



**BOARD OF COUNTY COMMISSIONERS  
WARREN COUNTY, OHIO**

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***C. MICHAEL KILBURN***

***PAT ARNOLD SOUTH***

***DAVID G. YOUNG***

**BOARD OF COUNTY COMMISSIONERS  
WARREN COUNTY, OHIO**

**MINUTES: Regular Session -- October 18, 2005**

The Board met in regular session pursuant to adjournment of the October 13, 2005, meeting.

Pat Arnold South - present

David G. Young - present

C. Michael Kilburn - present

Tina Davis, Clerk – present

Minutes of the October 6, 11, 13, 2005 meetings were read and approved.

05-1562      A resolution was adopted to approve Notice of Intent to Award Contract for the Twin Creek Bank Stabilization Project. Vote: Unanimous

05-1563      A resolution was adopted to approve Engineering Agreement with Henderson and Bodwell LLP for the Wilkens Boulevard Water Main Extension Project. Vote: Unanimous

05-1564      A resolution was adopted to approve and enter into a Federal Equitable Sharing Agreement with the Department of Justice and the Department of the Treasury for the Warren County Sheriff's Office. Vote: Unanimous

05-1565      A resolution was adopted to approve and enter into a Federal Equitable Sharing Agreement with the Department of Justice and the Department of the Treasury for the Greater Warren County Drug Task Force. Vote: Unanimous

05-1566      A resolution was adopted to approve various Refunds. Vote: Unanimous

05-1567      A resolution was adopted to approve and enter into Agreement with Development Projects, Inc. Vote: Unanimous

- 05-1568 A resolution was adopted to declare various items within Inmate Commissary as surplus and authorize the disposal of said items. Vote: Unanimous
- 05-1569 A resolution was adopted to approve and authorize the President of the Board to sign a Subgrant Award on behalf of the Warren County Educational Services Center. Vote: Unanimous
- 05-1570 A resolution was adopted to approve a Bond Release for Long Cove, LLC., for completion of improvements in Long cove, Phase 1B, situated in Deerfield Township. Vote: Unanimous
- 05-1571 A resolution was adopted to approve a Bond Reduction for Long Cove, LLC for completion of improvements in Long Cove, Phase 1C, situated in Deerfield Township. Vote: Unanimous
- 05-1572 A resolution was adopted to approve a Bond Reduction for Long Cove, LLC for completion of improvements in Long Cove, Phase 1A, situated in Deerfield Township. Vote: Unanimous
- 05-1573 A resolution was adopted to enter into Sidewalk Security Agreement with Riverview of Landen, LLC for installation of certain improvements in the Riverview of Landen Subdivision situated in Deerfield Township. Vote: Unanimous
- 05-1574 A resolution was adopted to enter into Street and Appurtenances Security Agreement with Riverview of Landen, LLC for installation of certain improvements in the Riverview of Landen Subdivision, situated in Deerfield Township. Vote: Unanimous
- 05-1575 A resolution was adopted to approve Annexation of 9.871 acres to the Village of Maineville, J. William Duning, agent, pursuant to Ohio Revised Code Section 709.023 [a.k.a. Expedited Type 2 Annexation]. Vote: Unanimous
- 05-1576 A resolution was adopted to authorize payment of Bills. Vote: Unanimous
- 05-1577 A resolution was adopted to enter into a Subdivision Public Improvement Performance and Maintenance Security Agreement with Riverview of Landen, LLC., to install certain water and/or sanitary sewer improvements in Riverview of Landen situated in Deerfield Township. Vote: Unanimous
- 05-1578 A resolution was adopted to enter into Erosion Control Bond Agreement with Riverview of Landed, LLC., for improvements in Riverview of Landen situated in Deerfield Township. Vote: Unanimous
- 05-1579 A resolution was adopted to enter into Sidewalk Security Agreement with Long Cove, LLC., for installation of certain improvements in Long Cove, Phase 2B, situated in Deerfield Township. Vote: Unanimous
- 05-1580 A resolution was adopted to enter into Street and Appurtenances security

- Agreement with Long Cove, LLC for installation of certain improvements in the Long Cove, Phase 2B, situated in Deerfield Township. Vote: Unanimous
- 05-1581 A resolution was adopted to enter into a Subdivision Public Improvement Performance and Maintenance security Agreement with Long Cove, LLC., to install certain water and/or sanitary sewer improvements in Long Cove, Phase 2B, situated in Deerfield Township. Vote: Unanimous
- 05-1582 A resolution was adopted to approve following Record Plats. Vote: Unanimous
- 05-1583 A resolution was adopted to approve Appropriation Adjustment of Funds within the Clerk of County Court Fund #101-1282. Vote: Unanimous
- 05-1584 A resolution was adopted to approve Appropriation Adjustment into Emergency Services/EMA Fund #264. Vote: Unanimous
- 05-1585 A resolution was adopted to approve Appropriation Adjustment into Emergency Services / EMA Fund #264 and Emergency Services Communications Center Fund #101-2850. Vote: Unanimous
- 05-1586 A resolution was adopted to approve Supplemental Appropriation within Construction Fund #467. Vote: Unanimous
- 05-1587 A resolution was adopted to approve Supplemental Appropriation within Construction Fund #467. Vote: Unanimous
- 05-1588 A resolution was adopted to approve Supplemental Appropriation within Economic Development General Fund #101-1116. Vote: Unanimous
- 05-1589 A resolution was adopted to approve an Operating Transfer within Water Revenue Fund 510 into the Wilkens Boulevard Water Main Extension Project, Fund No. 583-3211. Vote: Unanimous
- 05-1590 A resolution was adopted to approve an Appropriation Adjustment within Child Support Enforcement Agency Fund #263. Vote: Unanimous

#### DISCUSSIONS

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Mr. and Mrs. Walker, Lot 8 Fosters Court in Hamilton Township, were present for a work session along with representatives from Buckhead Homes and the Charles Hamilton Company relative to a faulty sewer line on their property.

Mr. Walker stated that they have been in the home for approximately six years. He stated their first sewer backup occurred when they had lived there three years. He stated that this past August, their second backup occurred and then again fourteen days later. He stated that he hired Roto Rooter to investigate the problem and also contact Warren County. Upon inspection by

Warren County, it was determined that the County line is functioning property. He stated that Roto Rooter video taped the line on their property and discovered a twenty foot “belly” in the sewer line from the lateral to their connection in their home.

Mr. Walker explained that Buckhead Homes then excavated their property and exposed and replaced a portion of the line from their home to a few feet before the curb. He stated that a “belly” still exists on the property and he needs help getting the line repaired properly.

Mike Smith, Hamilton Excavating, stated if it is determined they are at fault, it will be repaired at their expense.

Commissioner Kilburn stated that his desire to split the repair three ways between the County, Developer and Builder.

Upon discussion, it was determined that the Warren County Sewer Inspector will determine who is at fault with the sewer backups.

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Richard Renneker, Sanitary Engineer, was present for a work session to discuss the following matters:

Majowewsky Property – Mr. Renneker explained that this property was not originally in the sewer improvement area but when the 2004 resolution was adopted to amend the sewer improvement boundary to be identical to the 2001 Land Use Plan Urban Service Area, it was then included.

Upon discussion, the Board agreed to serve any of the property which could reach the sanitary sewer by gravity.

Brisben Property – Mr. Renneker stated that he has determined the maximum amount Warren County would be responsible for paying Mr. Brisben due to the amendment of the sewer improvement boundaries in Hamilton Township is \$53,765.44, but clarified that they may not own anything as this was a “reimbursement” project.

Commissioner Kilburn stated his desire to raise the non-participant project for this particular line in order to cover the cost of the reimbursement area that was removed from the territory.

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Commissioner Kilburn exited the meeting at 11:15 a.m.

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Mr. Renneker discussed the following matters:

- The establishment of a fee for the upgrade of the wetwell in Hamilton Township with the County utilizing the funds when the upgrade is required.
- Joe Farruggia has 41 ERU's available to see to Belwood County Club if the Board agrees. The Board stated their agreement with Mr. Young abstaining.

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Richard Renneker, Sanitary Engineer, was present along with Hines-Griffith Development, R.D. Zande Engineering, Bruce Smith and Jim Simpson, Ohio EPA and Greg Steidman, attorney working with New Community Authorities, for the purpose of conducting an informational work session relative to alternative sewer systems.

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Commissioner Kilburn re-entered the meeting at 2:00 p.m.

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The Board met this 18<sup>th</sup> day of October 2005, in the Commissioners' Meeting Room to consider the Expedited Type 2 annexation petition of J. William Duning, Agent to annex 9.871 acres to the Village of Maineville.

Mr. Duning stated that all requirements of the law have been met and it is stated that the board "shall" approve the annexation.

Becky Ehling, Hamilton Township Trustee, stated her opposition to annexations.

Clyde Baston, Hamilton Township Trustee, stated his opposition to any annexation and that the Ohio Department of Transportation has stated they will not allow a curb cut to this property.

Upon further discussion, the Board resolved (Resolution #05-1575) to approve the annexation petition.

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Upon motion the meeting was adjourned.

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Pat Arnold South, President

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C. Michael Kilburn

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David G. Young

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 October 18, 2005, in compliance with Section 121.22 O.R.C.

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