



**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 4, 2005

The Board met in regular session pursuant to adjournment of the September 29, 2005, meeting.

Pat Arnold South - present

David G. Young - present

C. Michael Kilburn - present

Tina Davis, Clerk – present

05-1468 A resolution was adopted to Advertise for Bids for the Revis, Thompson and Sod Farm Well Development Project. Vote: Unanimous

05-1469 A resolution was adopted to enter into Funding Agreement with VH Deerfield LLC., and Wal-Mart Business Trust. Vote: Unanimous

05-1470 A resolution was adopted to approve various Refunds. Vote: Unanimous

05-1471 A resolution was adopted to Set Public Hearing for Rezoning Application of Thomas Krimmer (Case # 05-03), to Rezone 2.364 acres in Harlan Township from Rural Residence “R-1” to Rural Residence “R-1” as a Planned Unit Development. Vote: Unanimous

05-1472 A resolution was adopted to approve a Street and Appurtenances Bond Reduction for Stoneridge Development, Ltd. for completion of improvements in Country Brook North, Section One, in Clearcreek Township. Vote: Unanimous

05-1473 A resolution was adopted to enter into a Subdivision Public Improvement

Performance and Maintenance Security Agreement with Heritage at Miami Bluffs LLC., to install certain water and/or sanitary sewer improvements in Heritage at Miami Bluffs Subdivision Phase 2 Block "B" situated in Hamilton Township. Vote: Unanimous

- 05-1474 A resolution was adopted to enter into a Subdivision Public Improvement Performance and Maintenance Security Agreement with Heritage at Miami Bluffs LLC., to install certain water and/or sanitary sewer improvements in Heritage at Miami Bluffs Subdivision Phase 3 Block "A" situated in Hamilton Township. Vote: Unanimous
- 05-1475 A resolution was adopted to approve following Record Plats. Vote: Unanimous
- 05-1476 A resolution was adopted to approve an Appropriation Adjustment within the Sewer Revenue Fund No. 580. Vote: Unanimous
- 05-1477 A resolution was adopted to approve Appropriation Adjustment within the Telecommunications Department Fund #101 in order to cover "Purchase" Requirements. Vote: Unanimous
- 05-1478 A resolution was adopted to approve Operational Transfer from Commissioners General Fund #101-1112 into Community Development Fund #265. Vote: Unanimous
- 05-1479 A resolution was adopted to approve Supplemental Appropriation in Fund 460 (Columbia Road Construction) and Operational Transfer from Fund 460 into Fund 455 (Grandin Road). Vote: Unanimous
- 05-1480 A resolution was adopted to approve Supplemental Appropriation within Construction Fund #467. Vote: Unanimous
- 05-1481 A resolution was adopted to approve Supplemental Appropriation within Fund #101 and Appropriation Adjustment from Commissioners Fund #101-1110 and into Sheriff's Fund #101-2200. Vote: Unanimous
- 05-1482 A resolution was adopted to approve Supplemental Appropriation into Building Services Fund #101-1600. Vote: Unanimous
- 05-1483 A resolution was adopted to approve Supplemental Appropriation within Auditor's Office Fund #101-1120 and an Appropriation Adjustment within Veteran's Fund #101-5220. Vote: Unanimous
- 05-1484 A resolution was adopted to designate Family and Medical Leave of Absence to Mickey Sexton, Custodial Worker I, within the Department of Building Services. Vote: Unanimous

- 05-1485 A resolution was adopted to accept Resignation of Adresele Pesante, Eligibility Referral Specialist I within the Warren County Department of Human Services, effective October 14, 2005. Vote: Unanimous
- 05-1486 A resolution was adopted to authorize payment of Bills. Vote: Unanimous
- 05-1487 A resolution was adopted to authorize the Posting of the “Eligibility Referral Specialist I” position, within the Human Services Department, in accordance with Warren County Personnel Policy Manual, Section 2.02 (A). Vote: Unanimous
- 05-1488 A resolution was adopted to Resolution in Opposition to the Payment of Payroll Vouchers for Dallas Powers, former Warren County Court Judge.
Vote: Unanimous
- 05-1489 A resolution was adopted to accept the Petitions, Statements and Waivers of McNK Properties, LLC., and Grandin Commercial Development.
Vote: Unanimous
- 05-1490 A resolution was adopted to accept the Petition, Statement and Waiver of McNK Properties, LLC and Grandin Commercial Development. Vote: Unanimous
- 05-1491 A resolution was adopted to hire Andrew Anspach as Wastewater Treatment Plant Operator 1, within the Warren County Department of Water and Sewer.
Vote: Unanimous
- 05-1492 A resolution was adopted to hire James Kilburn as Wastewater Treatment Plant Operator 1, within the Warren County Department of Water and Sewer.
Vote: Mr. Young – yea; Mrs. South – yea; Mr. Kilburn - abstain
- 05-1493 A resolution was adopted to approve Appropriation Adjustment within Sheriff Fund #292. Vote: Unanimous

DISCUSSIONS

Susan Spencer, Personnel Officer, was present to introduce Mel Kern, new Human Services Employee within the month of September.

Abbott Thayer, Peck, Shaffer & Williams, was present to explain various resolutions necessary for the assessment project of Grandin Commercial Development in Hamilton Township.

Dave Gully, County Administrator, updated the Board on status of the following projects:

- Crime Stoppers Agreement
- Butler County Jail Agreement
- Greens of Bunnell Hill Residential Incentive District
- Humane Association Funding

Dana Storts, Solid Waste Management District Director, was present for a work session relative to the recently implemented “mandatory recycling.”

Commissioner South stated that citizens are considering this taxation without representation and stated her concern that public notifications were not done.

Betty Davis, Policy Committee member, stated that the Policy Committee does not like House Bill 592 any more than the public but the Committee only had three options to comply. If they took no action, the EPA would step in and make decisions for them that were not necessarily the most favorable or economic for the public or the County. She stated that the City of Mason implemented subscription recycling at a cost of \$2.50 per month for fifteen years. She stated that when Bigfoot landfill closed, the Policy Committee was forced to either create a generation fee with drop off sites or implement curbside recycling.

Mrs. Storts explained that the County is not meeting the recycling requirement of HB 592 with only the cities and villages having curbside recycling. She stated that 25% of residential and commercial properties within Warren County must recycle or 90% must subscribe to curbside recycling. She stated that unless the various townships implement curbside, Warren County cannot meet the requirements of the law.

Ms. Davis stated his opinion that \$2 - \$4.50 per month is a small price to pay for the environment. She also stated that the curbside recycling option was the most reasonable and economic way to comply with the law.

Commissioner Young stated his opposition to government mandates.

Commissioner South again stated her concern that adequate notice was not given to the public during the decision process.

Ms. Davis stated that the decision process was been going on for approximately two years with input from cities, villages and township within Warren County. She stated that public meetings have taken place with all entities. She then stated that Salem Township was the only political subdivision that did not formally vote on recycling.

Jennie Strauth, Turtlecreek Township resident, spoke in favor of recycling.

Commissioner South requested the Policy Committee to review the public notification process and include a joint Commissioner Meeting/Policy Committee meeting when decision like these are to be finalized.

Nancy Fields, Policy Committee Member, stated her opinion that no matter how much information to given to the public, they don't read it until it affects them financially.

On motion, upon unanimous call of the roll, the Board entered into executive session at 2:15 p.m. to discuss personnel matters pursuant to Ohio Revised Code Section 121.22 (G)(1), pending litigation pursuant to Ohio Revised code Section 121.22 (G)(3) and acquisition of property pursuant to Ohio Revised Code Section 121.22 (G)(2) and exited at 4:30 p.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 October 6, 2005, in compliance with Section 121.22 O.R.C.

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