



**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--August 31, 2004**

The Board met in regular session pursuant to adjournment of the August 24, 2004, meeting.

Pat Arnold South - present                      Larry Crisenbery - present

C. Michael Kilburn - present                      Tina Davis, Clerk – present

Minutes of the July 29, 2004, August 3, 5, and 10, 2004, meetings were read and approved.

04-1295            A resolution was adopted to begin Thursday September 2, 2004, Commissioners' Meeting at 3:00 p.m.    Vote: Unanimous

04-1296            A resolution was adopted to approve Notices of Award for the FY2004 State Homeland Security Grant Program on behalf of the Warren County Department of Emergency Services.    Vote: Unanimous

04-1297            A resolution was adopted to declare various items within Emergency Management Department as surplus and authorize the disposal of said items.    Vote: Unanimous

04-1298            A resolution was adopted to authorize the Bank of New York Trust Company, N.A. to notify Bond Holders of the intent of the County of Warren, Ohio to redeem the outstanding Sewer Revenue Refunding Bonds, Series 1993 Warren County Sewer District and the Waterworks System Revenue Refunding Bonds, Series 1993, Warren County Water District.    Vote: Unanimous

04-1299            A resolution was adopted to approve Notice of Intent to Award Contract for the

State Route 741 Water Main and Fire Hydrant Relocation Project to the Armrel Byrnes Company. Vote: Unanimous

- 04-1300 A resolution was adopted to approve various Refunds. Vote: Unanimous
- 04-1301 A resolution was adopted to declare an emergency and waive competitive bidding process for emergency procurement of repairs to the East Street Building Roof. Vote: Unanimous
- 04-1302 A resolution was adopted to enter into Contract with Adelta Inc., for the FY03 City of Franklin Cedar Street CDBG Project. Vote: Unanimous
- 04-1303 A resolution was adopted to Advertise for Bids for the Plainview Acres Sanitary Sewer Improvement Project. Vote: Unanimous
- 04-1304 A resolution was adopted to set Date and Time to consider Petition for Change in Township Lines of 250-08 Acres, more or less, in Hamilton Township within the Village of South Lebanon to make them identical, in part, with the Limits of the Village of South Lebanon and add them to Union Township, Warren County, Ohio. Vote: Unanimous
- 04-1305 A resolution was adopted to enter into Agreement for Temporary Construction Easement from David W. and Melanie L. Strodman, Husband and Wife, 1800 Drake Road, Lebanon, Ohio for the Drake Road Improvement Project. Vote: Unanimous
- 04-1306 A resolution was adopted to enter into a Subdivision Public Improvement Performance and Maintenance Security Agreement with Great Midwest Development LLC., to install certain water and/or sanitary sewer improvements in the Renaissance, Section 2, situated in Franklin Township. Vote: Unanimous
- 04-1307 A resolution was adopted to enter into Erosion Control Bond Agreement with Summit Pointe Investors, LLC., for completion for certain improvements in Summit Pointe, Section 3, situated in Clearcreek Township. Vote: Unanimous
- 04-1308 A resolution was adopted to enter into a Subdivision Public Improvement Performance and Maintenance Security Agreement with Summit Pointe Investors, LLC., to install certain water and/or sanitary sewer improvements in Summit Pointe, Section 3, situated in Clearcreek Township. Vote: Unanimous
- 04-1309 A resolution was adopted to enter into Sidewalk Security Agreement with Summit Pointe Investors, LLC., for installation of certain improvements in Summit Pointe, Section 3, situated in Clearcreek Township. Vote: Unanimous
- 04-1310 A resolution was adopted to enter into Street and Appurtenances Security Agreement with Summit Pointe Investors, LLC., for installation of certain

improvements in Summit Pointe, Section 3, situated in Clearcreek Township.  
Vote: Unanimous

- 04-1311 A resolution was adopted to enter into Sidewalk Security Agreement with Grand Communities Ltd., for installation of certain improvements in Adena at Miami Bluffs, Section 3, situated in Hamilton Township. Vote: Unanimous
- 04-1312 A resolution was adopted to enter into a Subdivision Public Improvement Performance and Maintenance Security Agreement with Grand Communities, Ltd., to install certain water and/or sanitary sewer improvements in Adena at Miami Bluffs, Section 3, situated in Hamilton Township. Vote: Unanimous
- 04-1313 A resolution was adopted to approve following Record Plats. Vote: Unanimous
- 04-1314 A resolution was adopted to approve Appropriation Adjustment within the Warren County Court Fund #101-1280. Vote: Unanimous
- 04-1315 A resolution was adopted to approve Supplemental Appropriation within Construction Fund #467. Vote: Unanimous
- 04-1316 A resolution was adopted to approve Supplemental Appropriation within Construction Fund #467. Vote: Unanimous
- 04-1317 A resolution was adopted to approve Supplemental Appropriation within Construction Fund #467. Vote: Unanimous
- 04-1318 A resolution was adopted to approve Appropriation Adjustment within Dog and Kennel Fund #206. Vote: Unanimous
- 04-1319 A resolution was adopted to accept an Amended Certificate and approve a Supplemental Appropriation into Ohio Children Trust Fund #244.  
Vote: Unanimous
- 04-1320 A resolution was adopted to approve Appropriation Adjustments within Data Processing Fund #101-1400, Veteran's Fund #101-5220 and a Supplemental Appropriations into Emergency Services Fund #260. Vote: Unanimous
- 04-1321 A resolution was adopted to authorize payment of Bills. Vote: Unanimous
- 04-1322 A resolution was adopted to authorize the filing of Applications with the Ohio Department of Transportation for Grants Through the US DOT Federal Transit Administration (FTA), as authorized under Federal Transit Laws, as Codified, 49 USC Section 5311, Financial Assistance for other that urbanized areas and funds available from the Ohio Public Transportation Grant Program and Ohio Elderly and Disabled Transit Fare Assistance Program and Execute a Contract with the Ohio Department of Transportation upon Grant Application approval.

Vote: Unanimous

04-1323 A resolution was adopted to approve the Site Plan Review Application of Jack Nixon, Union Township. Vote: Unanimous

04-1324 A resolution was adopted to

04-1325 A resolution was adopted to Waive Site Plan Review Application Fee for Urbancrest Baptist Church in Turtlecreek Township. Vote: Unanimous

## DISCUSSIONS

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## PUBLIC HEARING

### CALENDAR YEAR 2005 TRANSIT OPERATING AND CAPITAL ASSISTANCE GRANT APPLICATION

The public hearing to consider the Calendar Year 2005 Transit operating and capital assistance grant was convened this 31<sup>st</sup> day of August 2004, in the Commissioners Meeting Room.

Jerry Haddix, Grants Coordinator, stated that the grant is requesting the purchase of one new mini van for the transit program. He stated that the local cash match for operating is estimated to be \$415,702, up from \$386,677 from the previous year due to an increase in fuel cost. He then stated that the capital purchase local share is estimated to be \$2350.00.

There being no one present to speak in favor of or in opposition to the grant application, the Board closed the public hearing and authorized the submittal of the 2005 transit operating and capital assistance grant application.

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Barry Sullivan, Zoning Supervisor, was present for the continuation of the site plan review application of Jack Nixon, Nixon Glass, on State Route 42 in Turtlecreek Township.

Mrs. South opened the meeting by stating the purpose of the continuation was to allow the property owners time to remove any zoning violations on the property.

Mr. Sullivan stated that he completed a site visit this morning and the property has been cleaned up to his satisfaction.

The Board thanked Mr. Nixon for his cooperation and quick action.

The Board then discussed the proposed brick façade on the front of the building and upon further discussion, the Board resolved (Resolution #04-1323) to approve the site plan review application subject to one condition.

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Jim Penell, Turtlecreek Township resident, was present to discuss his mission relative to the signs he is distributing stating his desire for “no more silk panty development”.

Mr. Penell stated he belief that God has a special purpose for this area and it should not be developed into residential subdivisions. He stated his desire for the current owners to honor their fathers’ (Ralph Stolle and Ellis Thompson) desire to not development the property for 100 years.

The Board explained that development is based on owners’ rights and zoning restrictions. They then explained that the development of the property is not within County Commissioners’ control.

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Neil Tunison, County Engineer, was present to discuss the proposed three way stop at Volkerding and Morrow-Rossburg Road in Harlan Township.

The Board stated their desire to view the area prior to approving a three way stop.

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Various township trustees were present along with the County Engineer, representatives from the County Auditor, Building Department and Soil and Water Conservation to discuss the creation of the stormwater management district and the financing of the district.

Mr. Tunison reviewed the PowerPoint presentation presented to the Board last week outlining the necessity of the program and the proposed funding source.

Mr. Kilburn exited the meeting at 2:30 p.m.

Mr. Tunison stated the proposed \$15.00 per year fee for property owners with Tier I (Clearcreek, Franklin, Hamilton, Turtlecreek and Union Township) which is the property within the US EPA Phase 2 NPDES area.

Mr. Tunison requested the Board to adopt legislation for the collection of fees within Tier I now and he stated his desire to have another work session to present written rules and regulations for the district prior to enforcement and collection of fees within the Tier 2 area (Harlan, Massie, Salem, Washington and Wayne Township).

Upon further discussion, the Board resolved to create reasonable rates and charges for Warren County Storm Water Management District No. 1 (Tier I) and levy a \$15.00 charge to property owners within said district.

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Upon motion the meeting was adjourned.

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Pat Arnold South, President

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C. Michael Kilburn

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Larry Crisenbery

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 August 31, 2004, in compliance with Section 121.22 O.R.C.

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