



**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 – May 18, 2010

The Board met in regular session pursuant to adjournment of the May 11, 2010, meeting.

David G. Young - absent

Pat Arnold South - present

C. Michael Kilburn - present

Tina Davis, Clerk - present

- 10-0680 A resolution was adopted to designate Family and Medical Leave of Absence to Tina Powell, Cashier/Receptionist, within the Water and Sewer Department. Vote: Unanimous
- 10-0681 A resolution was adopted to accept Resignation of Amy Cooke, Part-time Customer Advocate I, within Warren County Workforce One, effective May 21, 2010. Vote: Unanimous
- 10-0682 A resolution was adopted to Appoint Martin Russell, Acting Director of Economic Development as Alternate to David G. Young on the Ohio Kentucky Indiana Regional council of Governments. Vote: Unanimous
- 10-0683 A resolution was adopted for Reappointment of Warren County Member to the Area 12 Workforce Investment Board. Vote: Unanimous
- 10-0684 A resolution was adopted to declare an emergency and waive competitive bidding process for immediate replacement of the Fujitsu Split Unit Air Cooling Device within the Telecommunications Center at Common Pleas Court Building. Vote: Unanimous

- 10-0685 A resolution was adopted to enter into a Temporary Entrance and Work Agreement with Avnish and Urvi Patel for the Dry Run Road Bridge Replacement Project. Vote: Unanimous
- 10-0686 A resolution was adopted to approve various Refunds. Vote: Unanimous
- 10-0687 A resolution was adopted to Advertise for Request for Qualifications and Proposals for Professional Health Care and Behavioral Health Care Services for the Warren County Jail and the Warren County Juvenile Justice Facility (i.e. Juvenile Detention and Mary Haven Youth Treatment Center). Vote: Unanimous
- 10-0688 A resolution was adopted to Set Public Hearing to consider the Road Name Change of a portion of Irwin Simpson Road to Deerfield Boulevard in Deerfield Township. Vote: Unanimous
- 10-0689 A resolution was adopted to accept the Drug and Alcohol Testing Policy of MV Transportation, Inc. as Operators of the Warren County Transit Service. Vote: Unanimous
- 10-0690 A resolution was adopted to acknowledge payment of Bills. Vote: Unanimous
- 10-0691 A resolution was adopted to affirm "Then and Now" requests pursuant to Ohio Revised Code 5705.41(d) (1). Vote: Unanimous
- 10-0692 A resolution was adopted to enter into Erosion Control Bond Agreement with Bridgestone Retail Operations, LLC (Developer) for improvements Arbor Square Block E Lot 37 situated in Deerfield Township. Vote: Unanimous
- 10-0693 A resolution was adopted to approve a Subdivision Public Improvement Performance and Maintenance Security Agreement Release Fornshell Properties Ltd for Dover's Run Section 2 in Clearcreek Township. Vote: Unanimous
- 10-0694 A resolution was adopted to approve a Subdivision Public Improvement Performance and Maintenance Security Agreement Release SM&R Thirteen, LLC for Rivers Edge in Hamilton Township. Vote: Unanimous
- 10-0695 A resolution was adopted to approve a Subdivision Public Improvement Performance and Maintenance Security Agreement Release Bello Homes, LLC for Estates at Bello Vista Sections 1 & 2 in Clearcreek Township. Vote: Unanimous
- 10-0696 A resolution was adopted to approve a Subdivision Public Improvement Performance and Maintenance Security Agreement Release Earnest L. Wilson for Magnolia Trails - Section 2 in Turtlecreek Township. Vote: Unanimous

- 10-0697 A resolution was adopted to approve Lighthouse Way in Nantucket Subdivision, Phase 1 for Public Maintenance by Deerfield Township. Vote: Unanimous
- 10-0698 A resolution was adopted to approve Appropriation Decreases within various Funds. Vote: Unanimous
- 10-0699 A resolution was adopted to approve Supplemental Appropriation into the Workforce Investment Act Fund #258. Vote: Unanimous
- 10-0700 A resolution was adopted to approve Supplemental Appropriations into the Certificate of Title Administration Fund #250. Vote: Unanimous
- 10-0701 A resolution was adopted to approve Appropriation Adjustments within the Sewer Revenue Fund No. 580. Vote: Unanimous
- 10-0702 A resolution was adopted to approve Appropriation Adjustment within Common Pleas Probation Fund #101-1223. Vote: Unanimous
- 10-0703 A resolution was adopted to approve Appropriation Adjustment within Motor Vehicle Fund #202. Vote: Unanimous
- 10-0704 A resolution was adopted to authorize payment of Bills. Vote: Unanimous
- 10-0705 A resolution was adopted for confirmation that the Warren County Board of County Commissioners has authority over Water Utilities at the Project Site (Atrium Commons) which is the subject of the City of Middletown Job Ready Sites Grant Application. Vote: Unanimous
- 10-0706 A resolution was adopted to Confirmation that the Warren County Board of County Commissioners has authority over Water Utilities at the Project Site (North Pointe Technical & Research Centre) which is the subject of the City of Middletown Job ready sites Grant Application. Vote: Unanimous
- 10-0707 A resolution was adopted to approve Amendments to the Warren County Subdivision Regulations. Vote: Unanimous
- 10-0708 A resolution was adopted to approve Appropriation Adjustment from Commissioners Fund #101-1110 into Economic Development Fund #101-1116. Vote: Unanimous
- 10-0709 A resolution was adopted to Cancel Regularly Scheduled Commissioners' Meeting of Thursday, May 20, 2010. Vote: Unanimous

DISCUSSIONS

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

Mike Yetter, Zoning Supervisor, was present to discuss the request of Camp Joy in Washington Township to construct a bicycle storage shed (16' x 24') at the location that has an approved site plan for a five car garage. He stated that the storage shed would be in lieu of the garage.

Upon discussion, the Board stated their approval of the request and stated they would consider adoption of an approval resolution at the next meeting.

PUBLIC HEARING

CONSIDER AMENDMENTS TO THE WARREN COUNTY SUBDIVISION REGULATIONS

The public hearing to consider amendments to the Warren County Subdivision Regulations was convened this 18th day of May 2010, in the Commissioners' Meeting Room.

Kim Lapensee, Executive Director of the Regional Planning Commission, stated that the Executive Committee has approved the presented regulations. She then stated that the proposed regulations are mostly clean-up language to the previous ones but stated there are also some actual changes in the regulations.

They then reviewed the proposed changes section by section.

There was extensive discussion relative to the active subdivision definition, the requirement of minimum basement elevations on specific subdivision and the number proposal to dictate the minimum number of lots that would be required to plat each section of a subdivision rather than just the first section.

Bob Weineke, representative of the Ohio Valley Development Council of the Cincinnati Homebuilders Association, stated that they have worked with the RPC staff to compromise on revisions but there are concerns with two items in the regulations.

Mr. Weineke stated that the RPC Executive Committee made changes to the staff recommendation to determine the required number of lots within the first platted section of a subdivision on an individual basis. He stated that the Executive Committee determined that a specific number would be required for each section. He then stated that the number of lots within each section of a subdivision should be determined by the economic outlook as well as other factors and not be dictated by the Subdivision Regulations.

Upon discussion, the Board agreed with the RPC staff recommended language.

There was then discussion relative to the open space requirements.

Betsy Kelly, Cincinnati Homebuilders Association, stated the HBA opinion that open space requirements should not be addressed in the Subdivision Regulations but rather a matter that should be dictated through zoning.

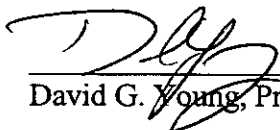
The Board questioned if the RPC has received a legal opinion relative to this issue.

Mrs. Lapensee stated they do have a legal opinion from the Prosecutor's Office that concurs with the Homebuilders opinion.

Upon discussion, the Board stated their desire to remove the open space requirement from the regulations based upon legal opinion that it is a matter of zoning. They also confirmed that this item is being addressed in the zoning re-write legislation.

Upon further discussion, the Board resolved (Resolution #10-0707) to approve amendments to the Warren County Subdivision Regulations.

Upon motion the meeting was adjourned.



David G. Young, President

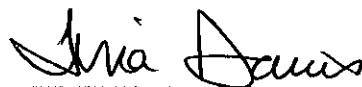


Pat Arnold South



C. Michael Kilburn

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 May 18, 2010, in compliance with Section 121.22 O.R.C.

A handwritten signature in cursive script, appearing to read "Tina Davis", is written above a horizontal line.

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