



BOARD OF COUNTY COMMISSIONERS

WARREN COUNTY, OHIO

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LARRY CRISENBERY

C. MICHAEL KILBURN

PAT ARNOLD SOUTH

BOARD OF COUNTY COMMISSIONERS

WARREN COUNTY, OHIO

MINUTES: Regular Session--December 10, 2002

The Board met in regular session pursuant to adjournment of the December 5, 2002, meeting.

C. Michael Kilburn - present Larry Crisenbery - present

Pat Arnold South - present Tina Davis, Clerk - present

- 02-1933 A resolution was adopted to Reject Bids received and Re-advertise for the Clover Avenue Sanitary Sewer Improvements Project. Vote: Unanimous

- 02-1934 A resolution was adopted to approve and authorize the President of the Board to enter into a Classroom Training Agreement on behalf of the Warren County One-Stop Business and Employment Center. Vote: Unanimous

- 02-1935 A resolution was adopted to designate Family and Medical Leave of Absence to Lisa M. Smith, Emergency Communications Operator, within the Department of Emergency Services. Vote: Unanimous

- 02-1936 A resolution was adopted to approve a Supplemental Appropriation, approve Appropriation Adjustments, approve a Cash Advance, and approve Change Order No. 4 to Construction Contract Numbers 2 through 5 with SK Construction for the Hunter-Dick's Creek Sewer Improvement Area, Project No 469 increasing Purchase Order No. 49907. Vote: Unanimous

- 02-1937 A resolution was adopted to authorize the President of this Board to sign a Satisfaction of Mortgage for a Homebuyer Assistance Loan for Bryan and Barbara Wanless. Vote: Unanimous

- 02-1938 A resolution was adopted to authorize the President of this Board to sign a Satisfaction of Mortgage for Rehabilitation for Bryan and Barbara Wanless.
Vote: Unanimous
- 02-1939 A resolution was adopted to approve Bowen Drive in Summit Deerfield Subdivision for Public Maintenance by Deerfield Township. Vote: Unanimous
- 02-1940 A resolution was adopted to enter into Erosion Control Bond Agreement with Nantucket on Montgomery Road, Ltd., for completion of improvements in Nantucket Subdivision, Phase 2, situated in Deerfield Township.
Vote: Unanimous
- 02-1941 A resolution was adopted to enter into Erosion Control Bond Agreement with Towne Development Group, Ltd., for completion of improvements in Thornton Grove Subdivision, Phase 3, Part 3, situated in Hamilton Township.
Vote: Unanimous
- 02-1942 A resolution was adopted to enter into Erosion Control Bond Agreement with Towne Development Group, Ltd., for completion of improvements in Thornton Grove Subdivision, Phase 3, Part 4, situated in Hamilton Township.
Vote: Unanimous
- 02-1943 A resolution was adopted to enter into Performance Bond Agreement with Towne Development Group Ltd., for installation of certain improvements in Thornton Grove Subdivision, Phase 3, Part 3 and 4, situated in Hamilton Township. Vote: Unanimous
- 02-1944 A resolution was adopted enter into Sidewalk Bond Agreement with Towne Development Group, Ltd., for installation of certain improvements in Thornton Grove Subdivision, Phase 3, Part 3 and 4, situated in Hamilton Township.
Vote: Unanimous
- 02-1945 A resolution was adopted enter into a Subdivision Public Improvement Performance and Maintenance Security Agreement with Towne Development Group, Ltd., to install certain water and/or sanitary sewer improvements in Thornton Grove Subdivision, Phase 3, Parts 3 & 4 situated in Hamilton Township. Vote: Unanimous
- 02-1946 A resolution was adopted approve various Final Plats. Vote: Unanimous
- 02-1947 A resolution was adopted approve Appropriation Adjustment within Building Services Fund #101-1600. Vote: Unanimous
- 02-1948 A resolution was adopted approve Supplemental Appropriation into Vehicle

Maintenance Fund #619. Vote: Unanimous

- 02-1949 A resolution was adopted approve Supplemental Appropriation into General Fund #101. Vote: Unanimous
- 02-1950 A resolution was adopted approve Supplemental Appropriation into Fund #451. Vote: Unanimous
- 02-1951 A resolution was adopted approve Amended Certificate, Appropriation Decrease, Supplemental Appropriation and Residual Equity Fund Transfers in Fund #453. Vote: Unanimous
- 02-1952 A resolution was adopted approve Operational Transfer from Commissioners Fund #101-1112 into Telecommunications Construction Fund #492. Vote: Unanimous
- 02-1953 A resolution was adopted approve Appropriation Adjustments within Sheriff Fund #101-2200, Recorder Fund #101-1160, Common Pleas Court Fund #101-1222 and Treasurer Fund #101-1130. Vote: Unanimous
- 02-1954 A resolution was adopted approve rezoning Applications of Solid Rock church to rezone 14.55 acres in Turtlecreek Township from Rural Residence "R-1" to Multi-Family Residence Zone "R-3" as a Planned Unit Development. Vote: Unanimous
- 02-1955 A resolution was adopted authorize payment of Bills. Vote: Unanimous
- 02-1956 A resolution was adopted accept Resignation of Paula Whitaker, Eligibility Referral Specialist II, within the Department of Human Services, effective December 31, 2002. Vote: Unanimous
- 02-1957 A resolution was adopted designate Family and Medical Leave of Absence to Paula Tanner, Eligibility Referral Specialist II, within the Department of Human Services. Vote: Unanimous
- 02-1958 A resolution was adopted designate Family and Medical Leave of Absence to Denise Fraley, Eligibility Referral Specialist II, within the Department of Human Services. Vote: Unanimous
- 02-1959 A resolution was adopted approve Promotion of Adela Digman to the position of Telephone Operations Supervisor within the Telecommunications Department. Vote: Unanimous
- 02-1960 A resolution was adopted hire Karen Monnin to perform Clerical Duties within the Office of Management and Budget, full-time, temporary. Vote: Unanimous

02-1961 A resolution was adopted approve Operational Transfer from Commissioners Fund #101 into Children Services Fund #273 and approve Repayment of a Cash Advance from Children Services Fund #273 into General Fund #101.
Vote: Unanimous

DISCUSSIONS

On motion, upon unanimous call of the roll, executive session was entered into at 9:14 a.m. to discuss personnel matters with the Human Resources Director, and exited at 10:25 a.m.

On motion, bids were closed at 10:15 a.m. this 10th day of December and the following bids were received, opened and read aloud for the FY2001 Franklin Township Guardrail Project for the Warren County Office of Grants Administration:

Security Fence Cincinnati, Ohio	\$ 35,376.64
Lake Erie Construction Norwalk, Ohio	\$ 31,825.00

Jerry Haddix, Coordinator, Warren County Office of Grants Administration, will review bids for a recommendation at a later date.

On motion, bids were closed at 10:30 a.m. this 10th day of December and the following bids were received, opened and read aloud for the Mason Montgomery & Brewer Road Water Main Extension for the Warren County Water and Sewer Department:

J.R. Herdman Excavating Lebanon, Ohio	\$ 222,290.99
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MINUTES
DECEMBER 10, 2002
PAGE 5

Smith & Brown Harrison, Ohio	\$ 273,994.00
Folzen Logan Const. Inc. Cincinnati, Ohio	\$ 412,452.00
Dave Holley Construction Gallipolis, Ohio	\$ 198,910.84
Bronco Excavating Fairfield, Ohio	\$ 198,941.00
Fields Excavating Inc. Kitts Hill, Ohio	\$ 273,371.63
Howard Contracting McDermott, Ohio	\$ 254,551.00
Sam Rhule Excavating Franklin, Ohio	\$ 225,456.00
SK Construction Middletown, Ohio	\$ 349,501.50
R.B. Jergens Vandalia, Ohio	\$ 337,624.30
R.J. Shutts Morrow, Ohio	\$ 223,117.95
W.G. Stang Hamilton, Ohio	\$ 196,786.00
Miami Western Construction, Inc. Oxford, Ohio	\$ 179,175.00
G & R Plumbing Cincinnati, Ohio	\$ 300,455.30
Armrel Byrnes Cincinnati, Ohio	\$ 202,416.05
Trend Construction Cincinnati, Ohio	\$ 268,345.00

Dick Renneker, Sanitary Engineer, Warren County Water and Sewer Department, will review bids for a recommendation at a later date.

PUBLIC HEARING

REZONING APPLICATION OF SOLID ROCK CHURCH
TO REZONE 14.55 ACRES IN TURTLECREEK TOWNSHIP
FROM RURAL RESIDENCE "R-1" TO MULTI-FAMILY RESIDENCE ZONE "R-3" AS A
PLANNED UNIT DEVELOPMENT

The public hearing to consider the rezoning application of Solid Rock Church to rezone 14.55 acres in Turtlecreek Township from Rural Residence "R-1" to Multi-Family Residence Zone "R-3" was convened this 10th day of December 2002, in the Commissioners' Meeting Room.

Commissioner Kilburn opened the meeting by reading aloud the resolution, which set the date and time for the public hearing and acknowledged that all legal requirements have been complied with.

Robert Craig, Regional Planning Commission (RPC), explained the purpose of the rezoning and stated the surrounding zones. He then stated the RPC Executive Committee's recommendation to approve the site plan review subject to twelve (12) conditions.

Alan Danial, Butler County Trustee, questioned if the Turtlecreek Township Trustees were notified.

The Board informed him that they were notified and acknowledged receipt of a letter in support of the rezoning application from the Township.

Ted Priest, Chief Zoning Official, reviewed the events of the Rural Zoning Commission meetings and stated the approval of the rezoning application subject to twelve (12) conditions with condition #12 being modified from that of the RPC.

There was discussion relative to the need to add a condition, which would require FEMA approval prior to any earth movement.

Commissioner Kilburn exited the meeting at 11:25 a.m.

Commissioner Crisenbery and Commissioner South stated that, with their vote, no earth movement will be done without FEMA approval.

Commissioner South also stated her desire to require the applicant to widen Union Road the entire length of their property, if and when the County Engineer deems necessary.

Upon further discussion, the Board resolved (Resolution #02-1954) to approve the rezoning application of Solid Rock Church from Rural Residence "R-1" to Multi-Family Residence Zone "R-3" as a planned unit development subject to the following conditions:

1. Approval of a planned unit development (PUD) overlay shall only mean approval of land uses and shall not include approval of a site plan, as this is a matter for Stages 2 and 3 of the PUD.
2. Mr. Ronald Carter shall be the spokesperson for the PUD in all dealings with Warren County, regardless of the number of property owners within the project. Mr. Carter may delegate his role as spokesperson to another individual and shall notify the Warren County Zoning Inspector of such event. In any case, only one spokesperson will be recognized by Warren County as representing the PUD.
3. Final detailed site plan approval in accordance with the procedure set forth in Section 18.07 of the Warren County Rural Zoning Code.
4. Compliance with all of the Warren County Commissioners conditions and requirements that may be set forth by resolution granting the PUD overlay and compliance with requirements of Chapter 18 of the Warren County Rural Zoning Code.
5. Prior to approval of the final site plan, the developer shall expand and/or upgrade the water system, water treatment and storage facilities, sanitary sewers and wastewater treatment facilities necessary to serve the development, as determined by the Warren County Sanitary Engineer and/or Butler County Department of Environmental Services.
6. Development shall not exceed 36 single family detached residences and 30 beds for assisted living within the 14.55 acre rezoning site.
7. Common open space shall comprise no less than 20.0 percent of the total rezoning acreage, one half of which shall be available for active recreational purposes, as determined by the Warren County Commissioners.
8. Existing mature tree lines along the north and west property lines shall be maintained for transition yard buffering purposes.
9. Sidewalk shall be installed along both sides of the interior street network.
10. Minimum building setbacks shall be determined during site plan review.

11. Improvements to Union Road, as may be required by the Warren County Engineer, in conjunction with the Warren County Commissioners and Turtlecreek Township Trustees, which will include the widening of, said road at such time the County Engineer deems necessary.
12.
 - A. No earthwork for development purposes be started until FEMA has granted either a Letter of Map revision (LOMR) or a statement indicating no impact on surrounding properties will result from the placement of fill on the site.
 - B. Fill used on the site will be provided from the site and from areas within the floodplain on contiguous properties.
 - C. The site, if the above has been satisfied, shall have all roads elevated to an elevation at least above the pavement of Union Road at the southerly end of the proposed intersection of the entry road (see Rules and Regulations for Design of Sewers and Storm Water Management Systems sections 403 & 404) and that all structures shall have their lowest point of entry at least one (1) foot above the FEMA Base Flood as established after completion of earthwork.

Commissioner South made a motion to approve an appropriation adjustment from Commissioners' Fund #101-1110 into Commissioners' Grants Fund #101-1111 for the purpose of transferring \$110,000 for the Strategic Plan. The motion died for the lack of a second.

Upon motion the meeting was adjourned.

C. Michael Kilburn, President

Larry Crisenbery

Pat Arnold South

I hereby certify that the foregoing is a true and correct copy of the minutes of the regular meeting of the Board of County Commissioners held on December 5, 2002, in compliance with Section 121.22 O.R.C.

Tina Davis, Clerk
Board of County Commissioners
Warren County, Ohio