



BOARD OF COUNTY COMMISSIONERS
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C. MICHAEL KILBURN
PAT ARNOLD SOUTH
DAVID G. YOUNG

BOARD OF COUNTY COMMISSIONERS
WARREN COUNTY, OHIO

MINUTES: Regular Session – February 10, 2009

The Board met in regular session pursuant to adjournment of the February 5, 2009, meeting.

C. Michael Kilburn - present

David G. Young - present

Pat Arnold South - absent

Tina Davis, Clerk – present

- 09-0228 A resolution was adopted to hire Lucian Hatfield, Part-time Customer Advocate I, within Workforce One of Warren County. Vote: Unanimous
- 09-0229 A resolution was adopted to authorize Amendment No. 1 to the Engineering Agreement with Henderson and Bodwell, L.L.P. increasing Purchase Order No. 73791 for the Lebanon Area – Deerfield Hamilton Interconnecting Waterline, Project Fund No. 583-3230-3200-340. Vote: Unanimous
- 09-0230 A resolution was adopted to approve and enter into a Cooperative Agreement by and between the Warren County Board of Commissioners and Warren County Community Services. Vote: Unanimous
- 09-0231 A resolution was adopted to approve and authorize the Board of Commissioners to sign IV-D Service Contract between the Warren County Domestic Relations Division and the Warren County Child Support Enforcement Agency. Vote: Unanimous
- 09-0232 A resolution was adopted to approve and authorize the Board of Commissioners to sign IV-D Services Contract between the Warren County Juvenile Division/Probate Court and the Warren County Child Support Enforcement Agency. Vote: Unanimous

- 09-0233 A resolution was adopted to approve various Refunds. Vote: Unanimous
- 09-0234 A resolution was adopted to approve Bond Release for Beazer Homes Investment, LLC for completion of improvements in the Villages of Winding Creek, the Falls at Winding Creek situated in Clearcreek Township. Vote: Unanimous
- 09-0235 A resolution was adopted to approve Bond Release for Beazer Homes Investment, LLC for completion of improvements in the Villages of Winding Creek Turning Leaf at Winding Creek Section One, situated in Clearcreek Township.
Vote: Unanimous
- 09-0236 A resolution was adopted to approve Bond Release for Beazer Homes Investment, LLC for completion of improvements in the Villages of Winding Creek, the Meadows at Winding Creek, Section One, situated in Clearcreek Township.
Vote: Unanimous
- 09-0237 A resolution was adopted to approve Bond Release for Beazer Homes Investment, LLC for completion of improvements in the Villages of Winding Creek, the Legacy at Winding Creek, Section One, situated in Clearcreek Township.
Vote: Unanimous
- 09-0238 A resolution was adopted to approve repayment of Cash Advance from Juvenile Court Grants Fund #243. Vote: Unanimous
- 09-0239 A resolution was adopted to approve Appropriation Adjustment from Commissioners Fund #101-1110 into Prosecutor Fund #101-1150.
Vote: Unanimous
- 09-0240 A resolution was adopted to approve Appropriation Adjustments within Board of Elections Fund #101-1300 and Probate/Juvenile Fund #243. Vote: Unanimous
- 09-0241 A resolution was adopted to approve Supplemental Appropriations into Probate/Juvenile Fund #243 and Sheriff's Office Fund #620. Vote: Unanimous
- 09-0242 A resolution was adopted to approve Appropriation Decreases within various Funds. Vote: Unanimous
- 09-0243 A resolution was adopted to authorize payment of Bills. Vote: Unanimous
- 09-0244 A resolution was adopted to Cancel regularly scheduled Commissioners' Meetin of February 12, 2009. Vote: Unanimous

- 09-0245 A resolution was adopted to declare Wilkens Boulevard, LLC in default of providing bonding or other means of security to the satisfaction of the Board of County Commissioners in accordance with the Warren County Subdivision Regulations; to authorize Notice of Default to and demand immediate payment for all sums under the Letter of Credit from its issuer, and the authorize applying such sums to complete uncompleted and/or unapproved improvements and pursuing deficiency per the terms of Streets and Appurtenances Security Agreement No. 07-003(P) (Letter of Credit Number S312311). Vote: Unanimous
- 09-0245A A resolution was adopted to declare Wilkens Boulevard, LLC in default of providing bonding or other means of security to the satisfaction of the Board of County Commissioners in accordance with the Warren County Subdivision Regulations; to authorize Notice of Default to and demand immediate payment for all sums under the Letter of Credit from its issuer, and the authorize applying such sums to complete uncompleted and/or unapproved improvements and pursuing deficiency per the terms of Erosion Control Performance Bond Agreement No. 07-280(P) (Letter of Credit Number S312309). Vote: Unanimous
- 09-0246 A resolution was adopted to hire Theodore Osner as Deputy Dog Warden, within the Warren County Dog and Kennel Department. Vote: Unanimous

DISCUSSIONS

On motion, upon unanimous call of the roll, the Board accepted and approved the consent agenda.

Jim Aumann, Treasurer, and Jim Spaeth, Clerk of Courts, were present for a meeting of the Investment Advisory Board.

Mr. Aumann presented the following information as of December 31, 2008:

Total Agency Securities	\$85,930,095
Bank CD's	\$21,000,000
LCNB Asset	\$21,951,200

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Management	
5/3 Asset Management	\$26,109,984
S.T.A.R. Ohio	\$10,402,918

Various Purpose Special Assessment G.O. Bonds	\$247,999
Total Accounts	\$165,642,196
YTD Interest to General Fund	\$9,112,521

Neil Tunison, County Engineer, was present along with Bruce McGary, Chief Deputy Prosecutor, and representatives from the Soil and Water Conservation District to discuss the non-renewal of letters of credit relative to Fox Hollow Subdivision in Deerfield Township.

David Mick, Deputy Engineer, stated that representatives from the County has been in contact with Mr. Beck, Wilkens Boulevard, LLC, the developer of the condominiums, and he is unable to secure replacement security relative to the Performance and Erosion Control Security Agreements.

Upon discussion, the Board determined the necessity to declare the subdivision in default prior to the expiration of the performance bonds.

On motion, the Board resolved (Resolution #09-245 and 09-245A) to declare Fox Hollow Subdivision (Wilkins Boulevard, LLC) in default and demand immediate payment for all sums under the Letters of Credit from its issuer (Key Bank), and the authorize applying such sums to complete uncompleted and/or unapproved improvements and pursuing deficiency per the terms of the performance bond agreements.

On motion, upon unanimous call of the roll, the Board entered into executive session at 10:42 a.m. to discuss personnel matters relative to hiring within the Water and Sewer Department pursuant to Ohio Revised Code Section 121.22 (G)(1) and exited at 10:45 a.m.

Upon motion the meeting was adjourned.

Pat Arnold South, President

C. Michael Kilburn

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 February 10, 2009, in compliance with Section 121.22 O.R.C.

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