



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

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**TOM GROSSMANN
SHANNON JONES
DAVID G. YOUNG**

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

MINUTES: Regular Session – September 19, 2017

The Board met in regular session pursuant to adjournment of the September 12, 2017, meeting.

Tom Grossmann – present

Shannon Jones – present

David G. Young – present

Tina Osborne, Clerk – present

Minutes of the September 5, 2017 meeting were read and approved.

- 17-1430 A resolution was adopted to authorize the posting of the “Economic Development Specialist” position, within the Economic Development Department, in accordance with Warren County Personnel Policy Manual, Section 2.02(A).
Vote: Unanimous
- 17-1431 A resolution was adopted to accept resignation, due to retirement, of Russell T. Stephenson, Sewer Maintenance Foreman, within the Warren County Water and Sewer Department, effective December 31, 2017. Vote: Unanimous
- 17-1432 A resolution was adopted to authorize the posting of the “Sewer Maintenance Foreman” position within the Water and Sewer Department, in accordance with Warren County Personnel Policy Manual, Section 2.02(A). Vote: Unanimous
- 17-1433 A resolution was adopted to accept resignation of Mellicha Peters, Custodian, within the Warren County Facilities Management Department, effective September 7, 2017. Vote: Unanimous
- 17-1434 A resolution was adopted to authorize the posting for “Custodial Worker I” position, within the Facilities Management Department, in accordance with Warren County Personnel Policy Manual, Section 2.02(A). Vote: Unanimous

- 17-1435 A resolution was adopted to accept resignation of Michael Bunner, Director of Emergency Services, within the Warren County Emergency Services Department, effective September 29, 2017. Vote: Unanimous
- 17-1436 A resolution was adopted to declare various items within Auditor's Office, Building and Zoning, Board of Developmental Disabilities, Board of Elections, Common Pleas Court, Drug Task Force, Engineer's Office, Facilities Management, Health Department, Human Services, Mary Haven, Sheriff's Office, Veterans, and Water & Sewer Department as surplus and authorize the disposal of said items. Vote: Unanimous
- 17-1437 A resolution was adopted to approve the destruction of Warren County Sheriff's Office equipment. Vote: Unanimous
- 17-1438 A resolution was adopted to approve and authorize submission of an application for Department of Youth Services Capital Improvement Funding on behalf of the Warren County Juvenile Detention Center and Mary Haven Youth Treatment Facility. Vote: Unanimous
- 17-1439 A resolution was adopted to approve Notice of Intent Award Bid to Barrett Paving Materials Inc for the FY2017 Franklin Township Harriett Live Mentz Road Resurfacing CDBG Project. Vote: Unanimous
- 17-1440 A resolution was adopted to enter into an agreement with Ramco-Gershenson Properties, L.P. for fee in lieu of a right turn lane on Mason Montgomery Road at the proposed driveway for Deerfield Towne Center. Vote: Unanimous
- 17-1441 A resolution was adopted to advertise for Request for Qualifications for Architectural Services associated with the Roof Replacement and Repairs Project at the Juvenile Justice Center. Vote: Unanimous
- 17-1442 A resolution was adopted to set administrative hearing to consider a Variance and Appeal of Conditions required for an Access Permit of John Candle Homes, LLC in Deerfield Township. Vote: Unanimous
- 17-1443 A resolution was adopted to approve emergency repair to the generator at the Simpson Creek Lift Station. Vote: Unanimous
- 17-1444 A resolution was adopted to acknowledge payment of bills. Vote: Unanimous
- 17-1445 A resolution was adopted to affirm "Then and Now" requests pursuant to Ohio Revised Code 5705.41(D) (1). Vote: Unanimous
- 17-1446 A resolution was adopted to approve various refunds. Vote: Unanimous

- 17-1447 A resolution was adopted to approve bond release for Otterbein Homes for completion of improvements in Orchards at Otterbein Garden Villas and Terrace Place Apartments situated in Turtlecreek Township. Vote: Unanimous
- 17-1448 A resolution was adopted to enter into Erosion Control Bond Agreement for Drury Southwest, Inc. for completion of improvements in Microwave, Section 2 (Drury Inn) situated in Deerfield Township. Vote: Unanimous
- 17-1449 A resolution was adopted to enter into Street and Appurtenances (including sidewalks) Security Agreement with Soraya Farms, LLC for installation of certain improvements in Soraya Farms Lifestyle Community, Section 4, situated in Clearcreek Township. Vote: Unanimous
- 17-1450 A resolution was adopted to enter into a Subdivision Public Improvement Performance and Maintenance Security Agreement with Soraya Farms, LLC for installation of certain improvements in Soraya Farms Lifestyle Community, Section 4 situated in Clearcreek Township. Vote: Unanimous
- 17-1451 A resolution was adopted to enter into Erosion Control Bond Agreement for Flying R Ranch, LLC for completion of improvements in Afton Falls, Section 5 situated in Deerfield Township. Vote: Unanimous
- 17-1452 A resolution was adopted to enter into Erosion Control Bond Agreement for Imbus Enterprises, LP for completion of improvements in Landen Storage 2611 SR 22 & 3 situated in Deerfield Township. Vote: Unanimous
- 17-1453 A resolution was adopted to enter into Erosion Control Bond Agreement for Long Cove Pointe Office Condos, LLC for completion of improvements in Long Cove Office Condos situated in Deerfield Township. Vote: Unanimous
- 17-1454 A resolution was adopted to enter into Erosion Control Bond Agreement for Wilson Farms Development, LLC for completion of improvements in Wilson Farms, Section 4B situated in Franklin Township. Vote: Unanimous
- 17-1455 A resolution was adopted to enter into Street and Appurtenances Security Agreement with Shawhan Associates, LTD, for installation of certain improvements in Shawhan Trails, Phase VII situated in Union Township. Vote: Unanimous
- 17-1456 A resolution was adopted to enter into Subdivision Public Improvement Performance and Maintenance Security Agreement with M/I Homes of Cincinnati, LLC for installation of certain improvements in Hudson Hills, Section 2 situated in Deerfield Township. Vote: Unanimous

- 17-1457 A resolution was adopted to enter into Street and Appurtenances (including sidewalks) Security Agreement with M/I Homes of Cincinnati, LLC for installation of certain improvements in Hudson Hills, Section 2 situated in Deerfield Township. Vote: Unanimous
- 17-1458 A resolution was adopted to approve various record plats. Vote: Unanimous
- 17-1459 A resolution was adopted to create Common Pleas Court Fund #272. Vote: Unanimous
- 17-1460 A resolution was adopted to approve appropriation decreases within various funds. Vote: Unanimous
- 17-1461 A resolution was adopted to approve supplemental appropriation into OhioMeansJobs Fund #258. Vote: Unanimous
- 17-1462 A resolution was adopted to approve supplemental appropriations into Common Pleas Court Community Based Corrections Fund #289. Vote: Unanimous
- 17-1463 A resolution was adopted to accept an amended certificate and approve a supplemental appropriation for the Prosecutor's Crime Victim Grant Fund #245. Vote: Unanimous
- 17-1464 A resolution was adopted to approve appropriation adjustments from Common Pleas Court Pretrial Services Fund #101-1222 into Common Pleas Court Fund #101-1220. Vote: Unanimous
- 17-1465 A resolution was adopted to approve appropriation adjustment within Common Pleas Court-Probation Services Fund #101-1223. Vote: Unanimous
- 17-1466 A resolution was adopted to approve appropriation adjustments from Commissioners Fund #101-1110 into OMB Fund #101-1115. Vote: Unanimous
- 17-1467 A resolution was adopted to approve appropriation adjustment from Commissioners General Fund #101-1110 into Treasurer Fund #101-1130. Vote: Unanimous
- 17-1468 A resolution was adopted to approve appropriation adjustments within Commissioners Fund #101-1110, OMB Fund #101-1115, Health Insurance Fund #632, and Workers Compensation Fund #636. Vote: Unanimous
- 17-1469 A resolution was adopted to approve appropriation adjustment within the Clerk of Court of Common Pleas Fund #101-1260. Vote: Unanimous

- 17-1470 A resolution was adopted to approve appropriation adjustment within Coroner's Fund #101-2100. Vote: Unanimous
- 17-1471 A resolution was adopted to approve appropriation adjustment within Sheriff's Office Fund #101-2210. Vote: Unanimous
- 17-1472 A resolution was adopted to approve appropriation adjustment within Telecommunications Department Fund #101-2810. Vote: Unanimous
- 17-1473 A resolution was adopted to approve appropriation adjustment within Telecommunications Department Fund #492. Vote: Unanimous
- 17-1474 A resolution was adopted to approve appropriation adjustment within Emergency Services/ Communications Center Fund #101-2850. Vote: Unanimous
- 17-1475 A resolution was adopted to approve an appropriation adjustment within Workforce Investment Board Fund #238. Vote: Unanimous
- 17-1476 A resolution was adopted to authorize payment of bills. Vote: Unanimous
- 17-1477 A resolution was adopted to approve site plan review application of Otterbein Lebanon LLC. Vote: Unanimous
- 17-1478 A resolution was adopted to authorize the President of the Board to enter into Assignment and Assumption and Amendment of Transfer Agreement between this Board, the Warren County Port Authorize and Otterbein Homes relative to the Warren County Sports Complex. Vote: Unanimous
- 17-1479 A resolution was adopted to appoint an evaluation committee relative to the procurement (request for qualifications and request for proposals) associated with construction manager at risk (CMR) services for the Warren County New Jail and Sheriff Administration Office Project. Vote: Unanimous

DISCUSSIONS

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

ADMINISTRATIVE HEARING
SITE PLAN REVIEW APPLICATION OF OTTERBEIN LEBANON

The Board met this 19th day of September 2017, in the Commissioners' Meeting Room, to consider the site plan review application of Otterbein Lebanon.

Commissioner Grossmann administered the oath to those desiring to give testimony and requested the Clerk to identify when the site was posted with signage stating the site would be subject to the public process and where to obtain additional information and how and when written notice of the hearing was sent to the applicant and all owners within 500 feet of the property.

Mr. Yetter presented the attached PowerPoint presentation and stated that this application is for the approval of the relocation of the Maintenance Facility. He then stated Turtlecreek Township Trustees' desire to ensure there is roadway connectivity to the facility for emergency vehicle access.

Mr. Yetter then presented the recommendation to approve the site plan review application subject to eight (8) conditions.

Rick Evans, representative of Otterbein Homes, stated he has no problem with the eight (8) proposed conditions.

Upon further discussion, the Board closed the administrative hearing and resolved (Resolution #17-1477) to approve the site plan review application subject to the following conditions:

1. Compliance with the standards of Union Village PUD Stage 1, Union Village PUD Stage 2, and the Warren County Rural Zoning Code including but not limited to: lighting, signage, parking, and landscaping.
2. An Erosion and Sediment Control Plan shall be submitted and approved by the Warren County Soil & Water Conservation District prior to earth-moving activities.
3. The proposed stormwater system, inclusive of all culverts, basins, and other devices, shall be designed and constructed in accordance with the standards and regulations of the Warren County Engineer.
4. The installation and provision of water utilities shall be to the satisfaction of Warren County.
5. The installation and provision of the sanitary sewer system shall be to the satisfaction of Butler County.

6. Landscaping shown on the revised site plan (9-13-17) shall be designed and constructed in accordance with the approved plan.
7. Dumpsters shall be screened with walls, gates, and/or landscaping.
8. The development of the site shall be in conformance with the Revised Site Plan dated 9-13-17.

Warren County Sheriff Larry Sims was present to provide an update on the request to the State of Ohio Department of Corrections relative to a variance to the jail standards as it relates to the doors being replaced on the cells that are currently double bunked in Pod B of the Warren County Jail.

There was discussion relative to the background and events that led to the double bunking that is currently being done in the Jail.

Sheriff Sims stated that he had a meeting with the State of Ohio last week to review Warren County's application for a variance. He stated that the State seemed very receptive to the variance as they understand the steps that are being taken in order to help relieve the overcrowding within the jail.

There was discussion relative to the TCAP Grant that was discussed with the Common Pleas Judges, Prosecutor and the Sheriff at the August 15, 2017 meeting.

Commissioner Grossmann explained that Commissioner Young was not able to attend that meeting and upon providing an update, the Board stated their desire to further explore the available of the TCAP grant.

Sheriff Sims provided background on the stipulations that are attached to the acceptance of TCAP funds and stated that he had reviewed those with the Common Pleas Court Judges prior to the decision to not apply.

Commissioner Young stated his concerns relative to general fund obligations that would be needed due to the elimination of grant funding utilized to help fund the Community Corrections Program.

Commissioner Jones stated her opinion that it is just a matter of time before Felony 5 crimes are banned from being sentenced to State Prison without any funding. She then stated her concern that Warren County is foregoing resources/incentives that are being offered to lower the state prison population sooner that will eventually be mandated regardless of incentives.

Commissioner Grossmann stated his opinion that with the construction of a new jail, now is the perfect time to look at other resources and options on drug treatments vs. sentencing to straight jail time.

The Board stated their desire for a discussion on how to handle drug addicted prisoners and the request they sent to the Department of Justice for technical assistance from the Bureau of Justice Assistance in a community effort towards analyzing service gaps and the mapping of future best practices associated with drug addiction.

The Board then questioned if the Sheriff would favorably consider the TCAP grant funding if the Common Pleas Judges were to reconsider.

Upon discussion, Sheriff Sims stated his willingness to approve a Memorandum of Understanding if the Common Pleas Court Judges agree.

Martin Russell, Deputy County Administrator, was present and discussed the following matters:

1. Sports Complex—Mr. Russell presented background information relative to the transfer of property and presented draft legislation for the Board's consideration at a later date relative to the pledge of the County to not only dedicate the 1% increase in lodgings tax to the debt associated with the construction, but any shortage necessary from the 3% lodgings tax they currently receive.

There was discussion relative to the Port Authority being created ten years ago specifically for the purpose of constructing a Sports Complex as well as the Port Authority being the issuer of the debt and property owner.

There was discussion relative to the legislation required relative to the bond closing and the tentative closing date of October 4, 2017.

Commissioner Young clarified that the sports complex is not being constructed by general tax dollars and is not a taxpayer asset. He iterated that the project is being financed by a lodgings tax that is paid by the users of the hotel/motel facilities within Warren County.

Phil Smith, Warren County Convention and Visitors Bureau, reviewed the timeline for the project. He stated that upon closing, they will bid the project and hope to break ground in November. He stated that with a mild winter, they hope to plant grass right after. He then stated they are planning to construct 2 turf fields and 12 grass fields.

Upon further discussion, the Board resolved (Resolution #17-1478) to enter into an Assignment and Assumption and Amendment of Transfer Agreement between this Board, the Warren County Port Authority and Otterbein Homes relative to the Warren County Sports Complex.

2. Request for Qualifications for Construction Manager at Risk (CMR) for the New Warren County Jail Project—Mr. Russell discussed the changes to the review criteria that the Board suggested at the previous meeting. He then discussed the proposed make-up of the review committee and the ability to include additional members and/or non-voting members.

Commissioner Grossmann stated his concern relative to not having project costs associated with the CMR selection.

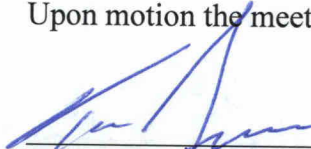
Mr. Russell explained the CMR process and that the gross maximum price will be negotiated when the construction drawings are at 85% complete.

There was discussion relative to the CMR process providing incentive to both the owner and the construction manager due to the sharing of project savings.

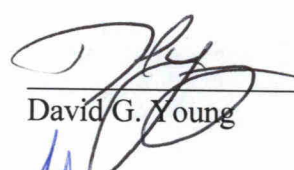
There was additional discussion relative to further changes to the selection criteria and upon discussion, the Board stated their desire to provide their individual mark-ups to the criteria and coordinate those with Mr. Russell.

Upon further discussion, the Board resolved (Resolution #17-1479) to appoint an evaluation committee relative to the procurement (request for qualifications and request for proposals) associated with construction manager at risk (CMR) services for the Warren County New Jail and Sheriff Administration Office Project.

Upon motion the meeting was adjourned.



Tom Grossmann, President



David G. Young



Shannon Jones

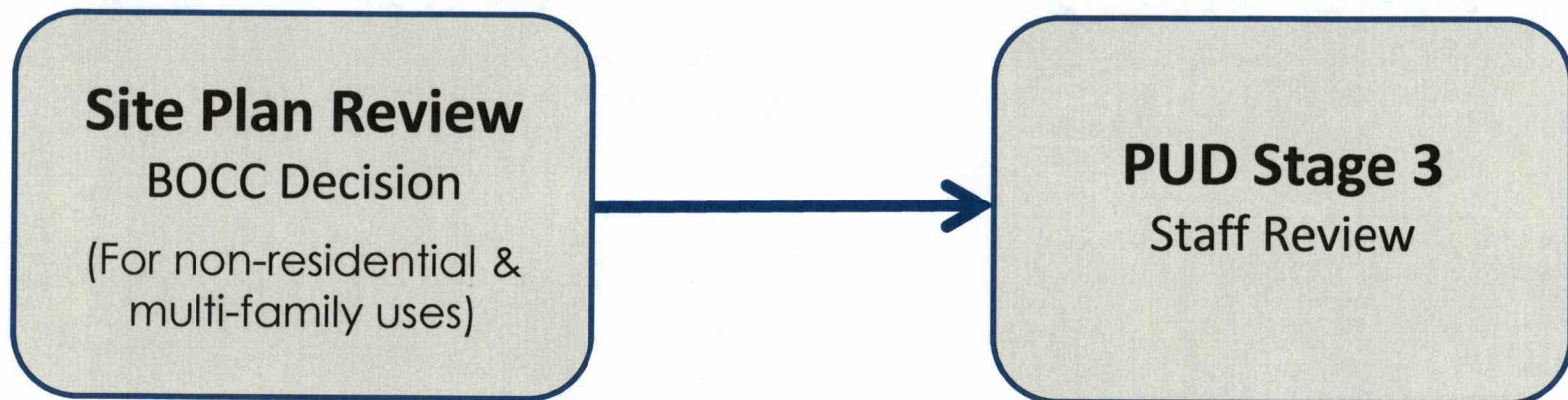
I hereby certify that the foregoing is a true and correct copy of the minutes of the meeting of the Board of County Commissioners held on September 19, 2017, in compliance with Section 121.22 O.R.C.

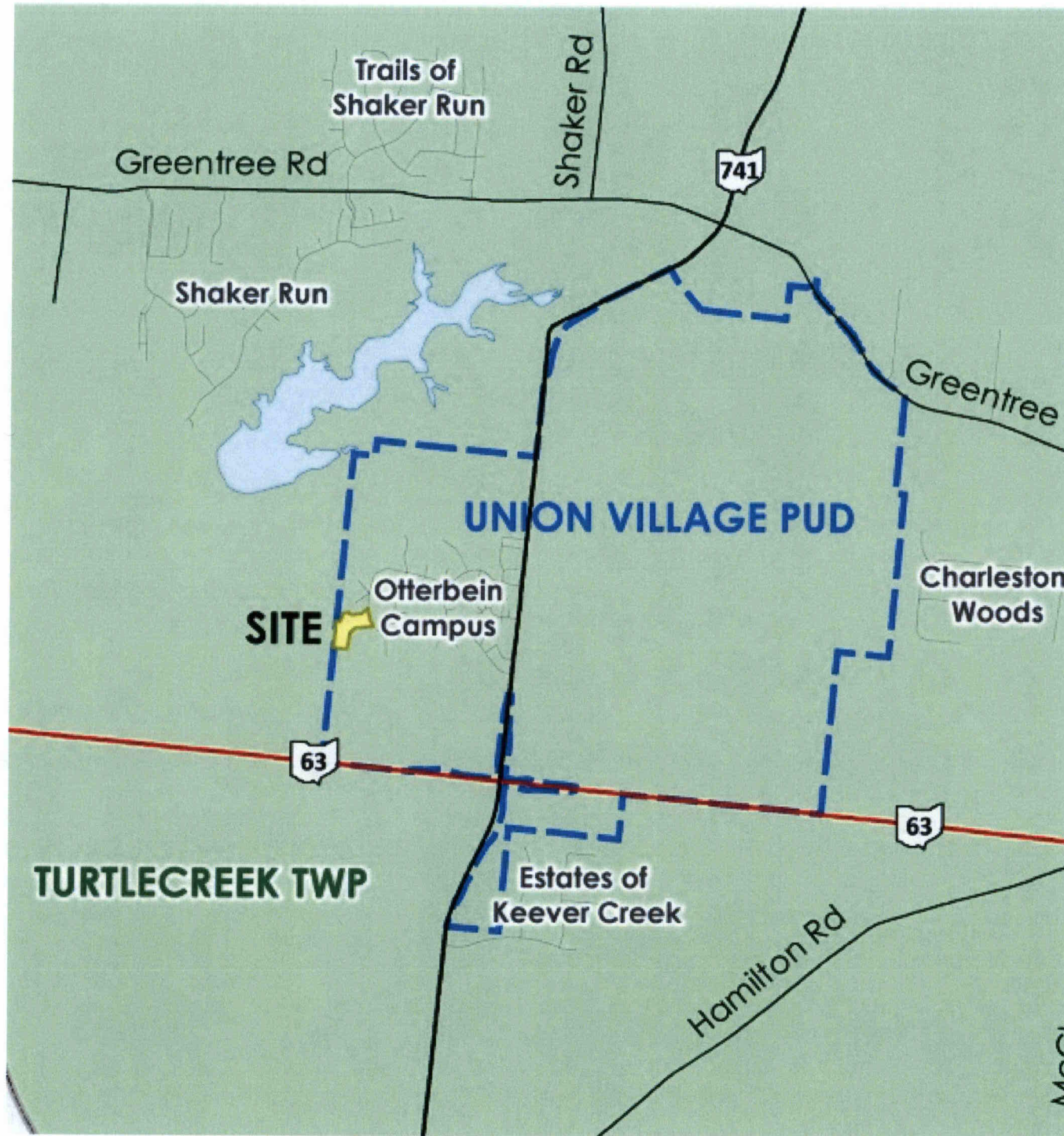


Tina Osborne, Clerk
Board of County Commissioners
Warren County, Ohio

CASE #	103-2017 SP	
APPLICANT/OWNER AGENT	OTTERBEIN HOME RICK EVANS	
TOWNSHIP	TURTLECREEK	
PROPERTY LOCATION	ADDRESS	580 NORTH ROUTE 741
	PIN	12-30-200-004-0
		12-30-200-005-1
PROPERTY SIZE	ACRES 4.5	
FUTURE LAND USE MAP DESIGNITION (FLUM)	MIXED USE NEIGHBORHOOD	
CURRENT ZONING DISTRICT	UNION VILLAGE PUD	
EXISTING LAND USE	AGRICULTURAL/MIXED USE	
SITE PLAN REQUESTED	DEVELOPMENT OF MAINTENANCE FACILITIES	
ISSUE FOR CONSIDERATION	COMPLIANCE WITH SEC. 1.303 SPR AND UNION VILLAGE PUD	

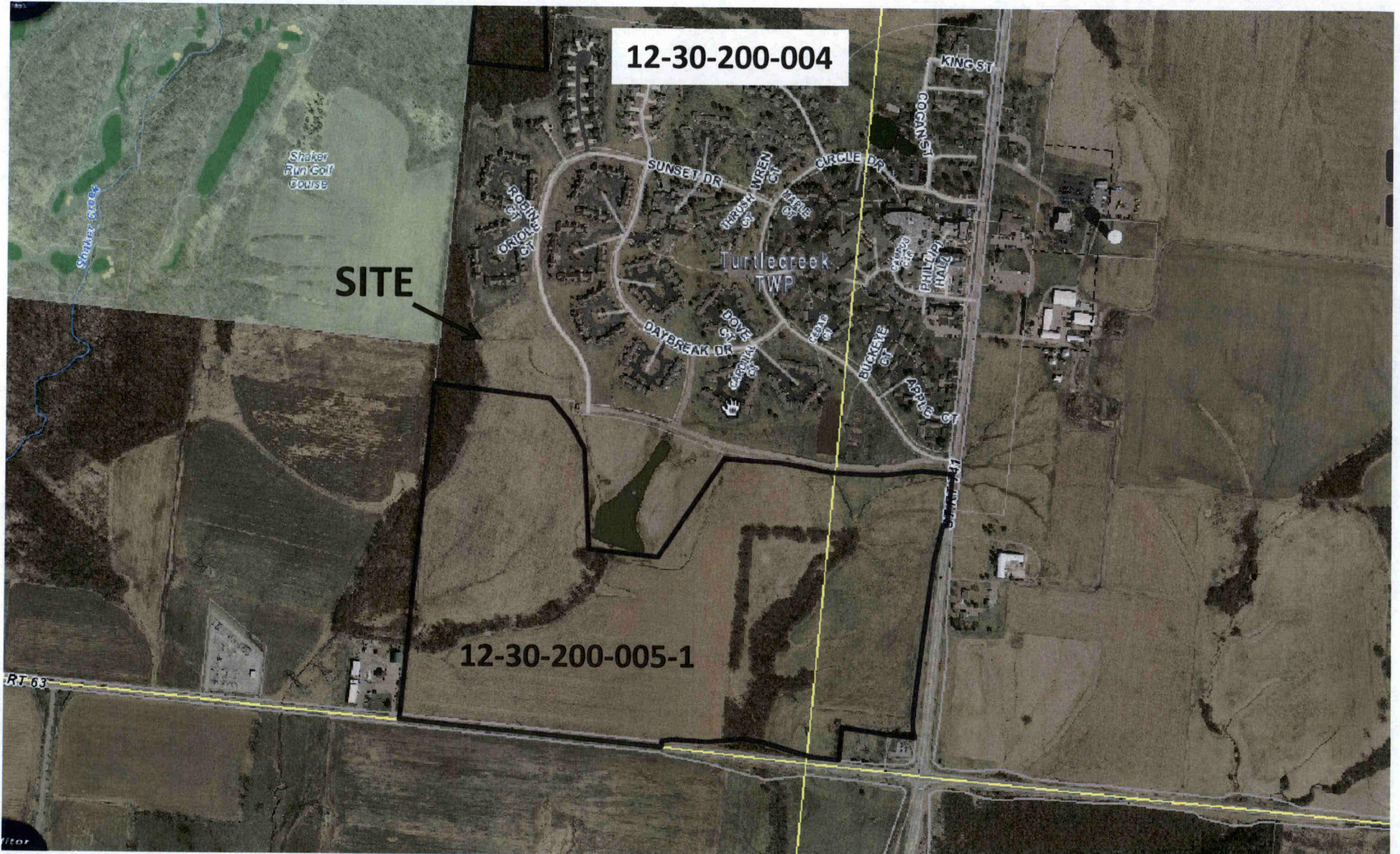
Union Village PUD Site Plan Review Process





Aerial Map

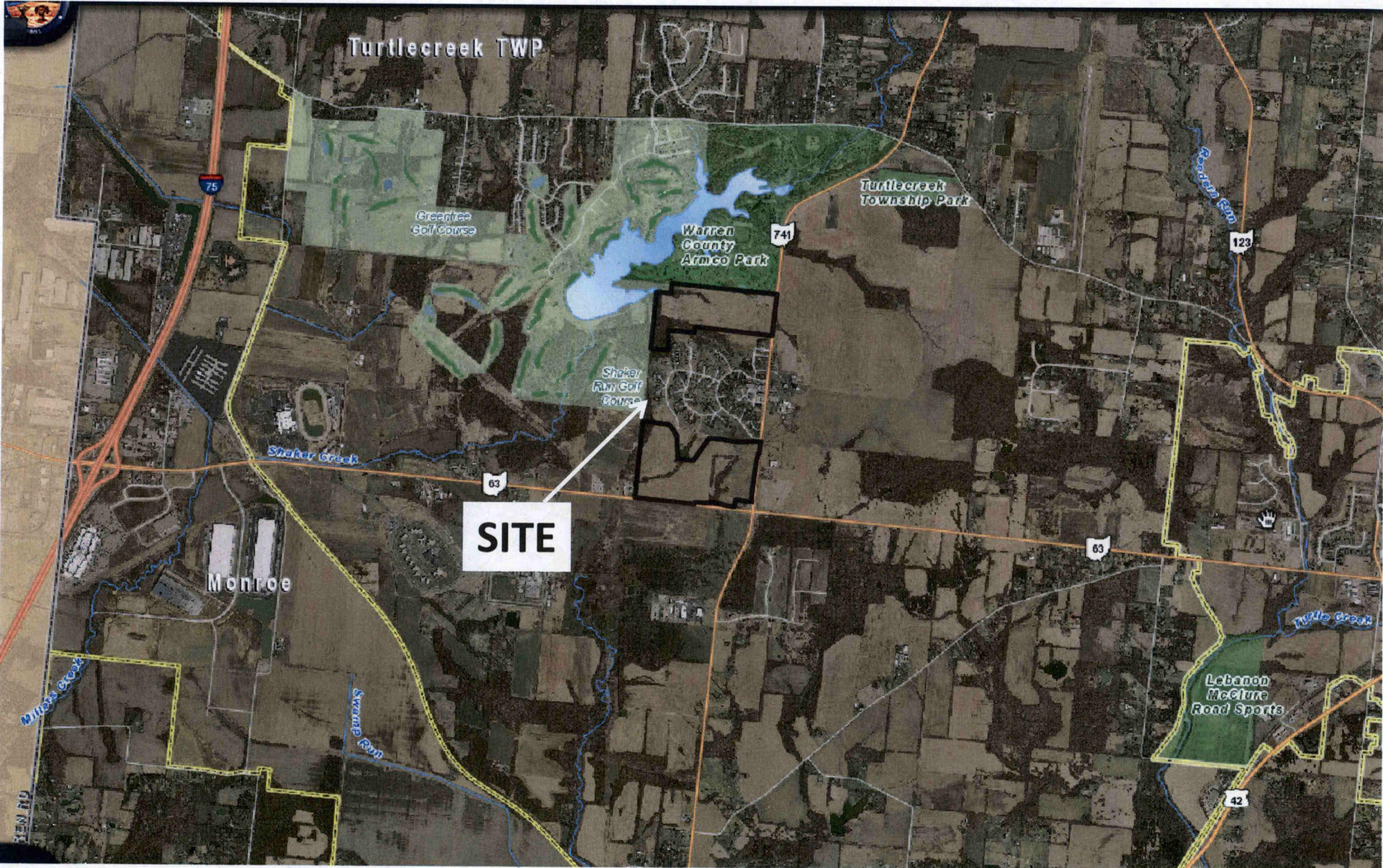
103-2017





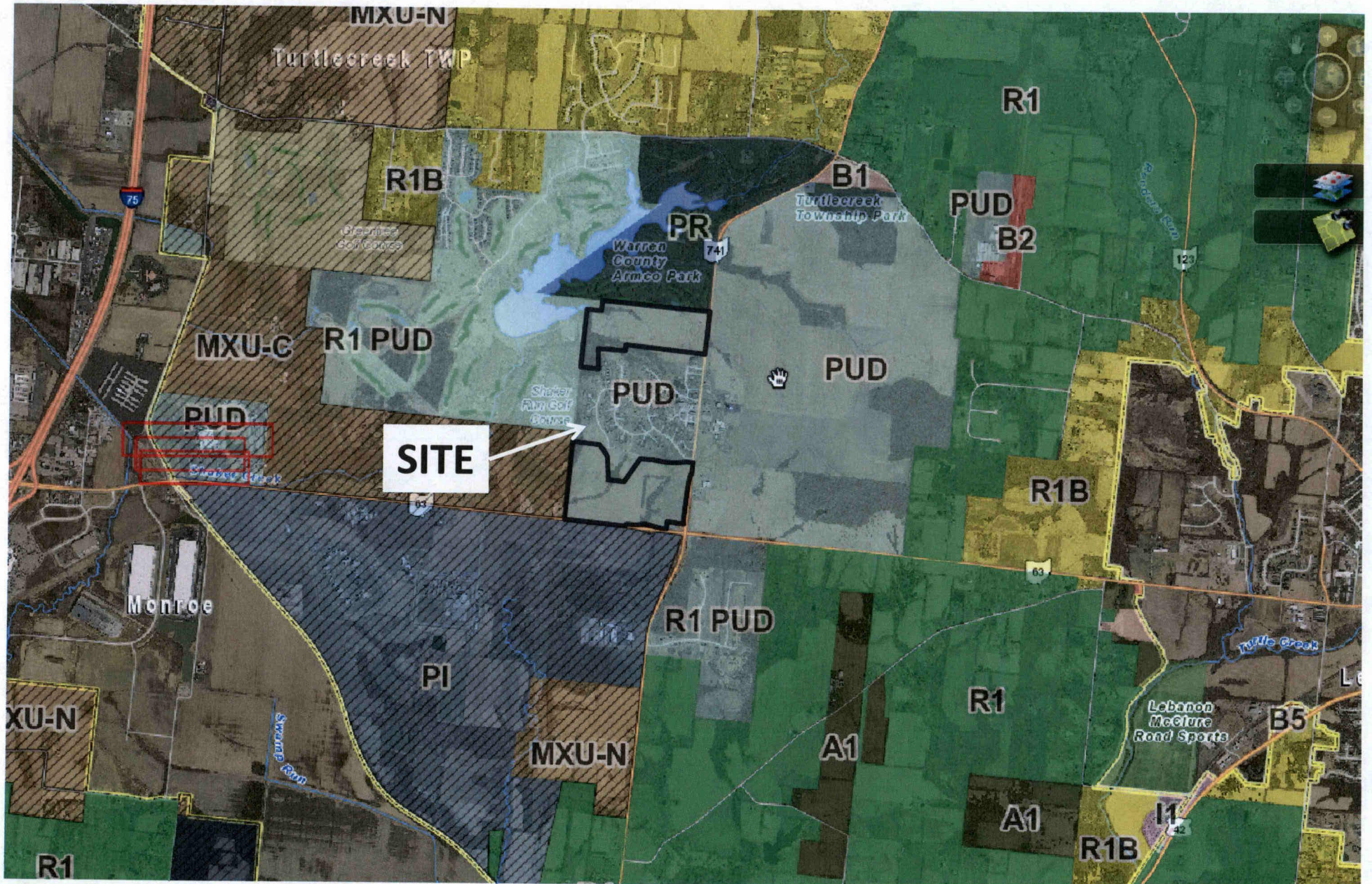
Vicinity Map

103-2017



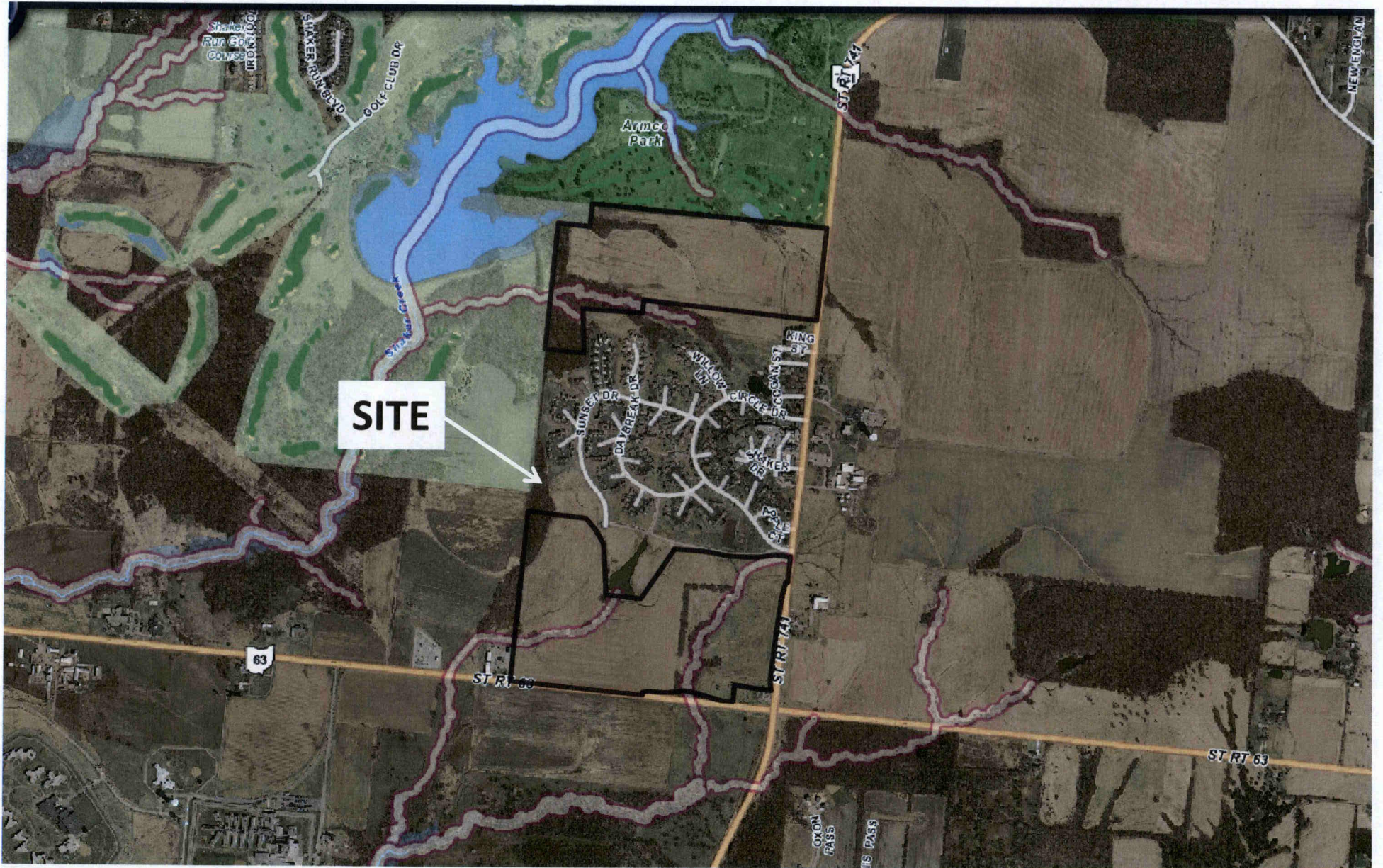
Zoning Map

103-2017



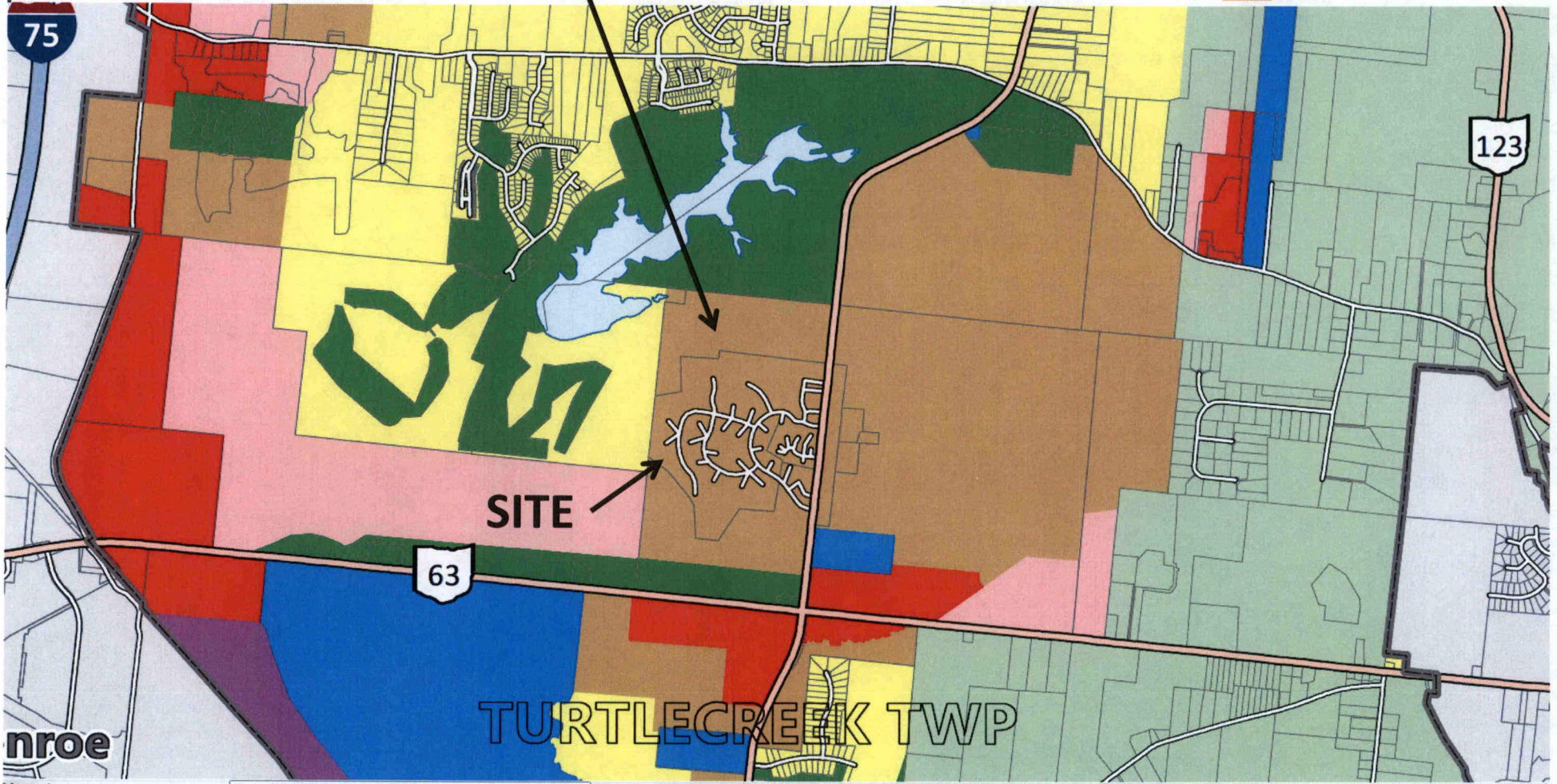
Flood Map

103-2017



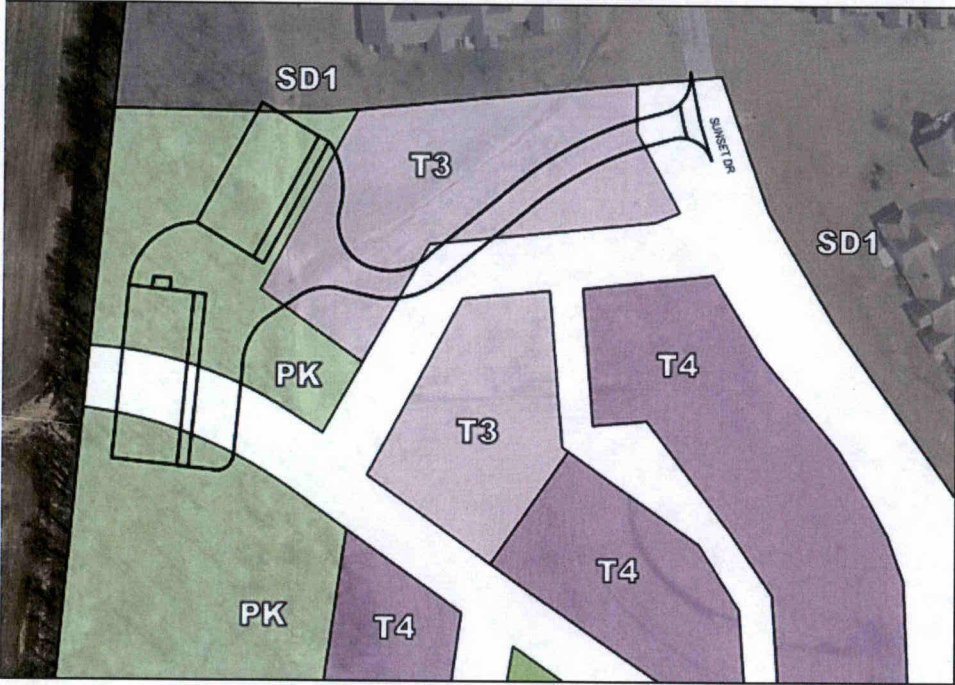
Legend

- County Boundaries
- Political Subdivisions
- Parcels
- Lakes and Rivers
- Municipalities
- Future Land Uses**
 - Agricultural-Rural Residential
 - Commercial
 - Industrial
 - Mixed-Use Neighborhood
 - Multi-Family Residential
 - Office
 - Protection Area
- Deerfield Township Character Areas**
 - Public-Semi-Public
 - Parks and Recreational-Open Space
 - Single Family Residential
 - Low Density Rural Neighborhoods
 - Medium Density Rural Neighborhoods
 - Neighborhood Mixed Use
 - Neighborhoods
- Clearcreek Township Additional Uses**
 - Township Residential
 - Rural Residential
 - Single Family Residential
- Hamilton Township Additional Uses**
 - Rural Residential
 - Single Family Residential
- Salem Township Additional Uses**
 - Office Park
 - Regional Highway Commercial
 - Town Center Mixed Use
 - Mixed Use Light Industrial/Office
 - Mixed Use
- Union Township Additional Uses**
 - Low Density Residential
- Wayne Township Additional Uses**
 - Mixed Use Commercial/Industrial
 - Mixed Use Residential

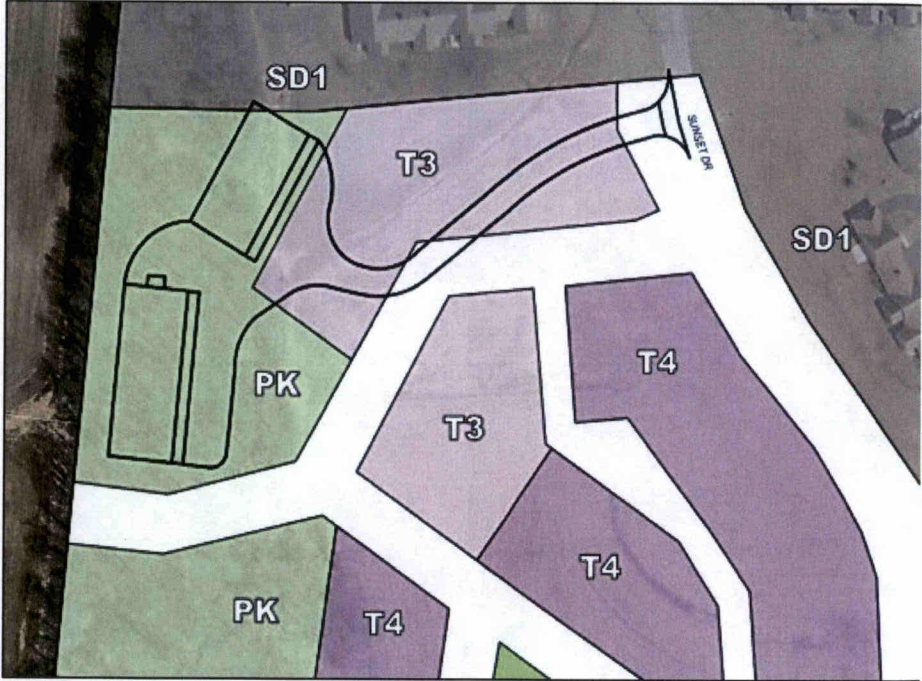


Comprehensive Plan-Land Use Element

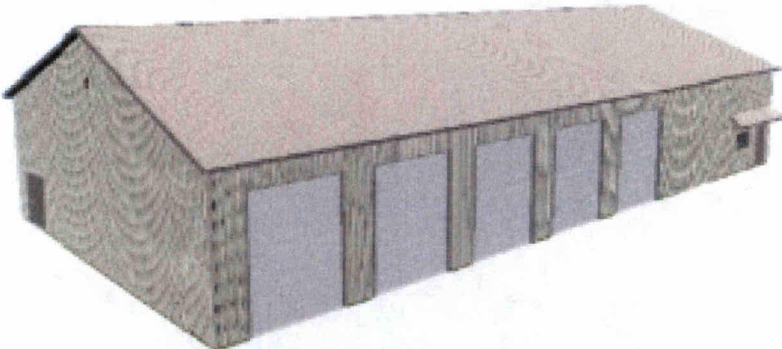
Current Stage 2 Regulating Plan



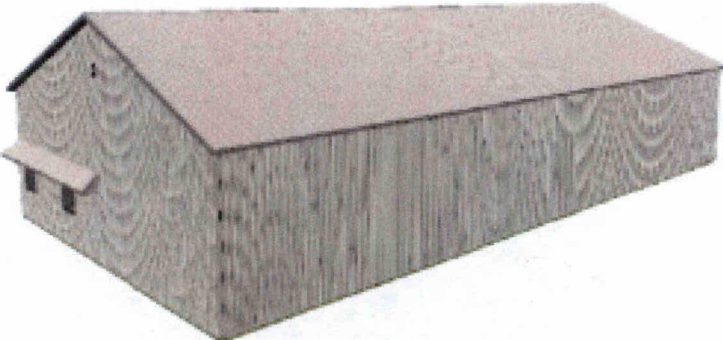
Stage 2 Regulating Plan Modification



Building #1

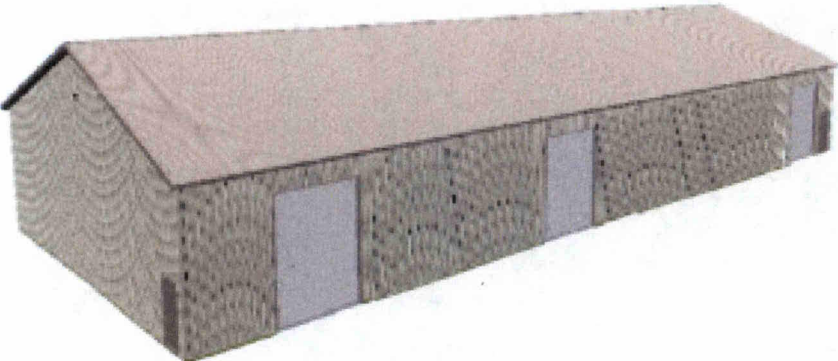


**Southwest
Perspective**

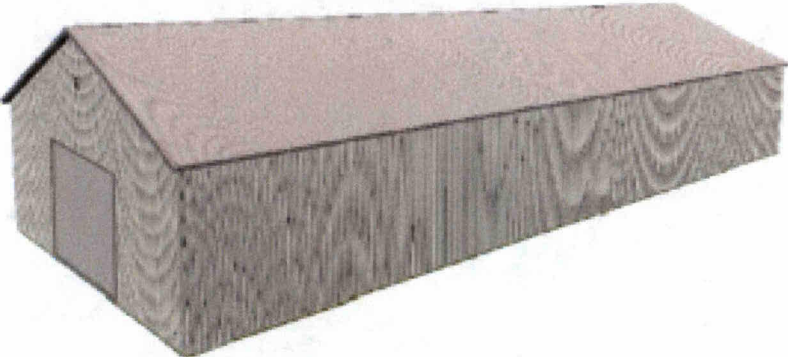


**Northeast
Perspective**

Building #2



**Southwest
Perspective**



**Northeast
Perspective**

12-38-300-003
STATE OF OHIO
1966.81 AC

12-29-100-002
SHAKER RUN CAPITAL FUNDING, LLC
137.5608 AC

N 05°34'58" E 5058.17'

1789.34'

195.75'

1 GALLON SPRUCE TREES TO BE
SPACED AT 10' MINIMUM ADJACENT TO
PROPERTY LINE IN AREAS DISTURBED

FENCE CONTRACTOR TO
COORDINATE WITH
OWNER AND PROVIDE
PRODUCT INFORMATION
AS REQUIRED

* NOTE:
SEE BUILDING #1 PLUMBING
AND MECHANICAL PLAN FOR
CONSTRUCTION AND DETAILS

12-30-200-004
OTTERBEIN LEBANON LLC
148.7978 AC

SD-1

8" WM (C-900)
48" MINIMUM COVER OVER WM
CONTRACTOR TO CONFIRM EX MATERIAL
MAINTAIN POSITIVE GRADE

CUT & INSTALL 45° BEND

EX 8" WM

LAY 2" FORCE MAIN
THROUGH STUB INTO
MANHOLE. GROUT W/
NDN-SHRNK GROUT

EX 8" SAN

EX SAN WH
T/C=839.90
NW=836.74 (N)
NV=836.14 (S) STUB-NO EX CONNCT

WHITE PINE
5'-7' (TYP)

NORWAY SPRUCE
5'-6' (TYP)

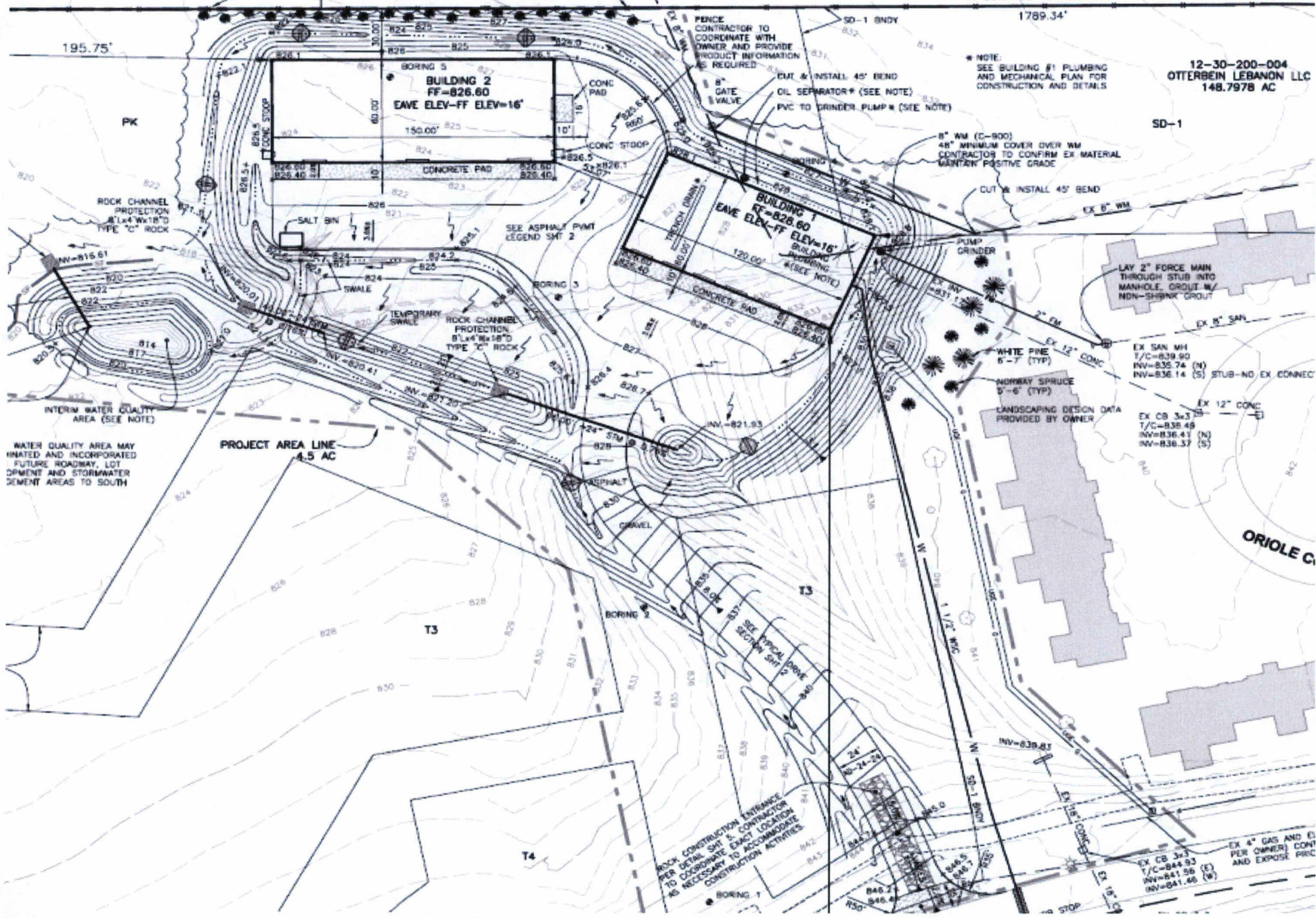
LANDSCAPING DESIGN DATA
PROVIDED BY OWNER

EX CB 3x3
T/C=838.49
NW=836.41 (N)
NV=836.37 (S)

EX 12" CONC

EX 12" CONC

ORIOLE C



ROCK CHANNEL
PROTECTION
8'x4'x18" D
TYPE 'C' ROCK

TEMPORARY
SWALE

INTERIM WATER QUALITY
AREA (SEE NOTE)

WATER QUALITY AREA MAY
INMATED AND INCORPORATED
FUTURE ROADWAY, LOT
DMPMENT AND STORMWATER
SEMENT AREAS TO SOUTH

PROJECT AREA LINE
4.5 AC

SEE ASPHALT PAVT
LEGEND SMT 2

ROCK CHANNEL
PROTECTION
8'x4'x18" D
TYPE 'C' ROCK

ROCK CONSTRUCTION ENTRANCE
DETAIL SMT 5. CONTRACTOR
PER COORDINATE EXACT LOCATION
AS NECESSARY TO ACCOMMODATE
CONSTRUCTION ACTIVITIES

EX 4" GAS AND E
PER OWNER) CONT
AND EXPOSE FRIC

EX CB 3x3
T/C=844.93
NW=841.56 (E)
NV=841.46 (S)

T3

T4

T3

T3

T4

T4

T4

T4

SUMMARY OF APPLICATION:

Development of the proposed Maintenance Facility located in Union Village PUD being constructed in the Open Space Park District that allows civic buildings which include the following:

- 9010 sq. ft. building
- 7191 sq. ft. building
- Salt bin

REVIEWING DEPARTMENTS :

Site Plans were circulated to the Warren County Engineer, Warren County Water & Sewer, Butler County Sewer, Warren County Soil & Water Conservation, Warren County Regional Planning Commission, Turtlecreek Township Trustees and Fire Department, Warren County Combined Health District, Deputy County Administrator, and Warren County Sheriff

**ZONING INSPECTORS REVIEW
OF THE W. C. CODE STANDARDS :**

1. Compliance with the Warren County Rural Zoning Code Standards and for Site Plan Review Section 1.303.
2. Compliance with Union Village PUD Zoning Code.

Site Plan Review 1.303

1.303.6 Review Criteria: The site plan review is conducted to determine anticipated impacts on the public health and safety, as well as the public convenience, comfort, prosperity, or general welfare, as applicable. Factors to be considered include those in Section 1.303.1, and the following additional criteria:

- (A) **Adequacy of Information and Compliance with Zoning Code:**
- (B) **Design Layout Sufficiency and Sensitivity:**
- (C) **Design Character, Operational Compatibility, and Coordination:**
- (D) **Preservation of Significant Features:**
- (E) **Pedestrian Access and Circulation:**
- (F) **Vehicular Access and Circulation Streets:**
- (G) **Parking and Loading:**
- (H) **Landscaping and Screening:**
- (I) **Exterior Lighting:**
- (J) **Signage:**
- (K) **Public Service Impact:**
- (L) **Stormwater Drainage Stormwater Management Plan:**
- (M) **Soil Erosion and Sediment Control:**
- (N) **Emergency Access and Service Facilities and Public Safety:**
- (O) **Building Design:**
- (P) **Compliance with Public Health and Safety:**