



**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 16, 2004

The Board met in regular session pursuant to adjournment of the November 9, 2004, meeting.

Pat Arnold South - present Larry Crisenbery - present

C. Michael Kilburn - present Tina Davis, Clerk – present

Minutes of the October 19, 26, and 28, 2004, and the November 2, 3, and 4, 2004, meetings were read and approved.

04-1690 A resolution was adopted to designate Family and Medical Leave of Absence to Dave Dawson, Chief Operator, within the Water and Sewer Department.
Vote: Mr. Crisenbery – yea; Mrs. South – yea; Mr. Kilburn - absent

04-1691 A resolution was adopted to designate Family and Medical Leave of Absence to Lynn Price, Income Maintenance Aide II, within the Department of Human Services. Vote: Mr. Crisenbery – yea; Mrs. South – yea; Mr. Kilburn - absent

04-1692 A resolution was adopted to approve end of 240-day Probationary Period and approve a Pay Increase for Erica Gons, Eligibility Referral Specialist II, within the Department of Human Services.
Vote: Mr. Crisenbery – yea; Mrs. South – yea; Mr. Kilburn - absent

04-1693 A resolution was adopted to approve Notice of Intent to Award Contract for the North Wellfield Well Development Project. Vote: Unanimous

04-1694 A resolution was adopted to enter into Engineering contract with Foppe

Technical Group, Inc. Vote: Mr. Crisenbery – yea; Mrs. South – yea; Mr. Kilburn - absent

04-1695 A resolution was adopted to approve Change Order #1 with Aero Mark, Inc., for the 2004 Striping Project.

Vote: Mr. Crisenbery – yea; Mrs. South – yea; Mr. Kilburn - absent

04-1696 A resolution was adopted to approve Reimbursement of \$1000.00 Cash Advance from Youth Individualized Education Program.

Vote: Mr. Crisenbery – yea ; Mrs. South – yea; Mr. Kilburn - absent

04-1697 A resolution was adopted to Temporarily Terminate Bi-Monthly Sewer Billing to 7104 Pinewood Drive in the Carlisle Sewer Improvement Area.

Vote: Mr. Crisenbery – yea; Mrs. South – yea; Mr. Kilburn - absent

04-1698 A resolution was adopted to approve various Refunds.

Vote: Mr. Crisenbery – yea ; Mrs. South – yea; Mr. Kilburn - absent

04-1699 A resolution was adopted to enter into Sidewalk Security Agreement with Butterworth Properties, LLC., for installation of certain improvements in Butterfield Park, Section 4, situated in Hamilton Township.

Vote: Mr. Crisenbery – yea; Mrs. South – yea; Mr. Kilburn - absent

04-1700 A resolution was adopted to enter into a Subdivision Public Improvement Performance and Maintenance Security Agreement with Butterworth Properties, LLC., to install certain water and/or sanitary sewer improvements in Butterfield Park, Section 4, situated in Hamilton Township.

Vote: Mr. Crisenbery – yea; Mrs. South – yea; Mr. Kilburn - absent

04-1701 A resolution was adopted to enter into Street and Appurtenances Security Agreement with Butterworth Properties, LLC., for installation of certain improvements in Butterfield Park, Section 4, situated in Hamilton Township.

Vote: Mr. Crisenbery – yea; Mrs. South – yea; Mr. Kilburn - absent

04-1702 A resolution was adopted to approve following Record Plat.

Vote: Mr. Crisenbery – yea; Mrs. South – yea; Mr. Kilburn - absent

04-1703 A resolution was adopted to approve Appropriation Adjustments within Fund #101-1600. Vote: Mr. Crisenbery – yea ; Mrs. South – yea; Mr. Kilburn - absent

04-1704 A resolution was adopted to approve Appropriation Adjustment from Commissioners Fund #101-1110 into Rural Zoning Fund #101-1700.

Vote: Mr. Crisenbery – yea ; Mrs. South – yea; Mr. Kilburn - absent

- 04-1705 A resolution was adopted to approve Appropriation Adjustment within the Telecommunications Department Fund #101 in order to cover "Overtime" Charges. Vote: Mr. Crisenbery – yea ; Mrs. South – yea; Mr. Kilburn - absent
- 04-1706 A resolution was adopted to approve Appropriation Adjustment within Children Services Fund #273, Veteran’s Fund #101-5220, Children Services Fund #263, Engineer Fund #202, Human Services Fund #203 and Prosecutor Fund #101-1150. Vote: Mr. Crisenbery – yea ; Mrs. South – yea; Mr. Kilburn - absent
- 04-1707 A resolution was adopted to authorize payment of Bills.
Vote: Mr. Crisenbery – yea; Mrs. South – yea; Mr. Kilburn - absent
- 04-1708 A resolution was adopted to modify Rules and Regulations – Warren County Water and Sewer Department.
Vote: Mr. Crisenbery – yea; Mrs. South – yea; Mr. Kilburn - absent
- 04-1709 A resolution was adopted to modify Rules and Regulations – Warren County Water and Sewer Department.
Vote: Mr. Crisenbery – yea; Mrs. South – yea; Mr. Kilburn - absent
- 04-1710 A resolution was adopted to modify Rules and Regulation – Warren County Water and Sewer Department.
Vote: Mr. Crisenbery – yea; Mrs. South – yea; Mr. Kilburn - absent
- 04-1711 A resolution was adopted to modify Rules and Regulations - Warren County Water and Sewer Department. Vote: Unanimous
- 04-1712 A resolution was adopted to Adopt the Ohio Building Officials Association One, Two and Three Family Dwelling Code 2004 Edition with Appendices and Modifications.
Vote: Mr. Crisenbery – yea; Mrs. South – yea; Mr. Kilburn - absent
- 04-1713 A resolution was adopted to Remove Tim Lamb from the Community Corrections Board and Appoint Randy Turnbow to fill the unexpired term.
Vote: Mr. Crisenbery – yea; Mrs. South – yea; Mr. Kilburn – absent

DISCUSSIONS

Commissioner Kilburn entered the meeting at 10:37 a.m.

Richard Renneker, Sanitary Engineer, was present for a work session to discuss the request of the Village of Corwin for Warren County to take over the water and sanitary sewer for the Village.

Mr. Renneker then explained that the Village of Corwin is requesting the County to honor their agreement with Nick Peth, developer, to continue to allow him to pay tap-in fees at a reduced rate.

Upon further discussion, the Board directed the Sanitary Engineer and the Clerk to schedule a work session with the Village of Corwin to discuss their request.

The Board met this 16th day of November 2004, to render a decision relative to increases in the water and sanitary sewer tap-in fees.

Upon discussion, the Board resolved (Resolution #04-1711) to approve the increase in water tap-in fees as proposed by Mr. Renneker and to approve an approximate 3% per year increase in sanitary sewer tap-in fees.

Members of the Warren County Humane Association were present to present information on the animal shelter and the Board viewed a video of campaign efforts to raise additional funds to pay for the remainder of the expansion improvements.

Karen Haeberlin, Board of Directors, spoke on the proposed budget.

Sally Sutler, accountant with Clark, Shaffer & Hackett, presented the budget information on behalf of the Humane Association and stated that the shelter will be operating at a significant deficit in 2005.

Bill Meade, consultant for the Humane Association, encouraged the Board to increase the annual allocation to the Humane Association.

Marilee Swarzwald, Executive Director of the Animal Shelter, presented the shelter's official request to increase the allocation from the County to the Humane Association to approximately \$400,000 per year rather than the contract amount of \$200,000.

The Board stated they would take the request under advisement.

Rick Berryman, Turtlecreek Township resident, was present to request the Board to participate with the Turtlecreek Township Trustees in the purchase and installation of a "crash gate" at the end of Natalie Drive in Callaway Farms Subdivision adjacent to the bike trail.

Mr. Berryman stated that the Township has agreed to pay ½ of the cost with the County will pay the other half. He stated that the projected cost is \$1000.

Upon further discussion, the Board requested a letter from the Township Trustees requesting our participation and the County Engineer agreed to coordinate the purchase and installation of the gate.

Commissioner Kilburn exited the meeting at 1:09 at the conclusion of the Elected Officials Luncheon.

PUBLIC HEARING #2

CONSIDER ADOPTION OF THE 2004 OBOA RESIDENTIAL CODE FOR ONE, TWO AND THREE-FAMILY DWELLING UNITS

The second public hearing to consider the adoption of the 2004 OBOA Residential Code for One, Two and Three-Family Dwelling Units was convened this 9th day of November 2004, in the Commissioners' Meeting Room.

Jerry Spurling, Chief Building Official, stated the proposed modifications to the code including the amendment that the Board of Appeals be the County Commissioners and the proposal to delete the appendix relative to radon testing.

Upon further discussion, the public hearing was closed and the Board resolved (Resolution #04-1712) to adopted the 2004 OBOA Code with modifications.

On motion, the Board amended the motion to increase the 3% increase to the sanitary sewer tap-in fee and connection fees to have be an even number, which can be divided evenly by 2 for the purpose of bookkeeping within the Water and Sewer Department.

Commissioner Kilburn entered the meeting at 2:30 p.m.

Richard Brahm, attorney with Plank & Brahm, was present to discuss his partial review of the language in the Warren County Subdivision Regulations relative to the “avoidance of congestion of population” as well as his written opinion relative to “private common open space” as requested by the Regional Planning Commission.

On motion, upon unanimous call of the roll, the Board entered into executive session at 3:45 p.m. to discuss imminent litigation with legal counsel pursuant to Ohio Revised Code Section 121.22(G)(3) and exited at 5:15 p.m.

Upon motion the meeting was adjourned.

Pat Arnold South, President

C. Michael Kilburn

Larry Crisenbery

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 16, 2004, in compliance with Section 121.22 O.R.C.

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