



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

406 Justice Drive, Lebanon, Ohio 45036

www.co.warren.oh.us

commissioners@co.warren.oh.us

*Telephone (513) 695-1250
(513) 261-1250
(513) 925-1250
(937) 425-1250
Facsimile (513) 695-2054*

**C. MICHAEL KILBURN
PAT ARNOLD SOUTH
DAVID G. YOUNG**

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

MINUTES: Regular Session – October 24, 2006

The Board met in regular session pursuant to adjournment of the October 17, 2006, meeting.

C. Michael Kilburn - present

Pat Arnold South - present

David G. Young - present

Tina Davis, Clerk – present

- 06-1785 A resolution was adopted to continue Public Hearing to consider Amendments to the Warren County Erosion and Sediment Control Regulations.
Vote: Unanimous
- 06-1786 A resolution was adopted to Amend the Vision Coverage of the Warren County Employee Health Care Plan to allow for one lifetime benefit for multi-focal lens implant procedure following cataract surgery or the first of a Lasik Procedure.
Vote: Mrs. South – yea; Mr. Young – yea; Mr. Kilburn - absent
- 06-1787 A resolution was adopted to designate Family and Medical Leave of Absence to Karen Sears, Emergency Communications Officer, within the Emergency Services Department.
Vote: Mrs. South – yea; Mr. Young – yea; Mr. Kilburn - absent
- 06-1788 A resolution was adopted to designate Family and Medical Leave of Absence to Jessie Madden, Emergency Communications Officer, within the Emergency Services Department.
Vote: Mrs. South – yea; Mr. Young – yea; Mr. Kilburn - absent

- 06-1789 A resolution was adopted to accept Resignation Due to Retirement of Lynn Reiss, Eligibility Referral Specialist II, within the Warren County Human Services Department, effective December 31, 2006.
Vote: Mrs. South – yea; Mr. Young – yea; Mr. Kilburn - absent
- 06-1790 A resolution was adopted to declare various items within Drug Task Force as surplus and authorize the disposal of said items.
Vote: Mrs. South – yea; Mr. Young – yea; Mr. Kilburn - absent
- 06-1791 A resolution was adopted to approve and enter into agreement with BI Incorporated. Vote: Mrs. South – yea; Mr. Young – yea; Mr. Kilburn - absent
- 06-1792 A resolution was adopted to Order for Annexation of 78.1 acres to the City of Springboro, Elmer Dudas, Agent, pursuant to Ohio Revised Code Section 709.022 [a.k.a. Expedited Type 1 Annexation].
Vote: Mrs. South – yea; Mr. Young – yea; Mr. Kilburn - absent
- 06-1793 A resolution was adopted to Waive Fees associated with the Construction of a Storage Building for the Harlan Township Trustees.
Vote: Mrs. South – yea; Mr. Young – yea; Mr. Kilburn - absent
- 06-1794 A resolution was adopted to approve a Subordination Agreement with Bernie and Lenora Tipton and authorize the President of this Board to sign documents relative thereto. Vote: Mrs. South – yea; Mr. Young – yea; Mr. Kilburn - absent
- 06-1795 A resolution was adopted to approve and authorize the President of this Board to sign a Subordination Agreement for David Watson.
Vote: Mrs. South – yea; Mr. Young – yea; Mr. Kilburn - absent
- 06-1796 A resolution was adopted to approve and authorize the President of this Board to sign a Subgrant Award on behalf of the Warren County Juvenile Court and Mary Haven Youth Center.
Vote: Mrs. South – yea; Mr. Young – yea; Mr. Kilburn - absent
- 06-1797 A resolution was adopted to approve and authorize Amendment #1 for Fiscal Year 2007 Ohio Department of Youth Services Juvenile Court Program on behalf of the Warren County Juvenile Court.
Vote: Mrs. South – yea; Mr. Young – yea; Mr. Kilburn - absent
- 06-1798 A resolution was adopted to approve a Subdivision Public Improvement Performance and Maintenance Security Agreement Reduction with Turning Leaf, LLC for Turning Leaf, Section 5, in Hamilton Township.
Vote: Mrs. South – yea; Mr. Young – yea; Mr. Kilburn - absent

- 06-1799 A resolution was adopted to approve Bond Release for Robert Properties for completion of improvements in Morgan's Run situated in Harlan Township.
Vote: Mrs. South – yea; Mr. Young – yea; Mr. Kilburn - absent
- 06-1800 A resolution was adopted to approve Bond Release for HDC V, LLC for completion of improvements in Amelia Estates situated in Franklin Township.
Vote: Mrs. South – yea; Mr. Young – yea; Mr. Kilburn - absent
- 06-1801 A resolution was adopted to approve Bond Release for Hines-Griffin Joint Venture, PLL for completion of improvements in the Woods, Section One, situated in Deerfield Township.
Vote: Mrs. South – yea; Mr. Young – yea; Mr. Kilburn - absent
- 06-1802 A resolution was adopted to enter into Street and Appurtenances Security Agreement with Shaker Run Investment Company LLC for installation of certain improvements of Greentree Road associated with the Shaker Run Subdivision, situated in Turtlecreek Township.
Vote: Mrs. South – yea; Mr. Young – yea; Mr. Kilburn - absent
- 06-1803 A resolution was adopted to approve the following Record Plats.
Vote: Mrs. South – yea; Mr. Young – yea; Mr. Kilburn - absent
- 06-1804 A resolution was adopted to approve various Refunds.
Vote: Mrs. South – yea; Mr. Young – yea; Mr. Kilburn - absent
- 06-1805 A resolution was adopted to accept Amended Certificate and approve Supplemental Appropriation within the Warren County Human Services Fund #203. Vote: Mrs. South – yea; Mr. Young – yea; Mr. Kilburn - absent
- 06-1806 A resolution was adopted to approve Supplemental Appropriation within Commissioners Fund #101-1112 and Operational Transfers from Commissioners Fund #101-1112 into Water and Sewer Funds #510 and #580.
Vote: Mrs. South – yea; Mr. Young – yea; Mr. Kilburn - absent
- 06-1807 A resolution was adopted to approve Supplemental Appropriation within the Warren County Human Services Fund #203.
Vote: Mrs. South – yea; Mr. Young – yea; Mr. Kilburn - absent
- 06-1808 A resolution was adopted to approve Supplemental Appropriation into Health Insurance Fund #632.
Vote: Mrs. South – yea; Mr. Young – yea; Mr. Kilburn - absent
- 06-1809 A resolution was adopted to approve Supplemental Appropriations within Sheriff's Office Fund #630 and Probate/Juvenile Fund #270.
Vote: Mrs. South – yea; Mr. Young – yea; Mr. Kilburn - absent

- 06-1810 A resolution was adopted to approve Appropriation Adjustment within OMB Fund #101-1115. Vote: Mrs. South – yea; Mr. Young – yea; Mr. Kilburn - absent
- 06-1811 A resolution was adopted to approve Appropriation Adjustment from County Commissioners' Fund #101-1110 into Garage Fund #101-1620. Vote: Mrs. South – yea; Mr. Young – yea; Mr. Kilburn - absent
- 06-1812 A resolution was adopted to approve an Appropriation Adjustment within the Water Revenue Fund No. 510. Vote: Mrs. South – yea; Mr. Young – yea; Mr. Kilburn - absent
- 06-1813 A resolution was adopted to approve Appropriation Adjustments within Economic Development Fund #101-1116. Vote: Mrs. South – yea; Mr. Young – yea; Mr. Kilburn - absent
- 06-1814 A resolution was adopted to approve Appropriation Adjustment within Fund #101-1600. Vote: Mrs. South – yea; Mr. Young – yea; Mr. Kilburn - absent
- 06-1815 A resolution was adopted to approve Appropriation Adjustments within Engineer's Office Fund #202 and Building / Zoning Fund #101-2300. Vote: Mrs. South – yea; Mr. Young – yea; Mr. Kilburn - absent
- 06-1816 A resolution was adopted to approve Appropriation Adjustments within Human Services Fund #203. Vote: Mrs. South – yea; Mr. Young – yea; Mr. Kilburn - absent
- 06-1817 A resolution was adopted to approve Appropriation Adjustments within Sheriff's Office Funds #101-2210, #101-2211, #630-2251 and #287-2200. Vote: Mrs. South – yea; Mr. Young – yea; Mr. Kilburn - absent
- 06-1818 A resolution was adopted to approve Operational Transfers from MR/DD Fund #205 to #635 and MR/DD Fund #205 to #204. Vote: Mrs. South – yea; Mr. Young – yea; Mr. Kilburn - absent
- 06-1819 A resolution was adopted to authorize payment of Bills. Vote: Mrs. South – yea; Mr. Young – yea; Mr. Kilburn - absent

DISCUSSIONS

Joyce Ehlert, Franklin Historical Society, was present to thank the Board for Community Development Block Grant funds which they utilized to renovate the Franklin Log Post Office and presented to the Board and the Office of Grants Administration a plaque to commemorate same.

PUBLIC HEARING #2

AMENDMENTS TO THE WARREN COUNTY EROSION AND SEDIMENT CONTROL
REGULATIONS

The second public hearing to consider amendments to the Warren County Erosion and Sediment Control Regulations was convened this 24th day of October 2006, in the Commissioners' Meeting Room.

Commissioner Kilburn opened the hearing by reviewing the events from the first public hearing.

Dave McElroy, Soil and Water Conservation District, stated that they have formed a committee as the Board had previously requested to address lot grading issues. He then stated they have the next meeting scheduled for Friday, November 27, 2006, at 9:00 a.m. in the County Engineer's Office if the Board desires to attend.

Commissioner Young stated his desire for a unified policy on erosion and stormwater management.

Mr. McElroy stated they are looking at an inspection policy to ensure that final grades comply with the plan either via certification by a private engineer or through inspection by a county employee.

Upon further discussion, the Board resolved (Resolution #06-1785) to continue the public hearing to November 14, 2006, at 11:00 a.m.

Rachel Hutzler, Prosecutor, was present along with various departments including representatives from Children Services, Human Services, Educational Services, Juvenile Court, MR/DD, Mental Health and representatives from Care House (Dayton Children's Hospital) to discuss the need and desire for a Children's Advocacy Center in Warren County.

Commissioner Kilburn exited the meeting at 11:54 a.m.

On motion, upon unanimous call of the roll, the Board accepted and approved the consent agenda.

Patti Jacobs, Children Services Executive Director, was present to discuss the Warren County Community Initiative – Project Farm House.

Ms. Jacobs reviewed the proposal of a private individual to complete renovations to the old farm house at the race track.

Kimm Coyner, Economic Development, was present for a work session to discuss a port authority being created in Warren County.

Don Motley, attorney with Taft Stettenius, explained that a port authority is most commonly used as a financing tool that can be used to enhance economic development.

Commissioner Young stated his desire for the port authority to be used to help, when needed, encourage economic development in Warren County. He stated he does not want nor desire the port authority to be a quasi-judicial Board who can arbitrarily do whatever they choose. He then stated his desire for this service to be put in place now and to only be used if necessary to

provide added incentives for companies to locate in Warren County due to the personal property tax being eliminated for businesses.

Mr. Motley stated that the Board of Commissioners has the ability to limit the powers of a port authority. He stated that the BOCC establishes the compensation, can limit eminent domain powers, and limit ability to issue revenue bond debt. He stated that a port authority cannot issue general obligation debt without a vote of the electorate. He then stated that Warren County can create a port authority for all of Warren County except the City of Mason as one already exists there. He recommended to the BOCC that seven members be appointed to the port authority board of trustees.

The Board stated their desire to not allow the port authority any eminent domain powers.

Upon discussion, the Board requested Mr. Motley to write the legislation to create the port authority and limit the powers of the authority as stated previously.

Upon motion the meeting was adjourned.

C. Michael Kilburn, President

David G. Young

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 October 24, 2006, in compliance with Section 121.22 O.R.C.

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