

Record of Liberty Township Trustees
Record of Special Meeting
October 1, 2008

The following constitutes an accurate record of the proceedings of the Liberty Township Trustees at the above dated meeting as determined by the Fiscal Officer.

PROCEEDINGS:

Present were Chairman Curt Sybert, Trustee Peggy Guzzo, Trustee Robert Mann, Dave Anderson, Mark Gerber, and attorneys Craig Paynter and William Loveland. Attorney Scott Campbell joined the meeting at a later time.

The meeting was called to order by Chairman Sybert at 9:00pm.

Mrs. Guzzo stated that she believed an executive session to discuss the claim by The City of Powell that her actions as a Liberty Township Trustee violated the CEDA agreement was a violation of the sunshine rules. Township attorneys Craig Paynter and William Loveland both told Mrs. Guzzo twice that an executive session on this subject was not a violation of the sunshine rules. Chairman Sybert told her that she must participate as a trustee elected by the voters or she should resign her position. Ms. Guzzo disagreed.

Mr. Sybert moved and Mr. Mann seconded a motion to enter executive session under ORC 121.22(G)(3) imminent litigation. The vote was Mr. Sybert yes, Mr. Mann yes, and Mrs. Guzzo No.

The executive session started at 9:10pm. Mrs. Guzzo recused herself from the session and left the room.

The motion to return to public session was made by Mr. Mann and seconded by Mr. Sybert. The vote was Mr. Mann yes; Mr. Sybert yes; Mrs. Guzzo not present.

The executive session ended at 9:25pm.

Mr. Mann moved to authorize Attorney Craig Paynter to hire a mediator for dealing with the CEDA issue. The motion was seconded by Mr. Sybert. The vote was Mr. Sybert yes; Mr. Mann yes; Mrs. Guzzo yes.

Mrs. Guzzo moved to have any mediation on the CEDA issue be open, public and transparent. Motion failed for lack of a second. Attorney Craig Paynter and Bill Loveland stated that the mediation should be private.

Mr. Mann moved and Mr. Sybert seconded that Mr. Mann would be the Township's representative to the mediation. The vote was Mr. Sybert yes; Mr. Mann yes; Mrs. Guzzo No.

Mr. Mann moved and Mr. Sybert seconded that Mr. David Anderson, Township Administrator, would also attend the mediation as a representative of the Township. The vote was Mr. Mann yes; Mr. Sybert yes; Mrs. Guzzo no.

Mr. Paynter left the meeting and Mr. Scott Campbell joined the meeting at 9:30pm.


Motion to enter executive session on pending litigation under ORC 122.22(G)(3) was made by Mr. Sybert and seconded by Mr. Mann. The vote was Mr. Mann yes; Mr. Sybert yes; Mrs. Guzzo yes.

Executive session was entered at 9:35pm.

Motion to return to public session was made by Mrs. Guzzo and seconded by Mr. Mann. The vote was Mr. Sybert yes; Mr. Mann yes; and; Mrs. Guzzo yes.

Public session was entered at 11:40pm.

The meeting was adjourned at 11:40pm by the Chairman of the Board.

 12/01/08

Mark S. Gerber, Fiscal Officer