



**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--June 12, 2003

The Board met in regular session pursuant to adjournment of the June 10, 2003, meeting.

C. Michael Kilburn - present Larry Crisenbery - present

Pat Arnold South - present Tina Davis, Clerk - present

- 03-825 A resolution was adopted to Authorize County Administrator to sign Letters of Understanding between Warren County Sheriff and the Warren County Deputy Sheriff's Benevolent Association for both Sworn and Non-Sworn Employees. Vote :Unanimous
- 03-826 A resolution was adopted to modify recommendation of The Warren County Rural Zoning Commission Relative to Amendments to Chapter 3 (Definitions), Chapter 6 (Rural Residence R-1 Zone) and Chapter 18 (Planned Unit Development "PUD" Regulations) of the Warren County Rural Zoning Code, as well as the proposed addition of a Chapter 6.5 (Single Family Residence R-1A Zone Regulations). Vote: Unanimous
- 03-827 A resolution was adopted to accept the Performance Measure Report of the Performance Team of the Butler-Warren Workforce Policy Board for Area Workforce Programs. Vote: Unanimous
- 03-828 A resolution was adopted to hire Amanda Harrison as Billing Clerk I within the Warren County Water and Sewer Department. Vote: Unanimous
- 03-829 A resolution was adopted to approve and authorize the President of this Board to

enter into Loan Agreement with Kevin and Peggy Zak and Anthony Morgan relative to the Warren County Homebuyer Assistance Program.

Vote: Unanimous

- 03-830 A resolution was adopted to approve and enter into a Software Maintenance Agreement with Maximus, Inc., for the QUIC and RMS Programs on behalf of the Warren County Department of Human Services. Vote: Unanimous
- 03-831 A resolution was adopted to approve and enter into Financial Agreement for Residential Services with Talbert House on behalf of the Warren County Juvenile Court. Vote: Unanimous
- 03-832 A resolution was adopted to approve and enter into Agreement with David Gill on behalf of the Warren County Juvenile Court for Mary Haven youth Center for the Summer School Program. Vote: Unanimous
- 03-833 A resolution was adopted to approve and enter into Agreement with Irvin Kenerly on behalf of the Warren County Juvenile Court for Mary Haven youth Center for the Summer School Program. Vote: Unanimous
- 03-834 A resolution was adopted to approve and enter into Agreement with Syndra Johnson on behalf of the Warren County Juvenile Court for Mary Haven youth Center for the Summer School Program. Vote: Unanimous
- 03-835 A resolution was adopted to approve Medical Services Agreement between this Board and Doctor's Urgent Care / Amcare Corporate Drug Testing for Employee Drug Testing and Medical Evaluation Services.
Vote: Mr. Kilburn - yea; Mrs. South - yea; Mr. Crisenbery - abstain
- 03-836 A resolution was adopted to determine the necessity to design, construct, maintain and operate a Sanitary Sewer in the Plainview Sewer Improvement Area, Warren County Sewer District, and direct the preparation of Tentative Assessments upon benefited properties. Vote: Unanimous
- 03-837 A resolution was adopted to Set Public Hearing for Rezoning Application Initiated by this Board to Rezone 131.6909 acres in Union Township from Rural Residence "R-1" to Solid Waste Disposal Transition "SDT" Zone.
Vote: Unanimous
- 03-838 A resolution was adopted to approve Release of Subdivision Public Improvement Performance and maintenance Security Agreement with Hills Land & Development Company for completion of water and/or sewer improvements in the Reserve at Heritage Pointe, Section One, situated in Deerfield Township.
Vote: Unanimous
- 03-839 A resolution was adopted to authorize payment of Bills. Vote: Unanimous

- 03-840 A resolution was adopted to enter into Street and Appurtenances Security Agreement with Mark Bedwell, for installation of certain improvements on Hamilton Road, situated in Turtlecreek Township. Vote: Unanimous
- 03-841 A resolution was adopted to enter into Street and Appurtenances Security Agreement with Kelchner Environmental, Inc., for installation of Storm Sewers in Indian Lake, Section 5 & 6, situated in Hamilton Township. Vote: Unanimous
- 03-842 A resolution was adopted to approve various Refunds. Vote: Unanimous
- 03-843 A resolution was adopted to approve Appropriation Decreases within Various Funds. Vote: Unanimous
- 03-844 A resolution was adopted to approve Appropriation Adjustment within Commissioners Fund #101-1112 and from Commissioners Fund #101-1110 into Sheriff's Office Fund #101-2200. Vote: Unanimous
- 03-845 A resolution was adopted to approve Expense Adjustments within the One-Stop Business and Employment Center Fund #258. Vote: Unanimous
- 03-846 A resolution was adopted to approve Appropriation Adjustments within Sheriff Fund #289, Treasurer Fund #101-1130, Solid Waste Fund #256 and Children Services Fund #273. Vote: Unanimous
- 03-847 A resolution was adopted to authorize payment of Bills.
Vote: Mrs. South - yea; Mr. Crisenbery - yea; Mr. Kilburn - abstain
- 03-848 A resolution was adopted to amend the Contract between the Warren County Commissioners on behalf of the Warren County Department of Human Services and the Warren County Educational Service Center. Vote: Unanimous

DISCUSSIONS

On motion, upon unanimous call of the roll, the Board entered into executive session at 4:17 p.m. to discuss personnel matters pursuant to Ohio Revised Code Section 121.22 (G) (1) and exited at 5:24 p.m.

PUBLIC HEARING

CONTINUATION OF THE PUBLIC HEARING TO CONSIDER AMENDMENTS TO THE
WARREN COUNTY RURAL ZONING CODE TO AMEND CHAPTER 3, CHAPTER 6,
CHAPTER 18, AND ADD CHAPTER 6.5 (R-1A REGULATIONS)

The public hearing to consider amendments to the Warren County Rural Zoning code relative to Chapter 3, Chapter 6, Chapter 18 and proposing to add Chapter 6.5 (R-1A Regulations) relative to an increase in lot sizes.

Robert Craig, Regional Planning Commission, presented the findings relative to his research on minimum acreage required for a planned unit development within surrounding governmental jurisdictions within Warren County. He also discussed the minimum acreage of 1.25 required by the Health Department for a private septic system.

The Board discussed the need and/or legality of placing a deed restriction for land within a dedicated subdivision designated as open space.

Mr. McGary, Assistant Prosecutor, stated he has never seen open space designated through a deed restriction but rather it is done through covenants and restrictions within a subdivision and recorded in the chain of title of the deed.

The Board discussed the possibility of adding language to the definition of open space to require that a declaration must be recorded in the chain of title in a form to be approved by Warren County.

Mr. Hunt, Attorney for the Homebuilders, stated that that language was in the proposed text amendment but was accidentally deleted by the Board of Commissioners at a previous public hearing.

David Reibold, Rhein Interests, presented a sketch of an example of how a detention basin could be used as active open space.

Katherine Hilker, Brewer Road resident, stated her objection of the thought of children playing in a wet area.

The Board discussion how the application of open space would be figured within a development (gross or net acreage).

Sam Fore, Hamilton Road resident, suggested the Board changing the proposed amendments to state a minimum lot size rather than a maximum dwelling units per acre within a cluster development.

David Wittiken, In-Kind Development, stated his concerns with the Board increasing the minimum lot size to .5 acre within a sewer development rather than the .42 recommended by the Rural Zoning Commission.

George Butts, Turtlecreek Township resident, stated that property owner rights need to take precedence over Commissioners' desires.

Mr. Hunt stated his opinion that the increase in lot sizes proposed by the Board is excessive. He stated that if approved, it will provide for urban sprawl. He then stated his opinion that no health or safety issue exists relative to the proposed amendments and therefore, the Board has no authority to approve a text amendment to the Zoning Code.

Bob Buffenbarger, Hamilton Road resident, stated the need to protect what land we have now and encouraged the Board to proceed with the amendments as initiated.

Upon further discussion, the Board resolved (Resolution #03-826) to approve a modification of the recommendations presented by the Rural Zoning Commission to the Warren County Rural Zoning Code.

Richard Renneker, Sanitary Engineer, was present along with representatives from the Village of Harveysburg to discuss the water debt owed to Warren County.

David Crisenbery, Mayor of Harveysburg, stated that, pursuant to a meeting with the State Auditor's Office, if the water debt is forgiven by the County, the Village will no longer be in fiscal emergency by next year.

Upon discussion, the Board stated they would review the legality of forgiving the water debt with the County Prosecutor.

Upon motion the meeting was adjourned.

Larry Crisenbery, President

C. Michael Kilburn

Pat Arnold South

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 June 12, 2003, in compliance with Section 121.22 O.R.C.

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