

**LIBERTY TOWNSHIP TRUSTEE  
RECORD OF PROCEEDINGS  
December 21, 2009**

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, December 21, 2009, at 7:30 p.m. at the Liberty Township Hall at 7761 Liberty Road, Powell, Ohio. Board Members present were Robert Mann, Curt Sybert, and Peggy Guzzo. Also present were Township Administrator, David Anderson, Fiscal Officer, Mark Gerber, Chief, Tim Jensen, and Attorney, Craig Paynter. Others in attendance are listed on the attached sign-in sheet.

Chairperson, Robert Mann called the meeting to order with the Pledge of Allegiance.

**RESOLUTION: 09-1221-01: Approving “Then and Now” PO’s**

Mr. Sybert moved to approve Resolution #09-1221-01 Approving “Then and Now” PO’s. The motion was seconded by Mr. Mann and the roll call vote: Ms. Guzzo-no, Mr. Mann-yes, and Mr. Sybert-yes. The motion passed with a 2-yes and 1-no vote.

**RESOLUTION 09-1221-02: Approving Bills – EFT’s and warrants**

Mr. Mann moved to approve Resolution #09-1221-02 Approving Bills – EFT’s and warrants. The motion was seconded by Mr. Sybert and the roll call vote: Ms. Guzzo-no, Mr. Mann-yes, and Mr. Sybert-yes. The motion passed with a 2-yes and 1-no vote.

**RESOLUTION 09-1221-03: 2010 Temporary Appropriation**

Mr. Mann moved to approve Resolution #09-1221-03 2010 Temporary Appropriation. The motion was seconded by Mr. Sybert 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 09-1221-04: Elected Officials Compensation**

Mr. Sybert moved to approve Resolution #09-1221-04 Elected Officials Compensation with the amendment to include “and benefits” after annual salaries in number 1 and 2. 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.

**SPECIAL PRESENTATIONS:**

**Zoning Inspector Holly Foust – Johnson request Plat & Deed Restrictions**

Mr. Anderson shared Holly was unable to attend, he sent the attorney's reply to Mr. Johnson to let him know that the Trustees would not be able to do anything and he needed to follow the zoning process.

Mr. Johnson stated they received a registered letter stating they were in violation of the zoning law and what he had started needed to be removed. If this was not done by January 4, 2010, there would be a \$500 a day penalty assessed. He asked for guidance in this process.

Mr. Sybert made a motion to move no action be taken on the registered letter until the trustees can get in touch with Mr. Johnson and Mr. Elam with a detailed list in regard to the process that needs to be followed. Mr. Mann seconded and the roll call vote: Ms. Guzzo yes, Mr. Mann-yes, and Mr. Sybert-yes. The motioned passed with a 3-yes and 0-no vote.

**Road Department Randy Leib – Pavement Rating System**

Mr. Leib presented a Road Condition Rating Criteria Report to the Trustees showing the conditions of Liberty Township roads. A copy of this report is attached as part of the permanent record.

**CITIZEN COMMENT:**

Kim Simpson, 9443 Gibson Drive, thanked Peggy Guzzo for all her hard work and she will be missed and is wished the best of luck in her future endeavors.

**NEW BUSINESS:**

**RESOLUTION 09-1221-05: Employing Loveland & Brosius for 2010**

Mr. Sybert moved to approve Resolution 09-1221-05 Employing Loveland & Brosius for 2010. The motion was seconded by Mr. Mann and the roll call vote: Ms. Guzzo-no, Mr. Mann-yes, and Mr. Sybert-yes. The motion passed with a 2-yes and 1-no vote.

**RESOLUTION 09-1221-06: Authorize and Publish Trustees 2010 Meeting Schedule**

Ms. Guzzo moved to approve Resolution 09-1221-06 Authorize and Publish Trustees 2010 Meeting Schedule. 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 09-1221-07: Authorize Employees to Opt Out of Health Insurance**

Mr. Mann moved to approve Resolution 09-1221-07 Authorize Employees to Opt Out of Health Insurance. The motion was seconded by Mr. Sybert 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 09-1221-08: Authorize Dental Insurance Contract 2010**

Ms. Guzzo moved to approve Resolution 09-1221-08 Authorize Dental Insurance Contract 2010. 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 09-1221-09: Authorize Property, Casualty, & Liability Insurance Change**

Mr. Mann moved to approve Resolution 09-1221-09 Authorize Property, Casualty, & Liability Insurance Change with the addition of the following sentence to the end, "This resolution is subject to review and approval by legal counsel". 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 09-1221-10: Authorize Soccer Tournament & T-Shirt Sales at Liberty Park**

Mr. Sybert moved to approve Resolution 09-1221-10 Authorize Soccer Tournament & T-Shirt Sales as Liberty Park. The motion was seconded by Ms. Guzzo 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 09-1221-11: Authorize De-icing Contract**

Mr. Sybert moved to approve Resolution 09-1221-11 Authorize De-icing Contract. 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.

**APPROVAL OF MINUTES:**

Mr. Mann made a motion to approve the minutes of December 7 and 14, 2009. The motion was seconded by Mr. Sybert and roll call vote: Ms. Guzzo-abstain, Mr. Mann-yes, and Mr. Sybert-yes. The motion passed with a 2-yes and 1-abstention vote.

**MOTION: Enter into Executive Session at 8:45 pm**

Mr. Mann made a motion to enter into Executive Session pursuant to ORC 121.22(G)(4) preparing for, conducting, or reviewing negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment and ORC 121.22(G)(3) conference with an attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action. Mr. Sybert seconded the motion and the roll call vote: Ms. Guzzo-yes, Mr. Mann-yes, and Mr. Sybert-yes. The motion passed with 3-yes and 0-no vote.


**MOTION: Reconvene – Out of Executive Session at 10:34 p.m.**

Mr. Sybert made a motion to reconvene out of Executive Session and 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.

**ADJOURNED:**

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

  
\_\_\_\_\_  
Mark S. Gerber, Fiscal Officer

  
\_\_\_\_\_  
Robert Mann, Chairman  
Board of Trustees