

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 - October 27, 2020

The Board met in regular session pursuant to adjournment of the October 20, 2020 meeting.

David G. Young – present

Shannon Jones – present

Tom Grossmann – present

Laura Lander, Deputy Clerk - present

Minutes of the October 13, 2020 meeting were read and approved.

	**
20-1500	A resolution was adopted to approve end of 365-day probationary period and approve a pay increase for Hunter Langdon within the Warren County Water and Sewer Department. Vote: Unanimous
20-1501	A resolution was adopted to hire Darren Morsie as Litter Control Officer within the Warren County Solid Waste Department. Vote: Unanimous
20-1502	A resolution was adopted to hire William Lander as Litter Control Officer within the Warren County Solid Waste Department. Vote: Unanimous
20-1503	A resolution was adopted to rehire Allison Lyons as Community Manager within the Telecommunications Department. Vote: Unanimous
20-1504	A resolution was adopted to advertise for bids for the Warren County Administration Building Electric Service Entrance Project. Vote: Unanimous
20-1505	A resolution was adopted to approve Notice of Intent to Award Bid to Cortech, USA for the Warren County Jail & Sheriff's Office Corrections Furniture Project. Vote: Unanimous
20-1506	A resolution was adopted to approve Notice of Intent to Award Bid to Radiant Technology Group, Inc. for the Warren County Jail & Sheriff's Office A/V Systems Project. Vote: Unanimous

20-1507	A resolution was adopted to authorize Tiffany Zindel, County Administrator, to sign an agreement with Ohio Deferred Compensation, to add the Roth 457 option as an expanded portfolio choice within Ohio Deferred Compensation Program. Vote: Unanimous
20-1508	A resolution was adopted to approve and enter into lease agreement with Warren County Combined Health District. Vote: Unanimous
20-1509	A resolution was adopted to amend the contract between the Warren County Commissioners on behalf of the Warren County Department of Human Services and Warren County Children Services. Vote: Unanimous
20-1510	A resolution was adopted to approve the destruction of various Warren County Sheriff's Office equipment. Vote: Unanimous
20-1511	A resolution was adopted to amend Resolution 20-1352, adopted September 22, 2020 creating the Warren County CARES Act Grant Program and authorize County Administrator to sign documents relative thereto. Vote: Unanimous
20-1512	A resolution was adopted to acknowledge payment of bills. Vote: Unanimous
20-1513	A resolution was adopted to accept the dedication of additional Vaughn Lane right-of-way provided in the Minton Acres plat and assign for continued public maintenance by Franklin Township. Vote: Unanimous
20-1514	A resolution was adopted to approve a street and appurtenances bond release for Windfield Estates, LLC for completion of improvements in Windfield Estates situated in Wayne Township. Vote: Unanimous
20-1515	A resolution was adopted to approve Valdosta Way in Windfield Estates for public maintenance by Wayne Township. Vote: Unanimous
20-1516	A resolution was adopted to approve various record plats. Vote: Unanimous
20-1517	A resolution was adopted to approve operational transfer from County Commissioners' fund #11011112 into Mary Haven Youth Treatment Center fund #2270. Vote: Unanimous
20-1518	A resolution was adopted to approve operational transfers of interest earnings from Commissioners fund #11011112 into Water funds #5510, #5583, Sewer funds #5580, and #5575. Vote: Unanimous
20-1519	A resolution was adopted to approve supplemental appropriation into Local Coronavirus Relief fund #2210. Vote: Unanimous
20-1520	A resolution was adopted to approve supplemental appropriation into Warren County Grants Administration fund #2265. Vote: Unanimous

20-1521	A resolution was adopted to approve appropriation adjustments from Commissioners General fund #11011110 into Clerk of Courts fund #11011260. Vote: Unanimous
20-1522	A resolution was adopted to approve appropriation adjustments within Prosecutor fund 11011150. Vote: Unanimous
20-1523	A resolution was adopted to approve appropriation adjustment within Engineer/Maproom Office fund #11011750. Vote: Unanimous
20-1524	A resolution was adopted to approve appropriation adjustment within the Building and Zoning Department fund #11012300. Vote: Unanimous
20-1525	A resolution was adopted to approve appropriation adjustment within Recorder's fund #2216. Vote: Unanimous
20-1526	A resolution was adopted to approve appropriation adjustment within the OhioMeansJobs Warren County fund #2254. Vote: Unanimous
20-1527	A resolution was adopted to approve appropriation adjustment within County Court fund #2283. Vote: Unanimous
20-1528	A resolution was adopted to approve appropriation adjustment within the Sewer Revenue fund No. 5580. Vote: Unanimous
20-1529	A resolution was adopted to approve appropriation adjustment within the Water Revenue fund No. 5510. Vote: Unanimous
20-1530	A resolution was adopted to approve requisitions and authorize County Administrator to sign documents relative thereto. Vote: Unanimous
20-1531	A resolution was adopted to approve reappointments to the Warren County Transportation Improvement District Board of Trustees. Vote: Unanimous
20-1532	

DISCUSSIONS

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

The Board acknowledged receipt of an Expedited Type 2 annexation petition containing 29.2093 acres in Hamilton Township to the Village of South Lebanon, Richard Paolo, Agent.
Jerry Spurling, Chief Building Official, was present along with family in order for the Board to honor him upon the occasion of his retirement, after 25 years of service to Warren County, by proclaiming October 31, 2020 as "Jerry Spurling Day" in Warren County.
Tiffany Zindel, County Administrator provided an update on the selection of a blood draw provider relative to the employee wellness program.
Neil Tunison, County Engineer, was present and stated that the term for the current appointees to the Warren County Transportation Improvement District expire on December 31, 2020. He further stated that all the members desire to be reappointed for an additional two-year term to expire December 31, 2022.
Upon discussion, the Board resolved (Resolution (20-1531) to reappoint various members to the Warren County Transportation Improvement District.

PUBLIC HEARING #1

CONSIDER ADOPTION OF WARREN COUNTY RULES AND REGULATIONS FOR EROSION PREVENTION AND SEDIMENT CONTROL, FOR ILLICIT DISCHARGE DETECTION AND ELIMINATION, AND FOR POST CONSTRUCTION STORM WATER RUNOFF CONTROL

The Board met this 27th day of October 2020, in the Commissioners' Meeting Room, to consider the adoption of new Warren County Rules and Regulations for Erosion Prevention and Sediment Control, for Illicit Discharge Detection and Elimination, and for Post Construction Storm Water Runoff Control.

Neil Tunison, County Engineer, provided background relative to the proposed new rules and regulations necessary to comply with new Ohio Environmental Protection Agency Requirements.

Mr. Tunison stated that the draft regulations have been sent to the Cincinnati and Dayton Homebuilders Associations as well as the Ohio EPA and no responses were received.

Commissioner Grossmann questioned if the proposed regulations are new or revisions of the existing ones.

Mr. Tunison replied that there were numerous modifications required and it was necessary to completely redo the regulations.

Upon discussion the hearing was closed.

ADMINISTRATIVE HEARING CONSIDER VARIANCE AND APPEAL OF CONDITIONS REQUIRED FOR AN ACCESS PERMIT OF SPEEDWAY SUPERAMERICA LLC IN FRANKLIN TOWNSHIP

The Board met this 27th day of October 2020, both virtually and in the Commissioners' Meeting Room, to consider the Request for Variance and Appeal of Conditions required for an Access Permit filed by Brad Gross on behalf of Speedway SuperAmerica LLC, owner of record for access to 6562 Manchester Road (Parcel #0751770010, and a portion of Parcel #07051010041) in Franklin Township.

Commissioner Young administered the oath to all those desiring to give testimony during today's hearing.

Laura Lander, Deputy Clerk of Commissioners, stated that notice was published in <u>Journal-News Pulse of Lebanon and Mason</u> on October 11, 2020, advertising the date, time, and purpose of the hearing. Written notices were mailed to the Applicant and the Franklin Township Board of Trustees on October 6, 2020. She then read into the record what documents were filed with the Clerk and what would be considered by the Board relating to the request for variance of the Warren County Access Management Regulations, to-wit:

1. A Request for Variance and Appeal of Conditions Required for an Access Permit application, along with a copy of a plat map, and a copy of the access permit denial.

The Warren County Engineer's designee, Assistant County Engineer David Mick, was sworn in and testified that the Applicant filed for a variance of the requirements in Section 401.8.2(d) (and Table 1), Section 401.6 (and Figure 3) of the Access Management Regulations because the proposed Manchester Road access is classified as a Medium Volume Driveway per Table 1 of

the Access Management Regulations with a required spacing for a full access equal to the Stopping Sight Distance for 45 mph (360 LF) per Section 401.8.2(d) (and Table 1) though superseded by the additional requirement in Section 401.6 (and Figure 3) that the minimum full access drive spacing is 150 LF from the diverging taper of a turn lane. The diverging taper near the proposed Manchester Road access is located 280 LF from Cincinnati Dayton Road; the required spacing then per Section 401.6 is 430 LF. Proposed spacing is 130 LF.

Mr. Weber presented, and the Board accepted as evidence to be made part of the record, the following exhibits:

- Aerial view of the property and pictures of sight distance from the property.
- The Engineer's Report containing answers to general questions/facts and the Engineer's opinion relative to the factors to be considered when granting a variance; and the Engineer's recommendation for denial of the variance.

Commissioner Grossmann asked if the current access was compliant with the regulations.

Mr. Mick stated that the business was grandfathered in as it was built prior to the existence of the regulations. He further stated that the business is expanding from 8 gas pumps to 20 and the store size is increasing from approximately 1000 sq. ft. to approximately 4500 sq. ft. which will cause a 4 to 5 times increase in business volume.

Robert Matko, CESO, Inc., traffic engineer for the project, reviewed a traffic impact study that was conducted on behalf of speedway and was submitted to the County Engineer.

Commissioner Young questioned why the proposed entrance cannot be moved to comply regulations.

Mr. Mick stated that the applicant does not own the adjacent property and a housing project is in development for that property.

Mr. Matko stated that the applicant has spoken with the owner of the adjacent property about acquiring access that would allow them to move the proposed access point but they were not able to come to an agreement.

Commissioner Grossmann inquired as to the history of accidents at the site.

Mr. Mick stated that there was no history of accidents.

Commissioner Young stated that unfortunately, the increase in traffic will cause an increase to the traffic related problems. He further questioned why the applicant cannot purchase a parcel or easement from the adjacent property owner to make a safer access point.

Brad Gross, Agent for the Applicant, stated that even if an adjacent parcel was purchased, the access requirements would still not be met.

Mr. Mick stated that site problems exist due to a hump in the road.

Commissioner Young questioned if there is a solution somewhere in the middle that can be solved by the applicant purchasing a lot or easement and stated that this Board does not want to set the site up for failure.

Commissioner Grossmann stated that he would like to see Speedway further explore the possibility of purchase of said lot or easement.

Bruce McGary, Assistant Prosecutor, stated that a zoning change would be required from the City of Middletown for any parcel or easement purchased from the adjacent property owner.

Commissioner Young stated that the Board can not grant the variance without serious consideration that all other options have been explored.

Upon further discussion, the Board resolved (Resolution #20-1532) to continue the Administrative Hearing to November 17, 2020 at 9:15 a.m.

Aaron Reid, President & CEO of Warren County United Way, and Matt Schnipke, Warren County Economic Development Director, were present to discuss the United Way proposal for utilizing Warren County CARES Grant funding.

Mr. Reid discussed the attached request for funding for the following programs:

- Mobile Areas of Support and Help (MASH) which would provide mobile hot spots (in a tented area) for residents who may live in areas with limited internet connectivity or who may not be able to afford internet in their homes.
- Digital Divide Solutions which would provide mobile devices, that use mobile data, for Pre-K-12 students for remote learning. Eligibility would be based on need as identified by professional staff.

Commissioner Young questioned how having students and their families gathering in the mobile tent units would be different than going to school.

Commissioner Grossmann questioned what these students have been doing for internet access to this point.

There was discussion as the limited ability of some students to access internet due to either lack of service in rural areas, or the inability of families to afford internet access in their homes, with many of the places with public internet being inaccessible due to the pandemic.

There was discussion regarding the ability of area school systems to provide these services to their students.

Commissioner Young and Commissioner Grossmann stated they would like to hear directly from the schools as to what their specific needs are.

Commissioner Young requested clarification as to how this program would work.

Matt Nolan, Warren County Auditor, reminded the Board that they have two weeks to appropriate the remaining CARES Act funds and that money not spent in Warren County will be sent back and redistributed to other communities.

Commissioner Grossmann stated that the Board wants to spend the money wisely and would like to hear directly from the schools prior to a decision on this request.

The Board entered into a work session in the Commissioners' Conference Room to discuss the 2021 budget.

Upon motion the meeting was adjourned.

David G. Young, President

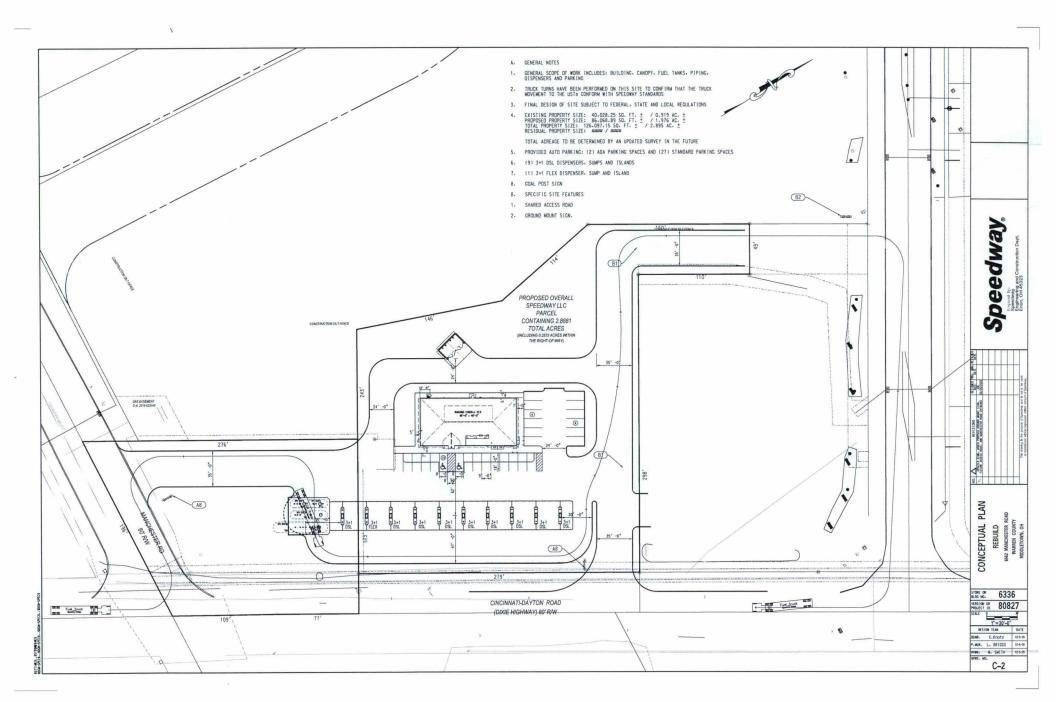
Fom Grossmann

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 October 27, 2020, in compliance with Section 121.29 O.R.C.

Laura Lander, Deputy Clerk Board of County Commissioners

Warren County, Ohio

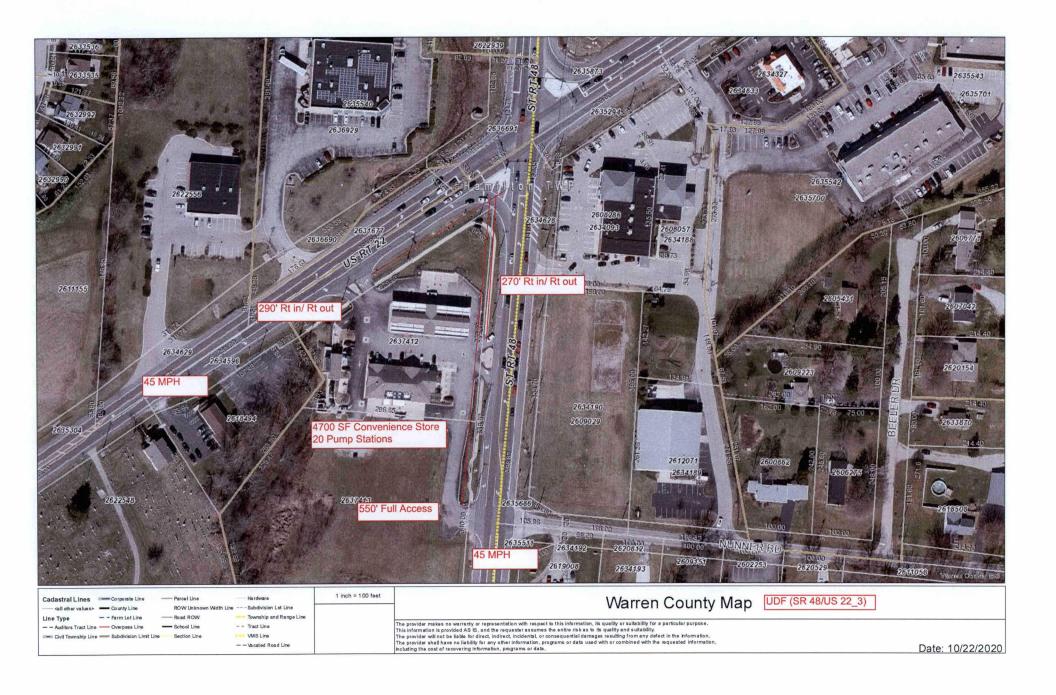












pee	edway - Ad	ccess Variar	ce Hearing	- 10/27/20					Acces	cess Locations Requested				
						= Right-In; RO = R	; RO = Right	t-Out; LI = Left-In		(See Exhibit)				
									Access A	Access C	Access D			
Gen	eral Quest	ions/Facts:												
									M==	V	Yes	-		
1	a) Existing	Access?					-	-	Yes	Yes	Yes	-		
-	h) If was th	nen what ty	on of Access	currently	aviete?				Full	RI/RO	Full			
	b) ii yes, ti	len what ty	Je of Access	Currently	ZXISCS:				1 311	NI) NO	1 411			
2	What type	of Access is	requested	2					Full	RI/RO	Full			
									No	By Variance -	N/A - City of			
3	a) Access N	Managemen	t Regulation	ns' criteria r	met?					Res 16-1423	Middletown			
	b) if 'No', t	hen by wha	t Section is	the Access	uncomplian	t?			401.8.2-d 401.6 spacing					
									100 5					
_		i) spacing i	equired by	Regulation:	s				430 feet			-		
-		ii) spacing	e relleble				-		130 feet					
-		ii) spacing	available						130 leet					
Sect	ion 601.4	of Access M	anagement	Regulation	ns (Variance	s and Appe	eals) - Facto	ors to consider:						
1	Whether r	not granting	a variance	would deny	all reasona	ble access.			No					
2	Whether g	granting a va	ariance wou	ld endange	r the public	safety.			Yes	ingress. This is a motorists appro naturally anticip eastbound vehic Access A may bl	a very significant in eaching and follow pate the left turn to cles queued at the ock the driver's li	ving a to oc e sign ne of	ase in traffic vehicle tur cur 130-ft a al and in fro sight. d) ir	site with 80% utilizing Access A volume over existing. b) ning left into Access A would head at the intersection. c) ont of the vehicle turning left into sufficient stopping sight distance signalized intersection, e) See
										During the initia	l conversations w	ith t	ne Applican	t in April 2020, the County
3	Whether tagent.	the hardship	was self-cr	eated by th	e applicant	or his			Unknown	Engineer's Office adjacent parcel subdivided this	e encouraged the for access further	App wes that	icant to try t of Dixie Hy there was	to obtain an area from the wy. That adjacent parcel will be no longer an opportunity for the
4		granting the			r traffic mov	ement or			Yes	signalized inters enough length a	section, b) a vehic available behind e ad at the signal to	le tui	ning left ou ound vehicle	the left turn bay short of the it of Access A may not have es that are queued on or partially blocking one or both
					I					C # 1 # 4				
5		granting the of these Acce			nsistent with ations.	tne			No	See # 1, #4				
6	Whether a		ccess optio	ns except g	ranting a va	riance have			Yes	The Applicant co		o acc	uire rights	to locate Access A further west

UWWC Proposal for Effectively Utilizing WC CARES Funds (draft 1 of 1)

By Aaron Reid, CEO, UWWC & WCCS, 10/20/20

I. Mobile Areas of Support & Help (MASH)

- MASH operate in areas with clusters of residents at 200% or below the federal poverty level. WCCS/UWWC coordinates with other organizations to pool resources, prevent wasteful spending, and ensure accountability for tax-payer money. Fully committed MASH sites to date are the Conover Building in Franklin, Veteran's Park in South Lebanon, and Park Church in Morrow. More are in process.
- The goal of MASH is Business 101 drive product consumption (sales) efficiently (operations). MASH are mobile units with wireless access for 50 devices. MASH set up in local areas with party tents, tables, and chairs to provide internet for school/work/access to services & to match people impacted by 2020 with growth-oriented nonprofit solutions. Our goal is at least 1 MASH per school district.
- Removing transportation barriers with direct to consumer marketing is a key differentiator of this business model. Our "mobile" customer service will expedite spend down by 12/31 and provide access to people previously limited by various equity barriers.
- Types of services could include child care referrals, workforce development, transportation to work, preventing utility shutoffs, housing solutions, health and wellness activities, community trust building, fun events attracting people from throughout the community, etc.

II. Digital Divide Solutions

- UWWC/WCCS have been working since summer with Cincinnati Bell (wired internet) and T-Mobile (wireless internet/devices) on basic technology for pre-K-12 students for remote learning. Based on need, as identified by professional staff, we provide access and devices (includes all family members if meet income eligibility).
- Each device is loaded with Mobile Device Management (MDM) which allows us to track and monitor activity, as well as load our own content. We will use MDM for remote work with clients.
- The Digital Divide Solutions technology infrastructure is a critical to MASH. We are providing kids and families with technology needed to mitigate risk from falling even farther behind in school and work. The impact of the "COVID Kids" is unknown, but we know the educational and cognitive loss impacts will be with us for years. Not even the most brilliant economists can predict the economic impact.

WCCS/UWWC Alliance COVID-19 Projects -- November-December 2020

Mobile Areas of Support & Help	Total Cost	Unit Cost	Need	Detail /Notes
Mobile Hotspots	\$ 24,000	\$ 1,600	15	\$400 one-time, \$100/mth per unit, access for up to 50 devices
Portable Shelters	\$ 5,250	\$ 350	15	quick set up & tear down, open air, weatherproof
Portable Generators	\$ 7,500	\$ 500	15	power supply for wireless hotspots & electronic operations
Cargo Vans	\$ 140,000	\$ 35,000	4	transport technology equipment, MASH supplies, & staff
Enclosed Trailers	\$ 18,000	\$ 4,500	4	Mobile HQ, supports MASH operations throughout county
TOTAL	\$ 194,750			
Digital Divide Solutions				
Devices with MDM	\$ 35,000	\$ 35	1,000	\$25/unit, \$10 apps - both one time
Unlimited Data - 6 mths	\$ 84,000	\$ 28	1,000	\$28/mth, 3 mths unlimited data with age-appropriate content
Tutoring Service Licenses	\$ 5,000	\$ 10	500	unlimited online tutoring services for 1 year
2 Month Project Coordinator	\$ 10,000	\$ 10,000	1	1099 contract for 2 months of project tech support
TOTAL	\$ 134,000			
GRAND TOTAL	\$ 328,750			