



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

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**LARRY CRISENBERY  
C. MICHAEL KILBURN  
PAT ARNOLD SOUTH**

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

**MINUTES: Regular Session--December 4, 2001**

The Board met in regular session pursuant to adjournment of the November 29, 2001, meeting.

C. Michael Kilburn - present                      Larry Crisenbery - present

Pat Arnold South - present                      Tina Davis, Clerk - present

- 01-2027                      A resolution was adopted directing Coolidge, Wall, Womsley & Lombard to appeal the decision of the Warren County Common Pleas Court in the matter of Richard M. clerk, ET AL. Vs Board of County Commissioners of Warren County (Browning-Ferris Industries of Ohio). Vote: Unanimous
- 01-2028                      A resolution was adopted to approve and authorize the President of this Board to enter into a Cooperation Agreement with the City of Mason relative to the FY 2001 Community Development Block Grant Formula Program. Vote: Unanimous
- 01-2029                      A resolution was adopted to approve and enter into an Agreement by and between the Ohio Department of Natural Resources, Division of Recycling and Litter Prevention and this Board on behalf of the Warren County Solid Waste Management District for a 2002 Recycle, Ohio Grant! Vote: Unanimous
- 01-2030                      A resolution was adopted to determine the necessity to design, construct, maintain and operate a water main extension in the Mason-Montgomery Road Water Improvement Area, Warren County Water District, and direct the preparation of tentative assessments upon benefited properties. Vote :Unanimous

- 01-2031 A resolution was adopted to authorize reimbursement to the Butler County Department of Environmental Services for System capacity Charges for the Deerfield Area. Vote: Unanimous
- 01-2032 A resolution was adopted to Rescind Resolution #01-1986 determining the necessity to design, construct, maintain and operate a Sanitary Sewer in the Clover Avenue Sewer Improvement Area, Warren County Sewer District, and directing the preparation of tentative assessments upon benefited properties. Vote: Unanimous
- 01-2033 A resolution was adopted to approve Revised General Plans for Sanitary Sewers in the Warren County Sewer District, to include Sanitary Sewers in the Clover Avenue Sewer Improvement Area. Vote: Unanimous
- 01-2034 A resolution was adopted to authorize reimbursement to Deerfield Township Trustees and the Butler County Department of Environmental Services for system capacity charges for the Northwest Deerfield Area. Vote: Unanimous
- 01-2035 A resolution was adopted to approve the Revised Preliminary Site Plan for Otterbein Neighborhood 2, Single Family Homes, Phase 2, (AKA Roger W. Iott PUD). Vote: Unanimous
- 01-2036 A resolution was adopted to Amend Standard Details for the Warren County Water and Sewer Department. Vote: Unanimous
- 01-2037 A resolution was adopted to initiate an Amendment to the Warren County Rural Zoning Code relating to the Regulation of Trailer Camps. Vote: Unanimous
- 01-2038 A resolution was adopted to enter into Bond Agreement with Red Bird Construction, for completion of improvements in Deerfield Reserve, situated in Clearcreek Township. Vote: Unanimous
- 01-2039 A resolution was adopted to enter into Performance Bond Agreement with Red Bird Construction, for installation of certain improvements in Deerfield Reserve, situated in Clearcreek Township. Vote: Unanimous
- 01-2040 A resolution was adopted to enter into a Subdivision Public Improvement Performance and Maintenance Security Agreement with Red Bird Construction to install certain water and/or sanitary sewer improvements in Deerfield Reserve situated in Clearcreek Township. Vote: Unanimous
- 01-2041 A resolution was adopted to approve the Final Plat of Deerfield Reserve.

Vote: Unanimous

- 01-2042 A resolution was adopted to approve Appropriation Adjustment within Building Services Fund #101-1600. Vote: Unanimous
- 01-2043 A resolution was adopted to approve Appropriation Adjustment within Office of Management and Budget Fund #101-1115. Vote: Unanimous
- 01-2044 A resolution was adopted to approve Appropriation Adjustment within Sewer Revenue Fund #580. Vote: Unanimous
- 01-2045 A resolution was adopted to approve Appropriation Adjustments within Fund No. 580-3306 the Hoff Run South Sewer District. Vote: Unanimous
- 01-2046 A resolution was adopted to approve Appropriation Adjustment within Building Services Fund #467. Vote: Unanimous
- 01-2047 A resolution was adopted to approve Operation Transfer from Commissioners Fund #101 into Human Services Fund #203. Vote: Unanimous
- 01-2048 A resolution was adopted to approve Appropriation Adjustment within the Water and Sewer Department for Sewer Revenue Fund #580. Vote: Unanimous
- 01-2049 A resolution was adopted to approve Appropriation Adjustments within Sheriff Fund #101-2200, Records Center Fund #101-1500, Recorder Fund #101-1160 and Emergency Services Fund #101-2850. Vote: Unanimous
- 01-2050 A resolution was adopted to approve Appropriation Adjustments within Prosecutor Fund #101-1150, Clerk of Courts Fund #250, #284 and Supplemental Appropriations into Fund #250. Vote: Unanimous
- 01-2051 A resolution was adopted to approve Agreement for Foster Care Services.  
Vote :Unanimous
- 01-2052 A resolution was adopted to authorize Payment of Bills. Vote: Unanimous
- 01-2053 A resolution was adopted to reappoint Warren C. Young to the Warren County Board of Mental Retardation and Developmental Disabilities. Vote: Unanimous
- 01-2054 A resolution was adopted to approve Modification of the Annexation Petition of David Batsche, Agent to annex approximately 9.94 acres to the Village of Maineville. Vote: Unanimous
- 01-2055 A resolution was adopted to authorize Payment of Bills. Vote: Unanimous

- 01-2056        A resolution was adopted to Order for Annexation of 4.663 acres to the City of Mason. Vote : Unanimous
- 01-2057        A resolution was adopted to continue Public Hearing concerning the Petition for Annexation of 78.2237 acres to the City of Mason. Vote: Unanimous
- 01-2058        A resolution was adopted to Hire Tommy Hall as Environmental Hazardous Coordinator with the Emergency Services Department. Vote: Unanimous

#### DISCUSSIONS

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On motion, upon unanimous call of the roll, executive session was entered into at 9:15 a.m. to discuss personnel matters and exited at 10:30 a.m.

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Robert Craig, Regional Planning Commission (RPC), was present for the revised preliminary site plan for Otterbein Neighborhood 2 in Turtlecreek Township for single family homes.

Mr. Craig presented the RPC recommendation to approve the revised preliminary site plan subject to eight conditions.

Upon further discussion, the Board resolved (Resolution #01-2035) to approve the revised preliminary site plan subject to eight conditions.

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PUBLIC HEARING

ANNEXATION PETITION OF DAVID K. BATSCHE, AGENT  
TO ANNEX 10.353 ACRES TO THE VILLAGE OF MAINEVILLE

The continuation of the public hearing to consider the annexation petition of David K. Batsche, Agent to annex 10.353 acres to the Village of Maineville was reconvened this 4<sup>th</sup> day of December 2001, in the Commissioners' Meeting Room.

Mr. Kilburn acknowledged receipt of an affidavit from the Hill's requesting the deletion of their property from the annexation petition.

The Agent stated that he has previously agreed to delete the Hill property from the annexation petition.

Upon further discussion, the Board resolved (Resolution #01-2054) to approve the annexation petition of David Batsche, agent, to annex certain territory to the Village of Maineville, subject to the deletion of the Hill property and an accurate map and legal description.

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Members of the Warren County Veteran's Commission were present for a work session to discuss budget matters.

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PUBLIC HEARING

ANNEXATION PETITION OF CHRISTY HOLMES, AGENT  
TO ANNEX 4.663 ACRES TO THE CITY OF MASON

The public hearing to consider the annexation petition of Christy Holmes, Agent to annex 4.663 acres to the City of Mason was convened this 4<sup>th</sup> day of December 2001, in the Commissioners' Meeting Room.

Christy Holmes, Agent, stated that the Deerfield Township Trustees have no objection to this annexation.

Catherine Cunningham, attorney for the agent, presented all the documentation relative to the legal requirements and additional information in support of the annexation.

There was discussion relative to the roadway being included in the annexation.

Upon further discussion, the Board resolved (Resolution # 01-2056) to approve the annexation petition.

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### PUBLIC HEARING

#### ANNEXATION PETITION OF CHRISTY HOLMES, AGENT TO ANNEX 78.2237 ACRES TO THE CITY OF MASON

The public hearing to consider the annexation petition of Christy Holmes, Agent to annex 78.2237 acres to the City of Mason this 4<sup>th</sup> day of December 2001.

Christy Holmes, Agent, stated that one of the property owners have retained an attorney who desires to continue this public hearing. She then stated her desire to move forward with the annexation petition.

Lee Stautberg, attorney for Mr. and Mrs. Mitchell, requested the Board to continue the public hearing for ninety days.

Mrs. Holmes stated that the Mitchell's have questions relative to an access road and the time frame in which sewers would be available.

Commissioner Kilburn read into the record a letter from Deerfield Township stating their desire to pay for water and sanitary sewers to the property if the territory is not annexed to the City of Mason.

Commissioner Crisenbery stated his concurrence to a two week continuance but not three months.

Catherine Cunningham, Attorney for the Agent, stated that the Mitchell's have Mason water and have signed a pre-annexation agreement.

Ken Schneider, Attorney for the City of Mason, stated that the school needs to move forward on this petition.

Mr. Gardner, Treasurer of Mason School Board, stated that the School Board desire to moved ahead with the annexation petition.

Ms. Strautberg stated that the Mitchell's do not desire to withdraw from the annexation at this time. They desire time to consider the offer made by Deerfield Township.

Upon further discussion, the Board resolved (Resolution #01-2057) to continue the public hearing to December 18, 2001, at 3:30 p.m.

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Frank Young, Emergency Services Director, was present to discuss the need for a laptop computer.

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On motion, upon unanimous call of the roll, executive session was entered into at 3:40 p.m. to discuss personnel matters and exited at 4:37 p.m.

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Upon motion the meeting was adjourned.

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C. Michael Kilburn, President

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Larry Crisenbery

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Pat Arnold South

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I hereby certify that the foregoing is a true and correct copy of the minutes of the regular meeting of the Board of County Commissioners held on December 4, 2001, in compliance with Section 121.22 O.R.C.

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