The motion passed with a 2-yes and 0-no.

**CITIZEN COMMENTS:** None

**NEW BUSINESS:**

**RESOLUTION 10-0816-03: Authorize IAFF Collective Bargaining Agreement and Memorandum of Agreement  
TABLED.**

**RESOLUTION: 10-0816-04: Authorize Fire Department to Advertise for Bids to Purchase Opticom System**

Mr. Sybert moved to approve Resolution #10-0816-04 Authorize Fire Department to Advertise for Bids to Purchase Opticom System. The motion was seconded by Ms. Carducci and the roll call vote: Ms. Carducci-yes and Mr. Sybert-yes. The motion passed with a 2-yes and 0-no.

**RESOLUTION: 10-0816-06: Approve Fire Department Generator Maintenance Agreement**

Mr. Sybert moved to approve Resolution #10-0816-06 Approve Fire Department Generator Maintenance Agreement. The motion was seconded by Ms. Carducci and the roll call vote: Ms. Carducci-yes and Mr. Sybert-yes. The motion passed with a 2-yes and 0-no.

**RESOLUTION: 10-0816-08: Prosecution of Zoning Violations**

Mr. Sybert moved to approve Resolution #10-0816-08 Prosecution of Zoning Violations. The motion was seconded by Ms. Carducci and the roll call vote: Ms. Carducci-yes and Mr. Sybert-yes. The motion passed with a 2-yes and 0-no.

**ADMINISTRATIVE REVIEW APPLICATION #10-09** submitted by Donald Kenney on behalf of Kinsale Village LLC and Golf Village North LLC, requesting amendments to the Golf Village North planned residence Development Plan, to change the phasing dates as follows:

**SubArea A – Kinsale Village**

Change from

Completion of phase 2 by October 2010  
Completion of phase 3 by August 2011  
Completion of phase 4 by July 2012

Change to

October 2011  
August 2012  
July 2013

**SubArea B – The Heathers**

Change from

Start by Dec. 31, 2010  
Completion by Dec. 31, 2014

Change to

Start by Dec. 31, 2011  
Completion by Dec. 31, 2015

\*The Board of Trustees designated the previously requested extensions for both Sub Areas as a minor Administrative Review, and granted them.

Mr. Sybert moved to designate Administrative Review #10-09 as minor. The motion was seconded by Ms. Carducci and the roll call vote: Ms. Carducci-yes and Mr. Sybert-yes. The motion passed with 2-yes and 0-no vote.

Trustee Sybert questioned the applicant whether one-year extensions were long enough. Todd Faris, representing the applicant, verbally amended this application to request two-year extension for each phase instead of one year.

Mr. Sybert motioned to approve Administrative Review #10-09 to allow two-year extensions for each of the phases. The motion was seconded by Ms. Carducci and the roll call vote: Ms. Carducci-yes and Mr. Sybert-yes. The motion passed with a 2-yes and 0-no vote.

Mr. Sybert moved to approve the amended Administrative Review #10-09. The motion was seconded by Ms. Carducci and the roll call vote: Ms. Carducci-yes and Mr. Sybert-yes. The motion passed with 2-yes and 0-no vote.

**Administrative Review Application #10-10 by Richard and Lindsay Maves**, requesting to amend the Big Bear Farms planned residence Development Plan as it applies to their property at 9033 Wayne Brown Drive, Powell, OH 43065, to allow installation of a 4' high back yard fence, approximately 50' deep and 46' wide

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

Ms. Carducci motioned to approve Administrative Review #10-10 as submitted. The motion was seconded by Mr. Sybert and the roll call vote: Ms. Carducci-yes and Mr. Sybert-yes. The motion passed with a 2-yes and 0-no vote.

**MOTION: Enter into Executive Session at 8:00 p.m.**

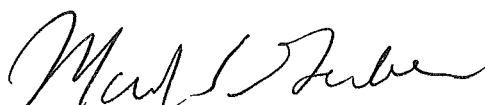
Mr. Sybert made a motion to enter into Executive Session pursuant to ORC 121.22 (G)(3) Conferences with an attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action. Ms. Carducci seconded the motion and the roll call vote: Ms. Carducci-yes and Mr. Sybert-yes. The motion passed with a 2-yes and 0-no. Attorney William Loveland and Attorney Don Brosius were in attendance.

**MOTION: Reconvene – Out of Executive Session at 9:30 p.m.**

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

**ADJOURNED:**

There being no further business Chairperson Sybert adjourned the meeting at 9:31 p.m.



Mark S. Gerber, Fiscal Officer



Curt Sybert, Chairman  
Board of Trustees