



**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--October 29, 2002

The Board met in regular session pursuant to adjournment of the October 24, 2002, meeting.

C. Michael Kilburn - absent Larry Crisenbery - present

Pat Arnold South - present Tina Davis, Clerk - present

- 02-1720 A resolution was adopted to accept Resignation of Bonnie New, Emergency Communications Operator, within the Warren County Emergency Services Department, effective October 22, 2002. Vote: Unanimous
- 02-1721 A resolution was adopted to approve Emergency Repair to the Foster Lift Station Pump. Vote: Unanimous
- 02-1722 A resolution was adopted to approve and authorize the President of the Board to enter into a Youth Classroom Training Agreement on behalf of the Warren County One-Stop Business and Employment Center. Vote: Unanimous
- 02-1723 A resolution was adopted to enter into a Temporary Entrance and Work Agreement with Roy M. and Tammy R. Fox, as the Grantors herein, for the Union Road and Manchester Road Intersection Improvement Project. Vote: Unanimous
- 02-1724 A resolution was adopted to enter into Subdivision Public Improvement Performance and Maintenance Security Agreement with Village on the Green, LTD., to install certain water and/or sanitary sewer improvements in Village on the Green, Section Nine and Ten, Greentree, situated in Hamilton Township. Vote: Unanimous

- 02-1725 A resolution was adopted to enter into Performance Bond Agreement with Village on the Green, LTD., for installation of certain improvements in Village on the Green, Section Nine and Ten, Greentree, situated in Hamilton Township. Vote: Unanimous
- 02-1726 A resolution was adopted to enter into Sidewalk Bond Agreement with Village on the Green, LTD., for installation of certain improvements in Village on the Green, Section Nine and Ten, Greentree, situated in Hamilton Township. Vote: Unanimous
- 02-1727 A resolution was adopted to approve Reduction of Subdivision Public Improvement Performance and Maintenance Security Agreement with Stoneridge Development, LTD., for completion of water and/or sewer improvements in Country Brook, situated in Clearcreek Township. Vote: Unanimous
- 02-1728 A resolution was adopted to approve Release of Subdivision Public Improvement Performance and Maintenance Security Agreement with Heartland LTD., for completion of water and/or sewer improvements in Willow Grove situated in Hamilton Township. Vote: Unanimous
- 02-1729 A resolution was adopted to approve Release of Subdivision Public Improvement Performance and Maintenance Security Agreement with Heartland, LTD., for water and/or sewer improvements in Hildebrant Circle, Phase II, situated in Hamilton Township. Vote: Unanimous
- 02-1730 A resolution was adopted to approve various Final Plats. Vote: Unanimous
- 02-1731 A resolution was adopted to approve Supplemental Appropriation Adjustment within Dog and Kennel Fund #206. Vote: Unanimous
- 02-1732 A resolution was adopted to approve Appropriation Adjustment from Garage Fund #101-1620-910 (other) into Fund #101-1620-856 (Clothing & Cleaning). Vote: Unanimous
- 02-1733 A resolution was adopted to approve an Appropriation Adjustment and an Operating Transfer within the Water Construction Projects Fund No. 583-3201. Vote: Unanimous
- 02-1734 A resolution was adopted to accept an Amended Certificate for Fund #280 Common Pleas Court Computers and Fund #281 Domestic Relations Court Computers and approve a Supplemental Appropriation into Fund #280 Common Pleas Court Computers. Vote: Unanimous

- 02-1735 A resolution was adopted to approve Appropriation Adjustments within MR/DD Fund #205 and Clerk of Courts Fund #101-1260. Vote: Unanimous
- 02-1736 A resolution was adopted to approve various Refunds. Vote: Unanimous
- 02-1737 A resolution was adopted to authorize payment of Bills. Vote: Unanimous
- 02-1738 A resolution was adopted to continue Public Hearing regarding the Rezoning application of David Reibold, agent to rezone approximately 140 acres in Turtlecreek Township from Rural Residence "R-1" to Rural Residence "R-1" as a Planned Unit Development on One and Two Family Residence "R-2" as a Planned Unit Development. Vote: Unanimous
- 02-1739 A resolution was adopted to enter into an Easement and Right-of-entry Agreement and Purchase Contract with Brian L. and Shanda Harris, Husband and Wife, 9395 Snider Road, Mason, Ohio 45040. Vote: Unanimous
- 02-1740 A resolution was adopted to approve Appropriation Adjustments within Engineer Fund #202. Vote: Unanimous
- 02-1741 A resolution was adopted to Schedule Viewing for the Vacation of a Portion of Overlook Drive in Deerfield Township and set November 7, 2002, as the date to determine whether to proceed with the proposed Vacation. Vote: Unanimous

DISCUSSIONS

PUBLIC HEARING

REZONING APPLICATION OF DAVID REIBOLD, AGENT TO REZONE APPROXIMATELY 140 ACRES IN TURTLECREEK TOWNSHIP FROM RURAL RESIDENCE "R-1" TO RURAL RESIDENCE "R-1" AS A PLANNED UNIT DEVELOPMENT AND ONE AND TWO FAMILY RESIDENCE "R-2" AS A PLANNED UNIT DEVELOPMENT

The public hearing to consider the rezoning application of David Reibold, agent to rezone approximately 140 acres in Turtlecreek Township from Rural Residence "R-1" to Rural Residence "R-1" as a planned unit development and One and Two Family Residence "R-2" as a planned unit development.

Commissioner Crisenbery opened the public hearing by reading aloud a letter from a representative of the area requesting the Board to continue the public hearing to a Thursday evening meeting when all the residents can be present.

Upon further discussion, the Board resolved (Resolution #02-1738) to continue the public hearing to November 14, 2002, at 6:00 p.m.

Jay Hamilton, Ohio Department of Transportation, was present along with the Hamilton Township Trustees and Clerk and Neil Tunison, County Engineer for a work session to discuss the State Route 48/US 22-3 Road Improvement Project.

Mr. Hamilton stated that the State of Ohio has committed to the project and it should go to bid in May, June or July, 2003.

The Board then discussed the extension of Grandin Road at State Route 22-3 along with the state of State Route 22-3 Road Widening within Deerfield Township as well as discussed the Butler-Warren/State Route 42 intersection improvements.

PUBLIC HEARING

CONSIDER THE VACATION OF A PORTION OF OVERLOOK DRIVE IN DEERFIELD TOWNSHIP

The public hearing to consider the vacation of a portion of Overlook Drive in Deerfield Township was convened this 29th day of October 2002, in the Commissioners Meeting Room.

Mrs. Kathy Grindstaff, 8493 South Drive, stated he had requested the Board to vacate the paper street in order for herself and the adjacent property owner to split the property 50/50.

Bruce McGary, Assistant Prosecutor, explained that Mr. and Mrs. Floyd, the other adjacent property owner, has hired an attorney and filed a complaint for quiet title against the County Commissioners.

Dave Batsche, Attorney for Mr. and Mrs. Floyd, stated that the suit is pending in the Warren County Common Pleas Court.

Mr. McGary discussed the procedural process with the Board and the way the vacation of a roadway should be handled verses the procedure that the Board has been followed previously.

Commissioner Kilburn questioned the adjacent property owner as to a compromise being worked out between the two neighbors.

Mr. and Mrs. Floyd stated they must receive ownership of the entire vacated roadway as their house sits on a portion of it and the remaining area is used as a driveway.

Upon further discussion, the Board resolved (Resolution #02-1741) to schedule viewing for the vacation of a portion of Overlook Drive in Deerfield Township and set November 7, 2002, as the date to determine whether to proceed with the proposed vacation.

Richard Sampson, Seico, Inc., was present to introduce himself and discuss his company.

Richard Renneker, Sanitary Engineer, was present along with William Schroeder, Warren County Park Board, to discuss the purchase of property for a park as well as a future well field.

Mr. Schroeder stated the land is located in Wayne Township and is adjacent to the existing Fultz Park.

Upon discussion, the Board agreed along with Mr. Renneker, to purchase the property out of water and sewer funds for future wells.

Richard Renneker, Sanitary Engineer, was present to discuss the Clover Avenue Sewer Project as well as the SSSI, Inc. late payment.

Upon discussion, the Board agreed to waive the late fees to SSSI, Inc. in Hamilton Township.

Dale Fry, property owner within Harlan Township, was present along with Dan Collins, Warren County Health Department to discuss a mold problem Mr. Fry is experiencing which has caused his family to vacate their house.

Mr. Fry stated his request to have the mobile home condemned so that no other family will have the health problems that his family has experienced due to mold.

Bruce McGary, Assistant Prosecutor, stated he does not know of any statute, which would allow them to condemn a mobile home.

Upon discussion, the Board directed Mr. McGary to research the law and find a way to condemn the property.

Upon motion the meeting was adjourned.

C. Michael Kilburn, President

Larry Crisenbery

Pat Arnold South

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 October 29, 2002, in compliance with Section 121.22 O.R.C.

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