

LIBERTY TOWNSHIP BOARD OF TRUSTEES

Minutes for a meeting held on
April 7, 2008

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1.) The meeting was called to order by Chairman Ety at 7:30 PM at 816 West Market Street, Baltimore, Ohio, with the Pledge of Allegiance and a moment of silence for the military.

Roll call: Ivan Ety - present
Tim Linkhorn - absent
Nancy Montell - present
Dan Alt - present
David C. Keller - present
Tom Spring - absent
Ruth Crutcher - present

2.) The minutes for March 17, 2008, were read and approved as presented.

3.) Comments from the floor:

A.) Joseph A. Machado, 3084 Bickel Church Road NW, was present to propose a cost effective manner for temporary solution to groundwater drainage along Snyder Church and Bickel Church Roads (see attached). Mr. Machado asked that if the trustees take no action by the end of April, he would like to be informed as to a proposed time line. Trustee Ety asked Mr. Machado if he had a curtain drain for his septic system. Mr. Machado was unsure. Trustee Ety's opinion is that the trustees did not create this problem. There was discussion of Mr. Machado's proposal. Trustee Ety will speak with John Rolland, the former owner of these properties, to discuss where there is tile. Trustee Montell stated that she is still pursuing an Issue 1 project for this portion of Bickel Church Road. There was discussion of a county ditch petition.

B.) Phillip Renard, representing the Zoning Board, asked the trustees for a recording device.

C.) Jeanne Galliher asked the trustees whether Hydro Master had again applied for a conditional use. Ruth Crutcher stated that they had again applied. There is a public hearing on April 24, 2008.

4.) The Fiscal Officer gave his report:

A.) The report is attached.

B.) Trustee Montell moved to approve PG 39 & 40-08 and Trustee Ety seconded the motion.

Roll call: Montell - yes
Ety - yes

C.) Trustee Montell moved to approve warrants 11203 through 11236 and Trustee Ety seconded the motion.

Roll call: Montell - yes
 Ety - yes with the exception of warrants 11234 and warrant 11229
 These warrants apply to Mr. Spring's health insurance.

5.) Employee Keller gave his report:

A.) The county engineer gave Mr. Keller paperwork for the force account for the Stone Drive culvert replacement project. Trustee Montell moved to accept the engineer's drawing for the Stone Drive Culvert Project and Trustee Ety seconded the motion.

Roll call: Montell - yes
 Ety - yes

B.) Trustee Montell moved to approve PO 41-08 (100 ton berm) and Trustee Ety seconded the motion.

Roll call: Montell - yes
 Ety - yes

C.) The tile is plugged at the 2060 building and when it dries out the employees would like to fix it and the outlet on the Ray Killbarger property.

D.) The employees would like to get Tom Belcher to help cut brush.

E.) Mr. Keller passed his pesticide training and has his certificates.

6.) Ruth Crutcher gave the Zoning Inspector/Administrator's report (attached).

7.) Reports:

A.) Trustee Montell reported that she had asked the fire board to help establish a location for the tornado sirens.

8.) Old Business:

A.) There was discussion of a tape recorder.

B.) The OTA scholarship fund donation was returned because they could not accept because of their tax exempt status 501(C)(4).

C.) Ron Galliher sent a letter of resignation and Trustee Ety moved to accept and Trustee Montell seconded the motion. (ZBA)

Roll call: Ety - yes
 Montell - yes

D.) The Fairfield County Engineer will group bid for MWS90 emulsion and wants to know if Liberty Township would want to participate in the bidding. Trustee Ety moved to approve Resolution 4-31-08 and Trustee Montell seconded the motion.

Roll call: Ety - yes
 Montell - yes

E.) There was discussion of Scott Wray on the Zoning Commission. Trustee Montell felt he had spoken out of turn and had spoken as an authority for the township and that this was not true. Trustee Montell asked Mr. Wray to send an apology to Tom Spring and the Zoning Boards. He has not done this as

of yet. Jason Dolin, prosecutor's office, could be consulted as to whether Mr. Wray could be removed from his position on the Zoning Commission.

9.) New Business:

A.) Legal Advertisement for application of interest and resumes for alternate for the Board of Zoning Appeals will be submitted.

B.) Correspondence was viewed.

10.) At 9:45 PM Trustee Montell moved to adjourn and Trustee Ety seconded the motion.

Swan A. Ety Trustee
David W. [unclear] Fiscal Officer
attest

To: Board of Trustees
Cc: Dan Alt, Ruth Crutcher, David Keller

From: Tom Spring, Township Administrator

Date: March 17, 2008

Re: **Administrator's Report**

I. Goal Setting

A. Zoning Resolution

The board voted to enter into agreement with Fairfield Regional Planning Commission to re-write the zoning resolution. Work to begin in May. Brooks Davis and Holly Mattei will begin with a kickoff meeting for Board of Trustees, Board of Zoning Appeals, township staff and Zoning Commission.

B. Facilities

1. The first step in the cost-benefit feasibility analysis of our buildings and evaluation of short- and long-term of options for meeting space is to gather data. I would like to consult with some real estate brokers or appraisers concerning our facilities and schedule a tour of the village building with Marsha Hall.

2. I have a couple of leads on meeting equipment.

C. Copier / Fax / Scanner

Machine is up and running and making a difference. It is much faster than the old one and does two-sided copying – a real time saver. We are awaiting scheduling with owner for delivery of donated floor copiers.

II. UST Remediation Program

UST Remediation report was delivered to the State Fire Marshal's Office.

III. Video Franchise

Liberty Township received notice from Insight Communication that its application for a statewide franchise has been approved by the Ohio Department of Commerce and its franchise agreement with Liberty Township has been terminated. I immediately sent notice and copy of the trustees' franchise fee resolution to the vice president at the Livingston Ave. office and to the corporate manager for legal administration in New York City. (Copy of correspondence in your mailboxes at 2060 Building.)

IV. Public Road Improvements

- A. There are various procedures available to initiate improvements of public roads. These include formal petitions submitted by citizens to the trustees and decisions by the trustees to act to improve a road with or without a formal petition. These processes are subject to legal requirements, including specifying how the improvement is to be funded. Examples are assessments, township funds, etc. All such projects, regardless of how they are initiated or funded, must be approved by the county engineer. The engineer does the design work and it is my understanding this occurs on a first come, first served basis, meaning a project submitted today may not make it to design phase until 2010. The township or a developer can decide to pay for a private engineer to design in cooperation with the county engineer. The latter process helps to speed up the timetable for improvements but the tradeoff is the cost.
- B. Another method is to seek public funds through the Ohio Public Works Commission. I received a call from Sue Speicher concerning the next round of Public Works funding. Applications will be due in October.
- C. Still another method is to initiate a ditch maintenance petition and file same with the county commissioners. I have a meeting scheduled with Jeff Baird this Thursday to go over ditch maintenance petition procedures. The purpose of this meeting is educational. With the concerns expressed over drainage in the township (e.g., Bickel Church Road) it is good to know the various options potentially available to the township and to its citizens.

V. Zoning Department

A. Board of Zoning Appeals

- 1. Public Hearing – April 1 hearing of appeal concluded. Board recessed to allow time to prepare, receive and evaluate transcripts and evidence submitted.
- 2. Upcoming hearings
 - a. April 15 – Pickerington Church of Christ.
 - b. April 24 – Richard Ricketts, applicant, for Robert Richardson, 9550 Heimberger Road, conditional use request.

B. Zoning Commission

- 1. Public Hearing -- Thursday, April Resumption of a hearing first held on March 27 concerning an application from Deborah Barte, 12980 Saylor Road, to re-zone a 2.95-acre tract in Section 30, Township 17, from RR to R1, filed on February 28, 2008. The rezoning would match the zoning of an adjacent parcel owned by Ms. Barte of 0.8 acre. Consideration will be given to the recommendation the Regional Planning Commission issued on April 1.

C. Permits Issued

- * New House: Victor and Titilola Ladipo Carroll Northern Road \$600.
- * Occupancy certificate – Jon and Michelle Miller, Eversole Road, Carroll
- * Received several calls and mailed out applications for zoning permits.
- * Received several applications for occupancy certificates. Project initiated by Ruth Crutcher and me to clear a backlog and close open zoning files.
- * Ms. Crutcher has information about other permits issued since the previous meeting.

VI. Legal

A. 145 Baltimore Somerset Road

1. Fifth District Court of Appeals – 2008-CA-00003
Township requested extension of time to file briefs.
2. Court of Common Pleas – 2008-CA-00374
Township filed motion for declaratory action and injunctive relief in Court of Common Pleas March 20. Case before Judge Berens. Hearing May 5.

B. 9550 Heimberger Road

1. Fairfield County Court of Common Pleas – 2007-CV-00695
Appellant's motion for dismissal granted March 28, Judge Chris Martin.

VII. Administrative matters

I plan to take vacation the last week of April.

Permits and Public Hearings:

March 5, 2008 – Public Hearing on Appeal 03-BZA-2008 \$500.00
Submitted by Lloyd & Karen Ohlinger

March 11, 2008 – Permit for house addition \$250.00
Tamara S Schrock
4259 Stemen Rd. Permit # 01-2008

March 18-2008 – Application for Conditional use # 04-BZA-2008
Steve Eversole Builders \$ 500.00
Pickerington Church of Christ
9645 Stoudertown Rd.
Building addition

March 26, 2008 – Victor Ladipo
9324 Carroll Northern Rd
New Home Permit # 02-2008

\$600.00

March 27, 2008 – Donna Runyon
5570 Bickel Church Rd
Accessory Building Permit # 03-2008

\$200.00

April 3, 2008 – Ricketts & Associates, LPA
Conditional Use Application
On behalf of Robert Richardson
9550 Heimberger Rd
Public Hearing to be held April 15, 2008

\$500.00

**Proposed Temporary Solution
to Groundwater Drainage and
Public Safety Problem Along
Snyder Church and Bickel
Church Roads
&
Request for Township
Agreement and Action**

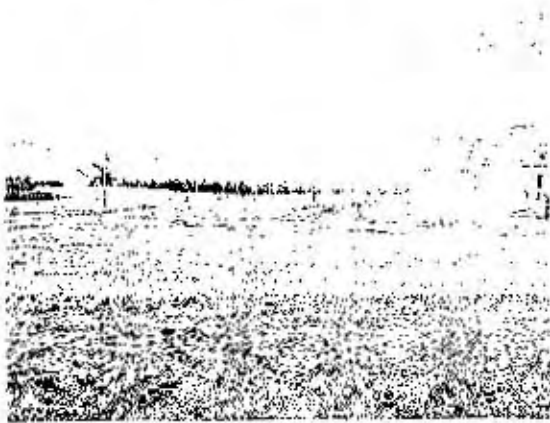
Presented to
Liberty Township Trustees
7 April 2008

Joseph A. Machado
3084 Bickel Church Road
Baltimore, OH 43105
Home 740-862-6056
Cell 703-405-8776

Overview

- Certificates were issued for construction and occupancy of new homes along Bickel Church Road over past several years
- Groundwater drainage problem and public safety hazard became evident in 2007 and 2008
 - Several unsuccessful searches for drainage tiles was undertaken by builders and property owners
 - Township and County discussed a project to address problem but no action was taken in 2007
 - If Project is submitted and approved by 2008 deadline, relief is more than a year away
- To alleviate the drainage and public safety hazard of Bickel Church Road flooding, a temporary, cost-effective solution is needed until a long-term solution is possible
 - Township support/action is needed to implement both temporary and long-term solutions
 - Approval of Baptist Church Association is needed for temporary solution involving property at southwest corner of Bickel Church and Snyder Church Roads
 - Coordination with property owners adjacent to Baptist Church Association property west and south sides is important

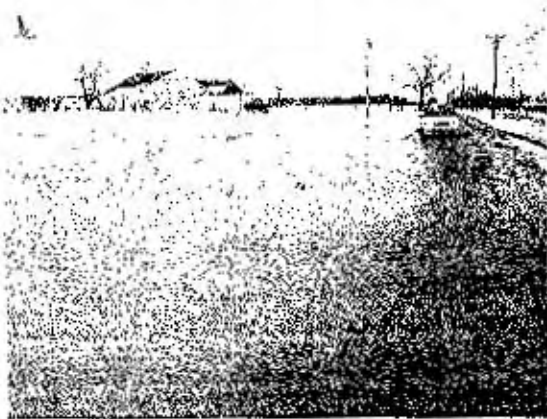
Evidence of Drainage and Public Safety Problem



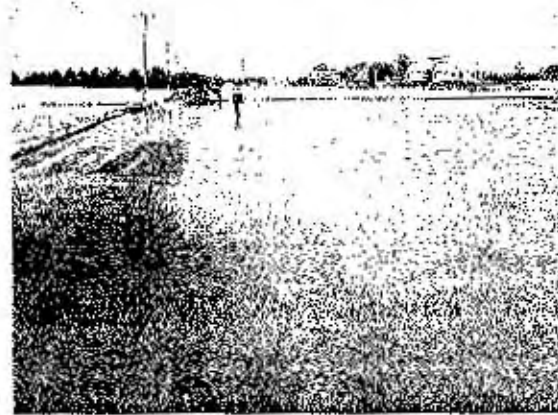
Bickel Church Road West – 20 Jan 2007



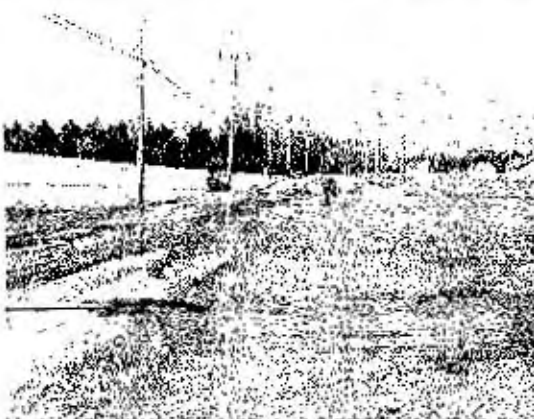
Bickel Church Road East – 2 Mar 2007



Bickel Church Road West – 4 Mar 2008



Bickel Church Road East – 4 Mar 2008



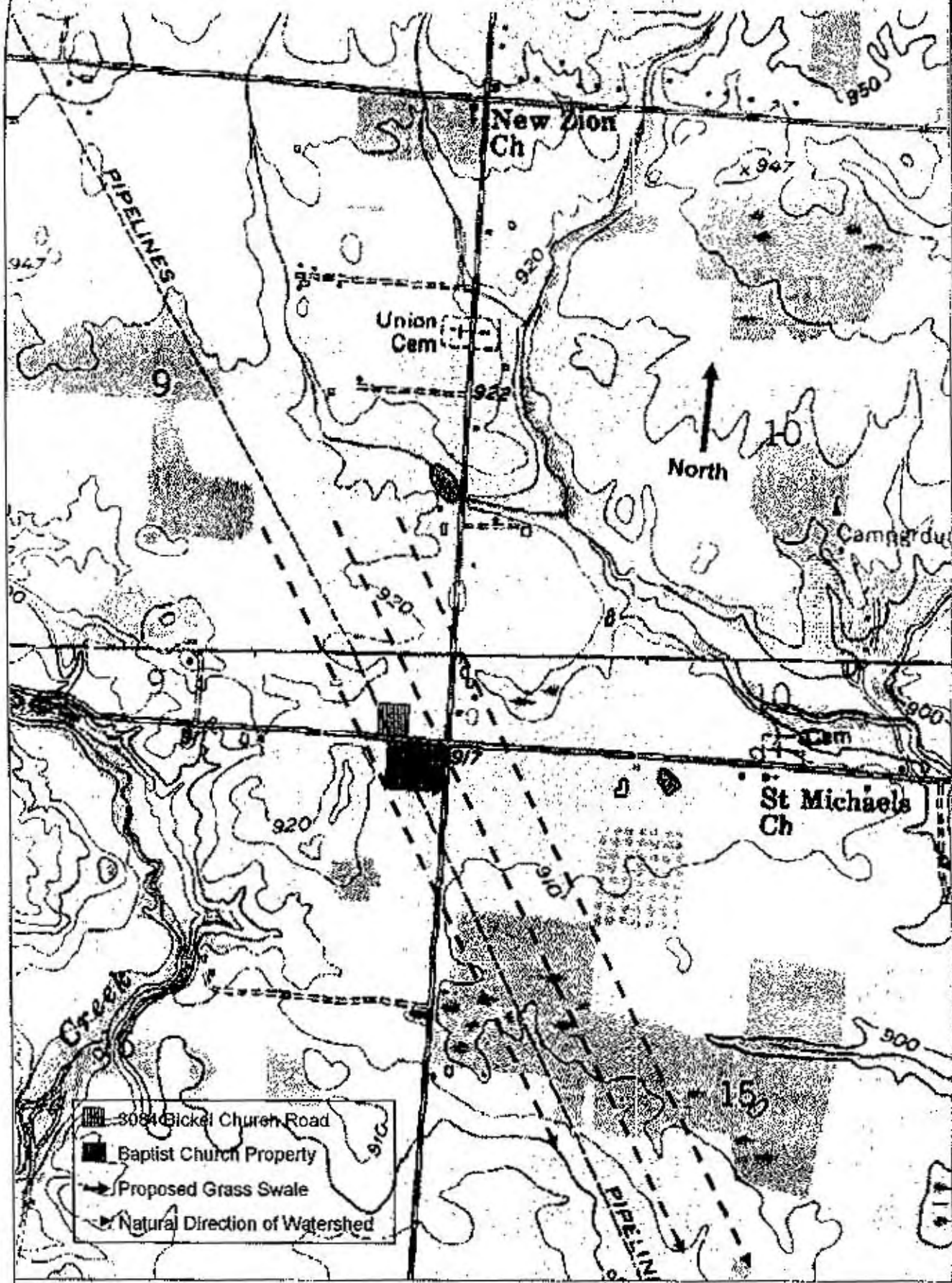
Bickel Church Road West – 20 Mar 2008







Bickel Church Road South – 20 Mar 2008

Proposed Solution

- Coordinate proposed solution with all concerned
 - Township
 - County
 - Property owners
- Construct a grass swale either along west and south sides of Baptist Church Association property (see diagram); alternatively, along north and east sides (adjacent to or in Township and County rights of way)
 - Builders of properties along Bickel Church Road have the ability and may be willing to construct the swale
 - Baptist Church Association agreement is required – Association has been contacted and proposed plan will be submitted for consent to Baptist Church Association board
- Install a tile or culvert at low point under Bickel Church Road (location TBD)
 - Township agreement is required
 - Construction by Township is requested
- Submit the previously discussed project to implement a long-term solution to the problem
 - Township action is required
 - Assistance of volunteers should be considered



-  3084 Gickel Church Road
-  Baptist Church Property
-  Proposed Grass Swale
-  Natural Direction of Watershed

Requested Actions

- Township approve proposed solution
 - Cost-effective
 - Temporarily alleviates both future drainage and public safety problems
 - Allows Township and County adequate time to pursue a long-term solution
- Township agree to install a tile/culvert beneath Bickel Church Road
 - Required as part of temporary solution
 - Probably required as part of long-term solution
- Township pursue long-term solution
 - Already informally agreed to by County and Township
 - Supported by County
 - Volunteers can be used to augment Township resources to draft project and ensure submission as soon as possible

Date: Fri, 4 Apr 2008 20:28:21 GMT

Nancy,

I have developed a critical attitude which is not useful for you or the township. I would like to officially resign my position with the BZA allowing someone else more capable and with more patients assume the position.

Thanks so much for your interest in the community and I wish the township well in future efforts.

Ron Galliher

Nancy Monte

4-31-08

IN THE MATTER OF: Authorizing the Fairfield County Engineer's Office to bid Asphalt Emulsion MWS90 for Liberty Township.

WHEREAS, the Fairfield County Engineer feels that cooperative purchasing amongst the County and Townships could lead to better cost savings, and

WHEREAS, the Fairfield County Engineer wishes to bid Asphalt Emulsion MWS90 as a cooperative purchasing item, and

WHEREAS, the Board of Liberty Township Trustees wish to join in cooperative purchasing for Asphalt Emulsion MWS90, and

WHEREAS, the Board of Liberty Township Trustees are requesting that the Fairfield County Engineer or his designee coordinate the cooperative purchasing bid for Asphalt Emulsion MWS90.

NOW THEREFORE:

BE IT RESOLVED by the Board of Liberty Township Trustees, County of Fairfield, State of Ohio:

SECTION 1: that this Board of Liberty Township Trustees authorizes the Fairfield County Engineer or his designee to coordinate the cooperative purchasing bid for Asphalt Emulsion MWS90.

SECTION 2: that the Fiscal Officer of this Board of Liberty Township Trustees return a signed copy of this Resolution to the County Engineer or further processing.

Motion by: Ivan A. Ety Seconded by: Nancy Montell

that the Resolution be adopted was carried by the following vote:

YEAS: 2 NAYS: 0

ABSTENTIONS: 0

SUBMITTED ON 04/02/08 BY:
Frank W. Anderson, P.E., P.S.
Frank W. Anderson, P.E., P.S.
Fairfield County Engineer

Ivan A. Ety
Nancy Montell

BOARD OF LIBERTY TOWNSHIP TRUSTEES

ADOPTED: 4-7-08
Daniel W. Alt
DANIEL W. ALT, FISCAL OFFICER

Ver.12.1
7:00:31 pm

PRIMARY BANK RECONCILIATION - POST
LIBERTY TOWNSHIP, FAIRFIELD COUNTY
As of 03/31/2008

Page: 1 of 1
Date: 04/01/2008

	System Balance:	\$423,392.03
	Less Investment Balance:	647.03
	Less Secondary Balance:	0.00
Current System Balance for Primary Account as of:	03/31/2008	<u>422,745.00</u>
Primary Checking Balance as of:	03/31/2008	429,108.98
(From bank statement)	(+) Deposits in Transit:	0.00
	(-) Outstanding Checks:	-5,061.21
	(+/-) Other Adjusting Factors:	-1,302.77
Calculated Primary Account Balance as of:	03/31/2008	<u>\$422,745.00</u>

Balances Reconciled

Reconciliation Notes

Deposits not recorded in the system: -1302.77
800.00 zoning, 502.77 int.

Governing Board Signatures:

Luann A. Ety

William M. Minter

Ver. 12.1
7:00:31 pm

PRIMARY BANK RECONCILIATION - POST
LIBERTY TOWNSHIP, FAIRFIELD COUNTY

Page: 1 of 1
Date: 04/01/2008

As of 03/31/2008

Outstanding Checks

Narrant Num	Date	Vendor/Payee	Amount
O 11048	12/17/2007	Village of Baltimore-Utility Permit	\$50.00
O 11186	03/17/2008	Cintas Corporation #530	167.80
O 11196	03/20/2008	Dave L. Keller	328.10
O 11199	03/17/2008	Anthem Blue Cross and Blue Shield	4,515.31
TOTAL:			\$5,061.21

RECEIPT REGISTER

Ver. 12.1
9:01:07 am 04/04/2008

LIBERTY TOWNSHIP, FAIRFIELD COUNTY

All Receipts

From 03/17/2008 To 04/05/2008

Number	Receipt Date	Type	Source	Amount	Status
15-2008	03/24/2008	STD.	Tom Spring, zoning inspector		0
Deposit Ticket:					
1000-302-0000	STD.	Fees		\$500.00	
				Total Receipt	500.00
16-2008	03/27/2008	STD.	Fairfield County Auditor		0
Deposit Ticket:					
1000-532-0000	STD.	Local Government Distribution		5,405.80	
2011-536-0000	STD.	Motor Vehicle License Tax - State		1,635.82	
2011-892-0000	STD.	Other - Miscellaneous Non-Operating		717.04	
2021-537-0000	STD.	Gasoline Tax		8,537.09	
2231-104-0000	STD.	Permissive MVL Tax - Township Levied		4,800.00	
				Total Receipt	21,095.75
17-2008	04/01/2008	STD.	Fairfield National Bank		0
Deposit Ticket:					
1000-701-0000	STD.	Interest		267.45	
2021-701-0000	STD.	Interest		130.63	
2231-701-0000	STD.	Interest		104.69	
				Total Receipt	502.77
				Total Amount Pending	0.00
				Total Posted Amount	\$22,098.52
				Grand Total	\$22,098.52

Receipt Type: STD.-Standard, INT.-Interest, MEMO-Memo,
GAIN-Capital Gain, CHARGE-Appropriation Charge,
VOID STD.-Void Standard, VOID INT.-Void Interest,
VOID MEMO-Void Memo, VOID CHARGE-Void Appropriation Charge,
NEG. ADJ.-Negative Adjustment, POS. ADJ.-Positive Adjustment,
REV. REALLOC.-Revenue Reallocation

Status: E-Earmarked to Post to Cash on a Future Date (Pending)
O-Outstanding

FUND STATUS
 LIBERTY TOWNSHIP, FAIRFIELD COUNTY
 As of 04/30/2008

Fund Number	Fund Name	% of Total Cash Balance	Fund Cash Balance	Investment Balance	Checking Balance
1000	General	62.811	\$265,047.20	\$0.00	\$265,047.20
2011	Motor Vehicle License Tax	5.368	22,650.44	0.00	22,650.44
2021	Gasoline Tax	13.303	56,135.58	0.00	56,135.58
2031	Road and Bridge	8.029	33,879.92	0.00	33,879.92
2231	Permissive Motor Vehicle Licen	10.335	43,612.32	0.00	43,612.32
2301	Miscellaneous Special Revenue	0.000	0.00	0.00	0.00
3901	Miscellaneous Debt Service	0.000	0.00	0.00	0.00
4401	Public Works Commission Projec	0.000	0.00	0.00	0.00
9751	Private - Purpose Trust	0.153	647.03	647.03	0.00
All Funds Total			\$ 421,972.49	\$ 647.03	\$ 421,325.46

WARRANTS 11203 through 11236

TOTAL WARRANTS 1972.31 + 24,934.92

P.O. 39-08
 P.O. 40-08

Less Secondary Balance \$ 0.00
 Available Primary Checking Balance \$ 421,325.46

