

**LIBERTY TOWNSHIP TRUSTEE  
RECORD OF PROCEEDINGS  
NOVEMBER 5, 2008**

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 record. Copies of this record are available by request at the Township Government Office, 10104 Brewster Lane, Suite 125, Powell, Ohio.

**PROCEEDINGS SUMMARY:**

The Trustees of Liberty Township met in regular session Wednesday, November 5, 2008, at 7:30 p.m. at the Liberty Township Complex. All Board Members were present. Also present was Township Administrator Dave Anderson, and Fiscal Officer Mark Gerber. See attached sign-in sheet for others in attendance.

Chairperson Curtis Sybert called the meeting to order with the Pledge of Allegiance.

**APPROVAL OF MINUTES:**

Ms. Guzzo moved to approve the Board of Trustees Meeting Minutes of August 6, 2008, with the change of asking for a recommendation and not approving the recommendation. It should read now as Ms. Guzzo moved to request the recommendation of the County Engineer which was removing a portion of the guardrail at Eckington Drive. Ms. Guzzo moved to approve the meeting minutes of August 6, 2008 and Mr. Sybert seconded the motion and the roll call vote: Ms. Guzzo – yes, Mr. Mann – abstained. The motion passed with a 2-yes and 1-abstention.

Mr. Mann moved to approve the Board of Trustees Meeting Minutes of October 6, 2008, and Mr. Sybert seconded the motion and the roll call vote: Ms. Guzzo – abstain, Mr. Mann – yes, and Mr. Sybert-yes. The motion passed with a 2-yes and 1-abstention.

Mr. Mann moved to approve the Board of Trustees Meeting Minutes of October 20, 2008, and Ms. Guzzo seconded the motion and the roll call vote: Ms. Guzzo – yes, Mr. Mann – yes and Mr. Sybert – abstain. The motion passed with a 2-yes and 1-abstention.

**RESOLUTION 08-1105-01: Approving an Appropriation Adjustment**

Mr. Sybert moved to adopt Resolution 08-1105-01 Approving an Appropriation Adjustment. The motion was seconded by Mr. Mann and the roll call vote: Ms. Guzzo-yes, Mr. Mann-yes and Mr. Sybert-yes. The motion passed with a 3-yes and 0-no vote.

**RESOLUTION 08-1105-02: Approving a “Then and Now” Purchase**

Mr. Sybert moved to adopt Resolution 08-1105-02 Approving the “Then and Now Purchase. The motion was seconded by Mr. Mann and the roll call vote: Ms. Guzzo-yes, Mr. Mann-yes, and Mr. Sybert-yes. The motion passed with a 3-yes and 0-no vote.

**MOTION: Pay Bills**

Ms. Guzzo moved to approve the payment of bills as presented. Mr. Sybert seconded and roll call vote: Ms. Guzzo-yes, Mr. Mann-yes, and Mr. Sybert-yes. The motion passed with a 3-yes and 0-no vote.

Mr. Mark Gerber, Fiscal Officer, presented the following reports: Appropriate Summary, Revenue Summary, and Fund Summary. These reports are hereto attached as part of the permanent record.

Ms. Guzzo suggested that we set up a finance subcommittee and was then suggested that it become part of a workshop session at another meeting. Mr. Anderson will research this further.

**CITIZEN COMMENT:**

There was no citizen comment at this time.

**MOTION: ADMIN. REVIEW #08-08 – PUBLIC HEARING**

Ms. Guzzo moved to approve the 08-08 Administrative Review as requested. Mr. Sybert seconded the motion and the roll call vote: Ms. Guzzo-yes, Mr. Mann-yes, and Mr. Sybert-yes. The motion passed with a 3-yes and 0-no vote.

**RESOLUTION 08-1105-03: Approving Fire Vehicle Repairs**

Mr. Sybert moved to adopt Resolution 08-1105-03 Approving Fire Vehicles. The motion was seconded by Mr. Mann and the roll call vote: Ms. Guzzo-yes, Mr. Mann-yes, and Mr. Sybert-yes. The motion passed with a 3-yes and 0-no vote.

**MOTION: ADMIN. REVIEW #08-09 – DESIGNATED MINOR**

Mr. Sybert moved to designate Administrative Review 08-09 as Minor to be heard at the next Board of Trustees Meeting, Monday, November 17, 2008, at 8:00 p.m. Mr. Guzzo seconded the motion and the roll call vote: Ms. Guzzo-yes, Mr. Mann-yes, and Mr. Sybert-yes. The motion passed with a 3-yes and 0-no vote.

**MOTION: DP #08-12 – FINAL HEARING**

Ms. Guzzo moved to designate DP #08-12 final hearing to be heard at the next Board of Trustees Meeting, Monday, November 17, 2008, at 8:00 p.m. Mr. Mann seconded the motion and the roll call vote: Ms. Guzzo-yes, Mr. Mann-yes, and Mr. Sybert-yes. The motion passed with a 3-yes and 0-no vote.

**MOTION: ADMIN. REVIEW #08-05 – FINAL HEARING**

Mr. Sybert moved to designate Administrative Review 08-05 final hearing to be heard at the next Board of Trustees Meeting, Monday, November 17, 2008, at 8:00 p.m. Ms. Guzzo seconded the motion and the roll call vote: Ms. Guzzo-yes, Mr. Mann-yes, and Mr. Sybert-yes. The motion passed with a 3-yes and 0-no vote.

**MOTION: DP #08-10 – FINAL HEARING**

Ms. Guzzo moved to designate DP #08-10 final hearing to be heard at the next Board of Trustees Meeting, Monday, November 17, 2008, at 8:00 p.m. Mr. Mann seconded the motion and the roll call vote: Ms. Guzzo–yes, Mr. Mann–yes, and Mr. Sybert–yes. The motion passed with a 3–yes and 0–no vote.

**MOTION: ADMIN. REVIEW #07-04 – FINAL HEARING**

Ms. Guzzo moved to designate Administrative Review 07-04 final hearing to be heard at the next Board of Trustees Meeting, Monday, December 1, 2008, at 8:15 p.m. Mr. Mann seconded the motion and the roll call vote: Ms. Guzzo–yes, Mr. Mann–yes, and Mr. Sybert–yes. The motion passed with a 3–yes and 0–no vote.

**MOTION: ADMIN. REVIEW #08-07 – PK BUILDER BY PAT SWANSON**

Holly Foust, Zoning Inspector updated the board with pictures and email correspondence that is hereto attached as part of the permanent record.

Mr. Swanson had Milt Link from Delaware County Soil and Water out to verify the drainage. Milt suggested that ground cover and trees be added to avoid erosion.

Ms. Foust had suggested a meeting with neighbors to help come to a compromise at the last meeting. The meeting did occur and there were two plans suggested with a proposal being submitted this evening. Ms. Foust is in favor of the proposal given the unique circumstances.

Opposed Mr. Apseloff would like to state that they purchased their home because of the natural ravine setting and would be willing to help pay to restore the land to its natural state.

Mr. Kim Cellar, 182 Calumet Circle, Ostrander advises that this would be very precedent setting for the township.

Bill Pizzino, Engineer, presented the proposal. This proposal changes the pipe to ten feet, adds some mounding and 20 trees and ground covering vegetation.

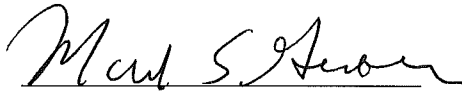
Mr. Mann moved to approve the Admin Review #08-07 with the presented proposal with the white pine trees be changed to evergreens, all planting be planted within 20 days from today, the mounding be two to three feet and if any drainage is damaged it will be corrected, and any trees being planted under this proposal and would happen to die will be replaced within one year. This approval is subject to all of these conditions being performed within 20 days such that if these are not performed that this approved plan is no longer valid and he needs to come back and start all over again. The size of the yard is 2800 square feet. This Mr. Sybert seconded and roll call vote: Mr. Sybert–yes, Mr. Mann–yes, and Ms. Guzzo–yes. The motion passed with a 3–yes and 0–no vote.

## **WORK SESSION UPDATES:**

- Our condolences to the family of Vincent James.
- School Enrollment and Facilities Update scheduled for November 17, 2008
- Bunty Station Road concrete work - meet with engineer to verify the work that has been done with the roughness of the road near Gabby's. Check to be withheld until the work is reviewed and how to fix the issue.
- Fuel Depot Update – still researching to see if the state bid or competitive bid and which is the best deal.
- Tyler Run sidewalk – Liberty portion is finished and the Powell portion is still not completed.
- Liberty Township Task Force should be the Orange Road Bridge Task Force – discussion in regard to this study and recommendation information presented to Mr. Anderson today.
- Attorney Steve Martin has a zoning application for Gulf Village in Powell; however, he wants to put this in front of the Board of Trustees for their review and comment as called for in the CEDA agreement. This would possibly be to change the land use from industrial. This should be looked over by our attorney. Mr. Anderson will forward to Bill Loveland for an overview.
- We received resignation from BZA member Sherry Blackston. We need to fill that position. Mr. Sybert moved to have staff advertise for the BZA position. Ms. Guzzo seconded the motion and the roll call vote: Ms. Guzzo-yes, Mr. Mann-yes, and Mr. Sybert-yes. The motion passed with a 3-yes and 0-no vote.
- The Board should send our thanks to our retiring BZA member. Ms. Guzzo suggested we should do a certificate and acknowledge her in a public meeting. Mr. Mann suggested doing a service plaque like the ones we have done for the elected officials that have retired. Mr. Sybert suggested commending the entire BZA Board for their dedication to the township and the Wal-Mart litigation. Mr. Sybert suggested a letter of thanks to each Board Member individually. Mr. Mann suggested making sure it is for their time and dedication. Mr. Anderson to draft that letter and then send to trustees for review and changes.
- Ms. Guzzo spoke of appreciation and this is November. I think we should do something for the staff. Mr. Anderson can you put some thought into what we can do and we should put together more funding and do a little nicer job. Mr. Mann suggested obtaining the price of catering some food. The limit would be \$500 to \$1000.
- We would like to thank Trish Morton for a great job and for all her help.

**ADJOURNED:**

There being no further business Chairperson Sybert adjourned the meeting at 10:35 p.m.

  
Mark S. Gerber, Fiscal Officer