

RESOLUTION NO. 09-0106-03: RESOLUTION APPOINTING ADDITIONAL LEGAL COUNSEL AS GENERAL COUNSEL TO THE TOWNSHIP

Whereas, the Board of Trustees of Liberty Township, Delaware County, Ohio, deems it necessary and advisable to employ additional legal counsel to represent the Township and its appointed and elected officials, and employees in their official capacities, and to advise them on litigation, general operating, employment, and other legal matters as may be assigned during calendar year 2009; and

Whereas, Ohio townships are empowered to employ additional legal counsel pursuant to Ohio Rev. Code § 309.09.

IT IS THEREFORE RESOLVED BY THE BOARD OF TRUSTEES OF LIBERTY TOWNSHIP, DELAWARE COUNTY, OHIO:

Section One: That Craig B. Paynter and the law firm of Chester Willcox & Saxbe LLP are hereby appointed general legal counsel of Liberty Township at the hourly rate for Mr. Paynter of \$230, and at standard rates less fifteen percent (15%) for all other attorney, law clerk, and legal assistant time. Time spent on travel and telephone calls is considered billable time. Court costs and expenses, including mileage and copying charges, are to be paid by the Township. The invoices shall be payable monthly upon receipt of the bill from the appropriate Township fund(s).

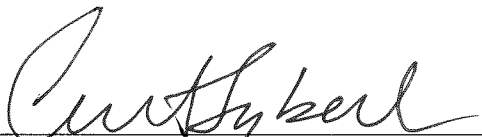
Section Two: It is found and determined that all formal actions of the Trustees concerning and relating to the adoption of this Resolution were adopted in an open meeting of the Trustees, and that all deliberations of the Trustees and of any of its committees that resulted in such formal actions were in meetings open to the public and in compliance with all legal requirements, including § 121.22 of the Ohio Revised Code, unless otherwise excepted or exempted.

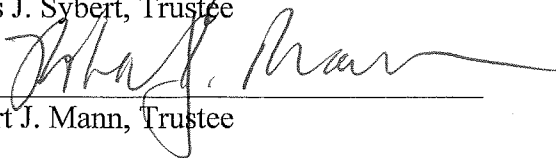
Motion made by Mann and seconded by Sybert.
Vote: no Ms. Guzzo yes Mr. Mann yes Mr. Sybert

This Resolution shall be in force and become effective immediately upon its execution.

ADOPTED:


January 6, 2009


Curtis J. Sybert, Trustee


Robert J. Mann, Trustee

Peggy Guzzo, Trustee

APPROVED:


Mark S. Gerber, Fiscal Officer

CHESTER WILLCOX & SAXBE LLP

Attorneys and Counselors at Law

CRAIG B. PAYNTER

DIRECT DIAL 614-334-6135
cpaynter@cwslaw.com

December 10, 2008

Curtis J. Sybert
Liberty Township Trustee
4442 Hunters Bend
Powell, OH 43065

Peggy Guzzo
Liberty Township Trustee
4800 Aberdeen Avenue
Dublin, OH 43016

Robert J. Mann
Liberty Township Trustee
800 East Broad Street
Columbus, OH 43205

RE: Appointment as General Legal Advisor

Dear Trustees:

As I have done every January for the preceding 23 years, I am writing to you concerning my appointment as your general legal counsel. As in previous years, I have striven to provide you with professional and responsive legal representation during 2008. I trust you realize Liberty Township has been and continues to be my first priority. I furthermore hope you have found my work to be of the highest quality, as well as cost effective.

During 2008 we worked on a number of different issues that will require continuation into 2009, including the Wal-Mart hearings before the Board of Zoning Appeals, the Target litigation, our work in Havener Park, our efforts in connection with the Liberty and Home Road improvements, and our employment law advising, to name just a few. We will no doubt have a couple of projects in 2009, including the IAFF negotiations and completion of the Employee Handbook. Furthermore, we were able to successfully conclude efforts on several matters such as the YMCA Recreation Center "fix" and the Boundless Playground.

I have enclosed a copy of a Resolution by which the Trustees have historically hired myself and my firms. Please note that the rate I have proposed per hour is \$230, which is a discount of \$105 (or 31%) off my standard rate of \$335 per hour for 2009. I very much appreciate the compliments on my work I received from the Board this past year, and I trust you will continue to find that my institutional knowledge, education, training, and experience justifies the hourly rate proposed. Should I perceive a need to involve other lawyers due to any particular expertise they may have, I propose to discount their work by 15%. As an aside, I do anticipate my involvement in administrative matters will continue to be minimized with our Administrator now hitting full stride.

Liberty Township Trustees
December 10, 2008
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I expect 2009 to bring us a number of challenges, and I am eager to work with you to resolve them for the 24th consecutive year. Please let me know if you need any additional information from me, or if you would like for me to appear before you to discuss this matter. As you know, I am at your disposal.

Very truly yours,



Craig B. Paynter

CBP/cdf
(11618-23012)

Enclosure

cc: Mark Gerber, Fiscal Officer of Liberty Township (w/encl.)
David Anderson, Administrator of Liberty Township (w/encl.)

ND: 4842-9788-3395, v. 1