



**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--November 20, 2003

The Board met in regular session pursuant to adjournment of the November 18, 2003, meeting.

Larry Crisenbery - absent

Pat Arnold South - present

C. Michael Kilburn - present

Tina Davis, Clerk – present

- 03-1752 A resolution was adopted to approve and authorize the President of the Board to enter into a Host Agency Community Service and Training Agreement on behalf of the Warren County One-Stop Business and Employment Center. Vote: Unanimous
- 03-1753 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
- 03-1754 A resolution was adopted to approve Engineering Agreement with Henderson and Bodwell for the Water System Modeling Project and approve an Appropriation Adjustment within Water Revenue Fund 510-3209 (replacement and improvements). Vote: Unanimous
- 03-1755 A resolution was adopted to enter into Professional Engineering Contract with Edwards and Kelcey, Inc. Vote: Unanimous
- 03-1756 A resolution was adopted to enter into Easement Agreement for Permanent Highway Easement and a Temporary Construction Easement from Barbara Jean

Means, 1694 Drake Road, Lebanon, Ohio 45036 for the Drake Road Improvements Project. Vote: Unanimous

- 03-1757 A resolution was adopted to enter into Agreement for Temporary Entrance and Work Agreement from Barbara Jean Means, 1694 Drake Road, Lebanon, Ohio 45036 for the Drake Road Improvement Project. Vote: Unanimous
- 03-1758 A resolution was adopted to enter into Easement Agreement for Permanent Highway Easement and a Temporary Construction Easement from Mary R. Holtzapple, 1744 Drake Road, Lebanon, Ohio 45036 for the Drake Road Improvement Project. Vote: Unanimous
- 03-1759 A resolution was adopted to enter into Easement Agreement for Permanent Highway Easement and a Temporary Construction Easement from Ann E. & David A. Gross, 1674 Drake Road, Lebanon, Ohio 45036 for the Drake Road Improvement Project. Vote: Unanimous
- 03-1760 A resolution was adopted to enter into Agreement for a Temporary Entrance and Work Agreement from Yardley Properties, LLC., 4208 Village Ridge Drive, Mason, Ohio 45040 for the Village Ridge Drive Bridge Rehabilitation over Bear Creek Project. Vote: Unanimous
- 03-1761 A resolution was adopted to accept Resignation of Belinda Hatfield, Clerical Specialist II, within the Department of Human Services, effective December 31, 2003. Vote: Unanimous
- 03-1762 A resolution was adopted to authorize the Posting of the "Unit Support Worker 2" position within the Human Services Department in accordance with Warren County Personnel Policy Manual, Section 2.02 (A). Vote: Unanimous
- 03-1763 A resolution was adopted to enter into Erosion Control Bond Agreement with Deerfield Towne Center, LLC., for completion of improvements in Deerfield Towne Center, situated in Deerfield Township. Vote: Unanimous
- 03-1764 A resolution was adopted to enter into a Subdivision Public Improvement Performance and Maintenance Security Agreement with Deerfield Towne Center, LLC., to install certain water and/or sanitary sewer improvements in Deerfield Towne Center situated in Deerfield Township. Vote: Unanimous
- 03-1765 A resolution was adopted to enter into Erosion Control Bond Agreement with Grand Communities, Ltd., for completion of improvements in Wedgwood Block "N" Subdivision, situated in Hamilton Township. Vote: Unanimous
- 03-1766 A resolution was adopted to enter into a Subdivision Public Improvement Performance and Maintenance Security Agreement with Grand Communities,

Ltd., to install certain water and/or sanitary sewer improvements in Wedgwood Block "N" situated in Hamilton Township. Vote: Unanimous

- 03-1767 A resolution was adopted to enter into Sidewalk Security Agreement with Grand Communities, Ltd., for installation of certain improvements in Wedgwood Block "N" Subdivision, situated in Hamilton Township. Vote: Unanimous
- 03-1768 A resolution was adopted to enter into Street and Appurtenances Security Agreement with Grand Communities, Ltd., for installation of certain improvements in Wedgwood Block "N" Subdivision, situated in Hamilton Township. Vote: Unanimous
- 03-1769 A resolution was adopted to approve following Record Plats. Vote: Unanimous
- 03-1770 A resolution was adopted to approve Appropriation Adjustment from Commissioners Fund #101-1110 into Mason Municipal Court Fund #101-1273. Vote: Unanimous
- 03-1771 A resolution was adopted to approve an Appropriation Adjustment within various Water Assessment Projects Fund No. 439. Vote: Unanimous
- 03-1772 A resolution was adopted to approve Supplemental Appropriation into Children Services Fund #244. Vote: Unanimous
- 03-1773 A resolution was adopted to continue Public Hearing for Rezoning Application of John Phillips, Agent (Case #03-08), to rezone 10.0048 acres in Union Township from Rural Residence "R-1" to Rural Residence "R-1" as a Planned Unit Development. Vote: Unanimous
- 03-1774 Due to clerical error, this resolution was inadvertently omitted.
- 03-1775 A resolution was adopted to hire Michael Hurst, Deputy Dog Warden, within the Warren County Dog and Kennel Department. Vote: Unanimous
- 03-1776 A resolution was adopted to adopt Classification Specifications and Point Factor Assignments of Fiscal Coordinator within the Warren County One-Stop Employment Agency. Vote: Unanimous
- 03-1777 A resolution was adopted to approve Reclassification of Barbara Williams from the position of Data System Coordinator to the position of Fiscal Coordinator. Vote: Unanimous
- 03-1778 A resolution was adopted to approve and enter into Architectural Agreement with Architects Associated Inc., for the Renovation of the East Street Building. Vote: Unanimous

- 03-1779 A resolution was adopted to approve Supplemental Appropriation into Construction Fund #467. Vote: Unanimous
- 03-1780 A resolution was adopted to authorize payment of Bills. Vote: Unanimous

DISCUSSIONS

Mayor Jim Smith, South Lebanon, was present to request the County to continue to financially support two deputies to help protect the Village of South Lebanon and Union Township.

Mr. Smith stated that the Board had agreed in principle, to pay the salaries of two deputies for 2003 and 2004.

Upon further discussion, the Board agreed to continue its support for 2004 and Mayor Smith stated that this would be the last year the Village would need help.

PUBLIC HEARING

REZONING APPLICATION OF JOHN PHILLIPS, AGENT TO REZONE 10.0048 ACRES IN UNION TOWNSHIP FROM RURAL RESIDENCE "R-1" TO RURAL RESIDENCE "R-1" AS A PLANNED UNIT DEVELOPMENT

The public hearing to consider the rezoning application of John Phillips, attorney for the Brausch family, owners of record, to rezone 10.0048 acres in Union Township from Rural Residence "R-1" to Rural Residence "R-1" as a Planned Unit Development was convened this 20th day of November 2003, in the Commissioners Meeting Room.

Robert Craig, Regional Planning Commission, reviewed the request and stated the zoning surrounding the property. He then stated that the owner operates a landscape business, which is a violation within the Rural Residence "R-1" zone. He then stated the Regional Planning Commission Executive Committee's recommendation to deny the rezoning application.

Barry Sullivan, Rural Zoning Department, reviewed the events of the Rural Zoning Commission meeting and stated the recommendation to approve the rezoning application with conditions to be drafted by the Regional Planning Commission.

Mr. Craig read the proposed seven (7) conditions he drafted.

Jean Miranda, adjacent property owner, stated no object to the rezoning application but concerns relative to how this approval would affect the lawsuit pending with BFI.

Mr. Phillips stated that each zoning case would have to stand on its own merits and should not be compared.

There was much discussion relative to the pending BFI lawsuit and if their rezoning would be used as arguments in favor of approval of BFI.

There were discussion relative to the conditions drafted by Robert Craig.

Mr. Phillips stated his desire for the conditions to be modified to allow landscaping activities on the entire rezoning area as well we allow the business to be transferred within the Brausch family.

Kathy Donatini, adjacent property owner, stated that Mr. Brausch has suffered enough from BFI and she doesn't want to see him suffer additionally by making his close his family business.

Upon further discussion, the Board resolved (Resolution #03-1773) to continue the public hearing to December 4, 2003, at 5:30 p.m.

On motion, upon unanimous call of the roll, executive session was entered into at 6:25 p.m. and exited at 6:40 p.m. to discuss personnel matters pursuant to Ohio Revised Code Section 121.22 (G) (1).

Upon motion the meeting was adjourned.

Larry Crisenbery, President

C. Michael Kilburn

Pat Arnold South

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I hereby certify that the foregoing is a true and correct copy of the minutes of the meeting of the Board of County Commissioners held on November 20, 2003, in compliance with Section 121.22 O.R.C.

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