



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

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C. MICHAEL KILBURN

PAT ARNOLD SOUTH

DAVID G. YOUNG

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

MINUTES: Regular Session--February 22, 2005

The Board met in regular session pursuant to adjournment of the February 17, 2005, meeting.

Pat Arnold South - present David G. Young - present

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

Minutes of the February 15, 2005, meeting were read and approved.

05-241 A resolution was adopted to close Public Hearing #1 relative to the proposed increases in fees within the Building and Zoning Department and set Public Hearing #2 for March 15, 2005, at 11:00 a.m. Vote: Unanimous

05-242 A resolution was adopted to Advertise for Bids for the Renovations for a New Habilitation Center Project.
Vote: Mr. Young – yea; Mrs. South – yea; Mr. Kilburn - absent

05-243 A resolution was adopted to accept and approve the Fact Finders recommendations for Five Bargaining Units within the Warren County Sheriff's Office. Vote: Mr. Young – yea; Mrs. South – yea; Mr. Kilburn - absent

05-244 A resolution was adopted to Temporarily Terminate Bi-Monthly Sewer Billing to 5270 Montgomery Avenue in the Carlisle Sewer Improvement Area.
Vote: Mr. Young – yea; Mrs. South – yea; Mr. Kilburn - absent

- 05-245 A resolution was adopted to declare various items within Children Services Department as surplus and authorize the disposal of said items.
Vote: Mr. Young – yea; Mrs. South – yea; Mr. Kilburn - absent
- 05-246 A resolution was adopted to approve Lease Agreement with Warren County Adult New Readers.
Vote: Mr. Young – yea; Mrs. South – yea; Mr. Kilburn - absent
- 05-247 A resolution was adopted to approve and authorize the Board to enter into a Youth Money Management Training Agreement on behalf of the Warren County One-Stop Business and Employment Center.
Vote: Mr. Young – yea; Mrs. South – yea; Mr. Kilburn - absent
- 05-248 A resolution was adopted to approve various Refunds.
Vote: Mr. Young – yea; Mrs. South – yea; Mr. Kilburn - absent
- 05-249 A resolution was adopted to enter into Erosion Control Bond Agreement with Hills Land & Development Company for completion of improvements in Northgate Estates, situated in Deerfield Township.
Vote: Mr. Young – yea; Mrs. South – yea; Mr. Kilburn - absent
- 05-250 A resolution was adopted to enter into a Subdivision Public Improvement Performance and Maintenance Security Agreement with Hills Land & Development Company to install certain water and/or sanitary sewer improvements in Northgate Estates situated in Deerfield Township.
Vote: Mr. Young – yea; Mrs. South – yea; Mr. Kilburn - absent
- 05-251 A resolution was adopted to enter into Sidewalk Security Agreement with Hills Land & Development Company, for installation of certain improvements in Northgate Estates, situated in Deerfield Township.
Vote: Mr. Young – yea; Mrs. South – yea; Mr. Kilburn - absent
- 05-252 A resolution was adopted to enter into Street and Appurtenances Security Agreement with Hills Land & Development Company for installation of certain improvements in Northgate Estates situated in Deerfield Township.
Vote: Mr. Young – yea; Mrs. South – yea; Mr. Kilburn - absent
- 05-253 A resolution was adopted to approve following Record Plats.
Vote: Mr. Young – yea; Mrs. South – yea; Mr. Kilburn - absent
- 05-254 A resolution was adopted to approve Appropriation Adjustment from Commissioners Fund #101-1110 into Sheriff's Fund #101-2210.
Vote: Mr. Young – yea; Mrs. South – yea; Mr. Kilburn - absent

- 05-255 A resolution was adopted to approve Appropriation Adjustment within Commissioners Fund #101-1110.
Vote: Mr. Young – yea; Mrs. South – yea; Mr. Kilburn - absent
- 05-256 A resolution was adopted to approve Supplemental Appropriation within Construction Fund #467.
Vote: Mr. Young – yea; Mrs. South – yea; Mr. Kilburn - absent
- 05-257 A resolution was adopted to approve Appropriation Adjustment within Engineer Fund #202. Vote: Mr. Young – yea; Mrs. South – yea; Mr. Kilburn - absent
- 05-258 A resolution was adopted to authorize payment of Bills.
Vote: Mr. Young – yea; Mrs. South – yea; Mr. Kilburn - absent
- 05-259 A resolution was adopted to approve Fee Increases within the Erosion and Sediment Control Regulations. Vote: Unanimous

DISCUSSIONS

On motion, upon unanimous call of the roll, the Board entered into executive session at 9:32 a.m. to discuss union negotiations pursuant to Ohio Revised Code Section 121.22 (G)(4) and exited at 10:40 a.m.

Commissioner Kilburn entered the meeting at 10:45 a.m.

The Board conducted a work session with Neil Tunison, County Engineer, Jerry Spurling, Chief Building Official, Robert Craig, Regional Planning Commission, Richard Renneker, Sanitary Engineer, Dave McElroy, Soil and Water Conservation District and Bruce McGary, Chief Assistant Prosecutor, to discuss the requirement of as-built drawings from consulting engineers on residential subdivisions.

Mr. Tunison presented information from a work session he had with effected department heads and reviewed the outcome with the work session to recommend modifying the bond agreement to retain \$500 per lot to ensure compliance with the approved grading plan. He suggested the Board not release the total bond until the submittal of approval of an as-built survey.

There was discussion relative to requiring the additional bonding.

Upon much discussion, the Board determined to not require the additional bonding as they feel that “after the fact” drainage issues are a civil matter and not a governmental function.

There was discussion relative to the update on proposed impact fees.

Commissioner South stated she has spoken with Representative Michelle Schneider who stated that the Governor has requested a copy of the draft legislation authorizing the assessment and collection of impact fees.

PUBLIC HEARING

PROPOSED FEE INCREASES WITHIN THE BUILDING AND ZONING DEPARTMENT

The public hearing to consider proposed fee increases within the Building and Zoning Department was convened this 22nd day of February 2005 in the Commissioners’ Meeting Room.

Jerry Spurling, Chief Building Official, reviewed the proposed increased fees compared to the existing fees.

Russ Gentry, Harlan Township resident, questioned why the County couldn’t raise the fees to the highest possible amount in order to slow the growth.

Commissioner Kilburn stated his understanding that the fees must be justified by the cost of providing the service.

Mr. Gentry again stated his desire to raise the fee to the highest possible amount to use it as a hidden impact fee.

Bruce McGary, Chief Assistant Prosecutor, stated that the Board cannot base the fee on rational of a comparison, they must do a breakdown of cost, based on the cost to provide the service.

Upon further discussion, the Board closed the public hearing and set a second public hearing for March 15, 2005, at 11:00 a.m.

PUBLIC HEARING

CONSIDER INCREASES IN FEES WITHIN THE EROSION AND SEDIMENT CONTROL
REGULATIONS

The public hearing to consider increases in fees within the Erosion and Sediment Control Regulations was convened this 22nd day of February 2005 in the Commissioners' Meeting Room.

Dave McElroy, Soil and Water Conservation District, reviewed the proposed fee structure and requested the Board adopt the increases effective immediately.

Upon further discussion, the Board resolved (Resolution #05-259) to approve the fee increases effective immediately.

They then requested Mr. McGary, Chief Assistant Prosecutor, to review the law to ensure that the fees may become effective immediately.

On motion, upon unanimous call of the roll, the Board entered into executive session at 1:30 p.m. to discuss personnel matters pursuant to Ohio Revised Code Section 121.22(G)(1) and exited at 2:31 p.m.

Richard Renneker, Sanitary Engineer, was present for a work session and discussed the following issues:

- Plainview Sanitary Sewer Project—the project will cost each home approximately \$11,016.00. Mr. Renneker stated the policy of the Board that an assessment will not be levied in such a high amount without a unanimous vote of the property owners. The Board requested Mr. Renneker to contact Butler County to inquire if they would be willing to lower the connection fees. Mr. Renneker stated he would ask the question and follow-up with the Board at a later date.

- Village of Corwin Sanitary Sewer System—Mr. Renneker discussed Warren County taking over the sanitary sewer system within the Village of Corwin and stated his recommendation to take over the system.

Commissioner Kilburn exited the meeting at 2:53 p.m.

Michael Virelli, MR/DD Superintendent, was present along with Pete Mason to give an update on the renovation of the Warren C. Young Center (formally the Old Urbancrest Baptist Church) in Turtlecreek Township.

Upon motion the meeting was adjourned.

Pat Arnold South, President

C. Michael Kilburn

David G. Young

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 February 22, 2005, in compliance with Section 121.22 O.R.C.

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