



# **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 – February 9, 2010**

The Board met in regular session pursuant to adjournment of the February 2, 2010, meeting.

David G. Young - present

Pat Arnold South - present

C. Michael Kilburn - present

Tina Davis, Clerk - present

Minutes of the February 2, 2010, meeting were read and approved.

- 10-0156      A resolution was adopted to designate Family and Medical Leave of Absence to Brian Holtel, Emergency Communications Operator, within the Emergency Services Department. Vote: Unanimous
- 10-0157      A resolution was adopted to designate Family and Medical Leave of Absence to Stacey Newdigate, Fiscal Officer, within the Department of Job and Family Services, Human Services Division. Vote: Unanimous
- 10-0158      A resolution was adopted to designate Family and Medical Leave of Absence to Fredrick Hayes, Water Treatment Plant Operator I within the Water and Sewer Department. Vote: Unanimous
- 10-0159      A resolution was adopted to Advertise for Bids for the Beal Road Water Main Extension Project. Vote: Unanimous
- 10-0160      A resolution was adopted to set Public Hearing to consider Modification to Fee Schedule within the Warren County Building and Zoning Department. Vote: Unanimous

- 10-0161 A resolution was adopted to enter into a Renewal Agreement with Chard Snyder for the Third Party Administration Services relative to the Warren County S125 Flexible Benefits Cafeteria Plan. Vote: Unanimous
- 10-0162 A resolution was adopted to authorize County Administrator to sign Union Agreement on behalf of the Warren County Board of Commissioners and Warren County Dispatch Association (SERB Case Number 2009-MED-03-0366).  
Vote: Unanimous
- 10-0163 A resolution was adopted to approve and authorize the President of the Board to enter into a Youth Worksite Agreement on behalf of Workforce One of Warren County. Vote: Unanimous
- 10-0164 A resolution was adopted to approve and authorize the President and/or Vice-President of this Board to sign a Subgrant Award Agreement on behalf of the Greater Warren County Drug Task Force. Vote: Unanimous
- 10-0165 A resolution was adopted to enter into a Master Utility Reimbursement Agreement with the Ohio Department of Transportation. Vote: Unanimous
- 10-0166 A resolution was adopted to approve and authorize the Board of Commissioners to sign IV-D Service Contract between the Warren County Juvenile Division/Probate Court and the Warren County Child Support Enforcement Agency. Vote: Unanimous
- 10-0167 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
- 10-0168 A resolution was adopted to acknowledge receipt of January 2010 Financial Statement. Vote: Unanimous
- 10-0169 A resolution was adopted to approve a Street and Appurtenances Bond Release for Stoneridge Development, Ltd. for completion of improvements in Stone Ridge, Section 13 situated in Clearcreek Township. Vote: Unanimous
- 10-0170 A resolution was adopted to approve Beaver Brook Drive, Hollow Wood Court and Pleasantwood Court in Stone Ridge, Section 13, for public maintenance by Clearcreek Township. Vote: Unanimous
- 10-0171 A resolution was adopted to approve a Street and Appurtenances Bond Release for Traditions Investments-Deerfield, Ltd, for completion of improvements in Chestnut Hill, Phase Two, Block "C" situated in Deerfield Township.  
Vote: Unanimous

- 10-0172 A resolution was adopted to approve a Sidewalk Bond Release for Traditions Investments-Deerfield, Ltd, for completion of improvements in Chestnut Hill, Phase Two, Block "C" situated in Deerfield Township. Vote: Unanimous
- 10-0173 A resolution was adopted to approve Winning Stakes Way and Medallion Way in Chestnut Hill, Phase Two, Block "C" for public maintenance by Deerfield Township. Vote: Unanimous
- 10-0174 A resolution was adopted to approve a Street and Appurtenances Bond Release for Traditions Investments-Deerfield, Ltd, for completion of improvements in Chestnut Hill, Phase Two, Block "D" situated in Deerfield Township. Vote: Unanimous
- 10-0175 A resolution was adopted to approve a Sidewalk Bond Release for Traditions Investments-Deerfield, Ltd, for completion of improvements in Chestnut Hill, Phase Two, Block "D" situated in Deerfield Township. Vote: Unanimous
- 10-0176 A resolution was adopted to approve Homestretch Lane in Chestnut Hill, Phase Two, Block "D" for public maintenance by Deerfield Township. Vote: Unanimous
- 10-0177 A resolution was adopted to approve a Street and Appurtenances Bond Release for Traditions Investments-Deerfield, Ltd. for completion of improvements in Chestnut Hill, Phase Two, Block "E" situated in Deerfield Township. Vote: Unanimous
- 10-0178 A resolution was adopted to approve a Sidewalk Bond Release for Traditions Investments-Deerfield, Ltd. for completion of improvements in Chestnut Hill, Phase Two, Block "E" situated in Deerfield Township. Vote: Unanimous
- 10-0179 A resolution was adopted to approve Winning Stakes Way in Chestnut Hill, Phase Two, Block "E" for public maintenance by Deerfield Township. Vote: Unanimous
- 10-0180 A resolution was adopted to approve a Cash Advance from County Motor Vehicle Fund #202 into Butler-Warren Road Fund 462. Vote: Unanimous
- 10-0181 A resolution was adopted to approve Appropriation Adjustment within Domestic Relations Fund #281. Vote: Unanimous
- 10-0182 A resolution was adopted to approve Appropriation Adjustment within County Court Fund #283. Vote: Unanimous

- 10-0183 A resolution was adopted to approve Appropriation Adjustment from Commissioners General Fund #101-1110 into Common Pleas Probation Fund #101-1223. Vote: Unanimous
- 10-0184 A resolution was adopted to approve Supplemental Appropriation into Health Insurance Fund #632. Vote: Unanimous
- 10-0185 A resolution was adopted to approve Supplemental Appropriations into the Workforce Investment Act Fund #258. Vote: Unanimous
- 10-0186 A resolution was adopted to approve Supplemental Appropriations into Common Pleas Court Funds #280 and #289. Vote: Unanimous
- 10-0187 A resolution was adopted to approve Appropriation Decreases within various Funds. Vote: Unanimous
- 10-0188 A resolution was adopted to authorize payment of Bills. Vote: Unanimous
- 10-0189 A resolution was adopted to authorize payment of Bills.  
Vote: Mrs. South - yea; Mr. Young - yea; Mr. Kilburn - nay
- 10-0190 A resolution was adopted to acknowledge payment of Bills.  
Vote: Mrs. South - yea; Mr. Young - yea; Mr. Kilburn - nay
- 10-0191 A resolution was adopted to approve and authorize the Submittal of a Grant Application to the Ohio Emergency Management Agency for Funding through the FY2009 State Homeland Security Program and authorize the Interim Director of the Emergency Services Department to sign documents relative thereto.  
Vote: Mrs. South - yea; Mr. Young - yea; Mr. Kilburn - nay
- 10-0192 A resolution was adopted to authorize the President of the Board to sign Ohio Water Pollution Control Loan Fund - Fund Payment Requests.  
Vote: Mrs. South - yea; Mr. Young - yea; Mr. Kilburn - nay
- 10-0193 A resolution was adopted to approve the rezoning application of Darrel and Cindy Dixon, to rezone 1.86 acres in Turtlecreek Township from Rural Residence "R-1" to Rural Residence "R-1" as a planned unit development subject to 16 conditions.  
Vote: Unanimous
- 10-0194 A resolution was adopted to Modify Section 4.13 of the Rules and Regulations of the Warren County Water and Sewer Department. Vote: Unanimous

DISCUSSIONS

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

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On motion, bids were closed at 9:15 a.m. this 9<sup>th</sup> day of February and the following bids were received, opened and read aloud for Furnishing & Installation of Tandem Axle for the Warren County Engineer's Office:

Kaffenbarger Truck Equip. Cincinnati, Ohio	\$ 126,660.00
Ace Truck Body Grove City, Ohio	\$ 134,244.00

Neil Tunison, County Engineer, will review bids for a recommendation at a later date.

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Johnnie Freeman, Miami Valley Resource Conservation & Development Coordinator, was present to introduce himself and explain the function of this Agency.

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On motion, bids were closed at 9:30 a.m. this 9<sup>th</sup> day of February and the following bids were received, opened and read aloud for the Kings Mills Walkway Demolition for the Warren County Engineer's Office:

Evans Landscaping & Supplies Cincinnati, Ohio	\$ 19,524.00
Tag Williams Blanchester, Ohio	\$ 71,965.00
O'Rourke Wrecking Co. Cincinnati, Ohio	\$ 66,845.00
Empire Dismantlement Corp. Grand Island, New York	\$ 118,224.00
B & B Wrecking & Excavating Inc. Cleveland, Ohio	\$ 32,700.00
Homrich Inc. Carlton, Michigan	\$ 72,000.00
Cox Paving Leesburg, Ohio	\$ 136,860.00
Charles Jergens Construction Dayton, Ohio	\$ 40,500.00

Neil Tunison, County Engineer, will review bids for a recommendation at a later date.

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Chris Brausch, Sanitary Engineer, was present for a work session and discussed the following matters:

1. TransSystem engineering design quote for Butler-Warren Waterline Relocation—The engineering company designing the roadway work for the County Engineer has provided a price quote of \$17,300 for design services for the relocation of the waterline. He then recommended the Board accept this proposal and remove the Butler-Warren Project for the RFQ that is out for review. The Board agreed to the recommendation.

2. Bethany Road RFQ—The review committee has ranked the 19 submittals for the project. The Board stated they will take under advisement the rankings and let Mr. Brausch know how they desire to proceed. They stated the concern with the scope of the project changing since they removed the Butler-Warren portion from the RFQ scope of services requested.
3. There was much discussion relative to the Lower Little Miami Wastewater Treatment Plant relative to a required signature to draw down ARRA funds, the creation of an escrow account for the contract retainer funds and the need for a signature on IRS 1096 forms. The Board stated their agreement to open the required escrow account at LCNB and for the President of the Board to sign any necessary forms required to draw down funds from the Ohio EPA but stated their concern with each individual elected official being required to file IRS 1096 form. They stated this should be a function of the County Auditor, not the individual Elected Official.
4. Dearth & Lytle Five Point Storage Tank Logo—The Board stated they do not desire to spend money to logo these tanks.

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PUBLIC HEARING  
REZONING APPLICATION OF DARREL AND CINDY DIXON  
TO REZONE 1.86 ACRES IN TURTLECREEK TOWNSHIP FROM  
RURAL RESIDENCE “R-1” TO RURAL RESIDENCE “R-1”  
AS A PLANNED UNIT DEVELOPMENT

The Board met this 9<sup>th</sup> day of February 2010, in the Commissioners’ Meeting Room, to consider the rezoning application of Darrel and Cindy Dixon to rezone 1.86 acres located at 2011 Hatfield Road in Turtlecreek Township from Rural Residence “R-1” to Rural Residence “R-1” as a Planned Unit Development.

Kim Lapensee, Regional Planning Commission, reviewed the application and the surrounding zoning and stated that the applicants desire to operate a commercial sewing/upholstery business out of the accessory building on this property. She stated that they have no employees and because of the non-intrusive nature of this business, the RPC Executive Committee recommended approval subject to 15 conditions.

Mike Yetter, Zoning Supervisor, stated that the Rural Zoning Commission recommended approval of this application but added a 16<sup>th</sup> condition stating that only Dixon Family members can work within the business located on this property.

Mr. Dixon explained that he has no employees and does not desire to hire any employees in the future. He then stated that the majority of his business is done "on location" and his neighbors are in favor of approval of this rezoning.

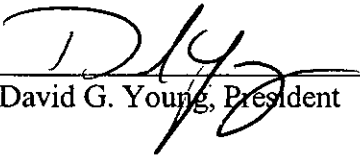
Upon discussion, the Board resolved (Resolution #10-0193) to approve the rezoning application subject to 16 conditions.

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On motion, upon unanimous call of the roll, the Board entered into executive session at 10:29 a.m. to discuss personnel matters relative to disciplinary actions within the Children Services Department pursuant to Ohio Revised Code Section 121.22 (G)(1) and exited at 11:42 a.m.

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Upon motion the meeting was adjourned.

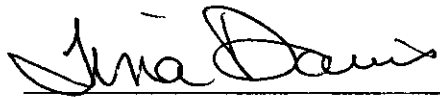
  
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David G. Young, President

  
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Pat Arnold South

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C. Michael Kilburn

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 9, 2010, in compliance with Section 121.22 O.R.C.

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