

**LIBERTY TOWNSHIP TRUSTEE
RECORD OF PROCEEDINGS
DECEMBER 1, 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 Monday, December 1, 2008, at 7:30 p.m. at the Liberty Township Complex. Trustees Curtis Sybert and Robert Mann were present and Peggy Guzzo was absent. Also present was Township Administrator Dave Anderson. 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:

Mr. Sybert moved to approve the Board of Trustees Meeting Minutes of November 17, 2008 and Mr. Mann seconded the motion and the roll call vote: Mr. Mann – yes and Mr. Sybert - yes. The motion passed with a 2-yes and 0-no vote.

SPECIAL PRESENTATION:

The Board recognized BZA member Sherry Blackston for her years of service from 1999 to 2008 with a plaque. Mr. Sybert and Mr. Mann both expressed their gratitude and appreciation to Ms. Blackston for her dedication to the township.

RESOLUTION 08-1201-01: Permanent Appropriation Adjustment

Mr. Sybert moved to adopt Resolution #08-1201-01 Permanent Appropriations Adjustment. The motion was seconded by Mr. Mann and the roll call vote: Mr. Mann-yes and Mr. Sybert-yes. The motion passed with a 2-yes and 0-no vote.

RESOLUTION 08-1201-02: Approving “Then and Now” PO’s

Mr. Sybert moved to adopt Resolution #08-1201-02 Approving Then and Now PO’s. The motion was seconded by Mr. Mann and the roll call vote: Mr. Mann-yes and Mr. Sybert-yes. The motion passed with a 2-yes and 0-no vote.

RESOLUTION 08-1201-03: Approving Bills – checks and warrants

Mr. Mann moved to adopt Resolution #08-1201-03 Approving Bills – checks and warrants except for check #23998 which is voided. The motion was seconded by Mr. Sybert and the roll call vote: Mr. Mann-yes and Mr. Sybert-yes. The motion passed with a 2-yes and 0-no vote.

CITIZEN COMMENT: None

OLD BUSINESS:

Preservation Parks Presentation – Ted Miller and Rita Au

Ted Miller spoke of the progress of Havener Park and that some of the trails are open and the building has been started and we hope to be finished in the spring. The road has varied from the first drawing. The new drawing is attached. The sign will be updated to brick or limestone to have similar motif as the township hall or park signs.

Mr. Sybert stated he would like to have the parks connected. Mr. Miller stated they will be connected however; the one drive will be gated and used for utility vehicles.

Jeff Swanagan, Executive Director of the Columbus Zoo and Liberty Township Resident

Mr. Swanagan worked at the Zoo 21 years ago. He gave a brief overview of the Columbus Zoo. He stated that the Zoo is the third largest zoo in North America just behind Toronto and San Diego. He stated that the new water park opened this year and had 407,000 visitors with slightly fewer than 2 million visiting the zoo. He stated that the golf course did well this year. He also stated that the zoo has 6,500 parking spaces. The Columbus Zoo website is www.columbuszoo.org. He also mentioned the Holiday Lights and that the front gate pond now has a music light show.

Mr. Mann stated that we are pleased to have you in Liberty Township and to have you as our neighbors.

Mr. Swanagan stated that the Zoo would like to honor Jerry Borin for his years with the zoo by naming the public portion of Township Road 1594 after him.

RESOLUTION 08-1201-04: Authorizing the renaming of Township Road 1594 (formerly SR 750)

Mr. Mann moved to adopt Resolution #08-1201-04 authorizing the renaming of the public portion of Township Road 1594 to Gerald Borin Trail. The motion was seconded by Mr. Sybert and the roll call vote: Mr. Mann-yes and Mr. Sybert-yes. The motion passed with a 2-yes and 0-no vote.

MOTION: DP #08-10: Donald Kenney for Golf Village North LLC

Mr. Sybert moved to approve DP #08-10 as recommended by the Zoning Commission. The motion was seconded by Mr. Mann and the roll call vote: Mr. Mann-yes and Mr. Sybert-yes. The motion passed with a 2-yes and 0-no vote.

MOTION: ADMIN. REVIEW #07-04 – Wedgewood Park Subdivision

Ms. Foust read the motion from the Zoning Commission and it is as follows: Ms. Simile made a motion to amend the applicants application to strike requested changes including the 2 page attachment to the application prepared by applicants entitled Liberty Township Application for Administrative Review application #07-04 Wedgewood Park Home Owners Association Amendments/ Zoning Change to Natural Green Space Area Phase I of Wedgewood Park, and replace it with a request to authorize applicant property owners to apply for an exception to the prohibition against encroachment and modification inside the Natural Green Space. Exceptions may be made on a case by case basis for activities designed to remediate poorly drained areas, remove diseased or dying trees, or downed trees only that are impairing drainage, and activities that restore the Natural Green Space where it has been destroyed by development. Prior to the

remediation a plan must be submitted to the Township Zoning Inspector by an appropriate licensed professional. Plans submitted should comply with the recommendations made by Mr. Milt Link, Drainage Maintenance Coordinator Urban Resource Conservationist Delaware Soil & Water Conservation District in a letter dated September 2, 2008, and a letter of recommendation by Ms. Lisa M. Bowers Regional Urban Forester, ISA Certified Arborist with the Ohio Department of Natural Resources dated September 25, 2008. Upon submittal of the plan the Township Zoning Inspector will approve or deny the plan and shall be granted access to the property to confirm compliance with the submitted plan. Mr. Polisenio seconded the motion. Dr. Threlfall explained to the applicants that the application as presented by them could be voted on by the board, or the board could vote on the application as amended by the board. The applicants agreed to vote on the amended application. Mr. Schade made a motion to approve the plan as amended. This motion passed with a 5-yes and a 0-no vote.

Mr. Robert Stafford, 9209 Creighton Dr., explained the Trustees had suggested that the HOA adjust the language to reduce the no build to 25 feet and they changed it to 40 feet to help with the issue of pruning and dying trees.

Ms. Foust stated the board gave the applicants/residents the opportunity to fix drainage problems if they had them, and submit plans provided by a professional to her. Ms. Foust felt they needed to get a certified Arborist statement stating the trees need to be removed because they are a danger to people and property, as well a professional recommendation to plant or prune trees. She said she would consult with professionals such as: ODNR, an Arborist, Lisa Bowers, or a Forester to be sure that the methods and what they want to do is good forest management practices. Ms. Foust advised it would take all three Trustees to overturn and modify what the Zoning Commission granted and Ms. Guzzo is not in attendance this evening and suggested they may want to continue the hearing.

Mr. Sybert commented that it would be easy to regulate 40 to 45 feet, but he had a problem with the diseased trees and drainage. He would like to consult with the Township Attorney and asked if he had Mr. Stafford's permission to go on his property to have a look. Mr. Stafford answered yes.

Mr. Sybert moved to continue Administrative Review #07-04 until January 20, 2009 at 8:00 P.M. Mr. Mann seconded the motion and the roll call vote: Mr. Mann-yes and Mr. Sybert-yes. The motion passed with a 2-yes and 0-no vote.

RESOLUTION 08-1201-07: Fuel Depot Enhancements

Captain Reardon presented the board with a PowerPoint presentation on the Fuel Depot Enhancements. This presentation is attached as part of the permanent record.

Mr. Mann moved to amend Resolution #08-1201-07 for Fuel Depot Enhancements with a change to last sentence. The new sentence will read as follows: This Resolution shall be in force and become effective immediately upon its execution, and approval by the prosecutor's office. The motion was seconded by Mr. Sybert and the roll call vote: Mr. Mann-yes and Mr. Sybert-yes. The motion passed with a 2-yes and 0-no vote.

Mr. Mann moved to adopt amended Resolution #08-1201-07 for Fuel Depot Enhancements. Mr. Sybert seconded the motion and the roll call vote: Mr. Mann-yes and Mr. Sybert-yes. The motion passed with a 2-yes and 0-no vote.

RESOLUTION 08-1201-05: Park Fee Changes

Mr. Mann moved to adopt Resolution #08-1201-05 Park Fee Changes. The motion was seconded by Mr. Sybert and the roll call vote: Mr. Mann-yes and Mr. Sybert-yes. The motion passed with a 2-yes and 0-no vote.

RESOLUTION 08-1201-06: Authorizing the renewal of the existing vision insurance plan with a change in the Agent of Record

Mr. Mann moved to adopt Resolution #08-1201-06 authorizing the renewal of the existing vision insurance plan with a change in the Agent of Record. The motion was seconded by Mr. Sybert and the roll call vote: Mr. Mann-yes and Mr. Sybert-yes. The motion passed with a 2-yes and 0-no vote.

MOTION: DP #08-07: Steak N Shake on behalf of Yum Brands (KFC/Taco Bell)

Mr. Sybert moved to schedule the final hearing for DP #08-07 for 8:15 p.m. on December 15, 2008. The motion was seconded by Mr. Mann and the roll call vote: Mr. Mann-yes and Mr. Sybert-yes. The motion passed with a 2-yes and 0-no vote.

ADMIN. REVIEW #07-07 – Jim Pheifer on behalf of Jewett Road Associations

Mr. Sybert asked Mr. Anderson to research more about smart side product.

Mr. Anderson will meet with Jim Cirigliano and see what more they can find out.

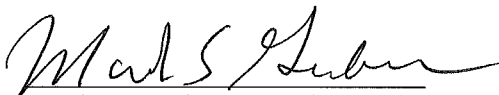
Mr. Mann moved to schedule the final hearing for Administrative Review #07-07 for January 20, 2009 at 8:15 p.m. Mr. Sybert seconded the motion and the roll call vote: Mr. Mann-yes and Mr. Sybert-yes. The motion passed with a 2-yes and 0-no vote.

RESOLUTION 08-1201-08: Vacant BZA Position

Mr. Sybert moved to adopt Resolution #08-1201-08 vacant BZA Position with Becca Mount of Liberty Township to fill this unexpired term from December 1, 2008 to April 17, 2013. The motion was seconded by Mr. Mann and the roll call vote: Mr. Mann-yes and Mr. Sybert-yes. The motion passed with a 2-yes and 0-no vote.

ADJOURNED:

There being no further business Chairperson Sybert adjourned the meeting at 10:00 p.m.


Mark S. Gerber, Fiscal Officer