



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

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***TOM GROSSMANN
PAT ARNOLD SOUTH
DAVID G. YOUNG***

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

MINUTES: Regular Session – August 30, 2016

The Board met in regular session pursuant to adjournment of the August 23, 2016, meeting.

David G. Young – present

Pat Arnold South – present

Tom Grossmann – present

Tina Osborne, Clerk – present

Minutes of the August 23, 2016, meeting were read and approved.

- 16-1350 A resolution was adopted to hire Makenna Calvert as an Administrative Clerk within the Warren County Building and Zoning Department. Vote: Mrs. South-yea, Mr. Young-yea, Mr. Grossman-absent
- 16-1351 A resolution was adopted to authorize the posting of the “Application Analyst II” position within the Telecommunications Department, in accordance with Warren County Personnel Policy Manual, Section 2.02(a). Vote: Mrs. South-yea, Mr. Young-yea, Mr. Grossman-absent
- 16-1352 A resolution was adopted to authorize the posting of the “Emergency Communications LEADS/Training Coordinator” position, within the Emergency Services Department, in accordance with Warren County Personnel Policy Manual, Section 2.02(a). Vote: Mrs. South-yea, Mr. Young-yea, Mr. Grossman-absent
- 16-1353 A resolution was adopted to accept resignation of Amanda Miller, Emergency Communications Call Taker, within the Warren County Emergency Services Department, effective August 21, 2016. Vote: Mrs. South-yea, Mr. Young-yea, Mr. Grossman-absent

- 16-1354 A resolution was adopted to designate Family and Medical Leave of Absence to Lauren Cavanaugh, Director, within the Warren County Job and Family Services Department, Human Services Division. Vote: Mrs. South-yea, Mr. Young-yea, Mr. Grossman-absent
- 16-1355 A resolution was adopted to designate Family and Medical Leave of Absence to April Kennard, Emergency Communications Operator, within the Department Emergency Services. Vote: Mrs. South-yea, Mr. Young-yea, Mr. Grossman-absent
- 16-1356 A resolution was adopted to designate Tiffany Zindel, County Administrator, as alternate to Pat Arnold South and Tom Grossmann on the Warren County Regional Planning Commission Executive Committee. Vote: Mrs. South-yea, Mr. Young-yea, Mr. Grossman-absent
- 16-1357 A resolution was adopted to approve and enter into a Service Agreement with First Choice Coffee Services. Vote: Mrs. South-yea, Mr. Young-yea, Mr. Grossman-absent
- 16-1358 A resolution was adopted to enter into contract with Barrett Paving Materials Inc. for the Fields Ertel Road and Columbia Road/Lebanon Road Roundabout Project. Vote: Mrs. South-yea, Mr. Young-yea, Mr. Grossman-absent
- 16-1359 A resolution was adopted to approve emergency repair of the Programmable Logic Controls (PLC) at the North Well Field. Vote: Mrs. South-yea, Mr. Young-yea, Mr. Grossman-absent
- 16-1360 A resolution was adopted to declare an emergency and waive competitive bidding for the immediate replacement of the compressor on the condenser unit at the County Jail. Vote: Mrs. South-yea, Mr. Young-yea, Mr. Grossman-absent
- 16-1361 A resolution was adopted to authorize President of Board to sign the task completion reports between TriTech Software Systems and Warren County Telecommunications. Vote: Mrs. South-yea, Mr. Young-yea, Mr. Grossman-absent
- 16-1362 A resolution was adopted to amend the contract between the Warren County Commissioners and Language Line Services on behalf of the Warren County Department of Human Services. Vote: Mrs. South-yea, Mr. Young-yea, Mr. Grossman-absent
- 16-1363 A resolution was adopted to approve and authorize the President and/or Vice President of this Board to enter into a Cooperation Agreement with the Village of South Lebanon relative to the FY 2016 Community Development Block Grant Program. Vote: Mrs. South-yea, Mr. Young-yea, Mr. Grossman-absent

- 16-1364 A resolution was adopted to approve and authorize the County Administrator to execute on behalf of the Board, as co-sponsor, a U.S Department of Transportation Federal Aviation Administration Grant (date of offer August 18, 2016) for reimbursement of eligible costs and expenses paid as part of an approved Airport Improvement Project at the Warren County/John Lane Field Airport. Vote: Mrs. South-yea, Mr. Young-yea, Mr. Grossman-absent
- 16-1365 A resolution was adopted to approve certification of delinquent Water and/or Sewer Accounts – Warren County Water and Sewer Department. Vote: Mrs. South-yea, Mr. Young-yea, Mr. Grossman-absent
- 16-1366 A resolution was adopted to authorize Paul Kindell, Director of Telecommunications, to sign Letter of Agency relative to Indigital Telecom relative to Next Generation 9-1-1 Services. Vote: Mrs. South-yea, Mr. Young-yea, Mr. Grossman-absent
- 16-1367 A resolution was adopted to acknowledge payment of bills. Vote: Mrs. South-yea, Mr. Young-yea, Mr. Grossman-absent
- 16-1368 A resolution was adopted to affirm “Then and Now” requests pursuant to Ohio Revised Code 5705.41 (D) (1). Vote: Mrs. South-yea, Mr. Young-yea, Mr. Grossman-absent
- 16-1369 A resolution was adopted to approve various refunds. Vote: Mrs. South-yea, Mr. Young-yea, Mr. Grossman-absent
- 16-1370 A resolution was adopted to approve bond release for M/I Homes of Cincinnati, LLC for completion of improvements in Regency Park Section 11 situated in Hamilton Township. Vote: Mrs. South-yea, Mr. Young-yea, Mr. Grossman-absent
- 16-1371 A resolution was adopted to enter into Erosion Control Bond Agreement for Keever Creek LLC for completion of improvements in The Estates of Keever Creek Section 3 situated in Turtlecreek Township. Vote: Mrs. South-yea, Mr. Young-yea, Mr. Grossman-absent
- 16-1372 A resolution was adopted to enter into a Subdivision Public Improvement Performance and Maintenance Security Agreement with Keever Creek, LLC for installation of certain improvements in The Estates of Keever Creek, Section 3 situated in Turtlecreek Township. Vote: Mrs. South-yea, Mr. Young-yea, Mr. Grossman-absent
- 16-1373 A resolution was adopted to enter into Street and Appurtenances Security Agreement with Keever Creek, LLC for installations of certain improvements in The Estates of Keever Creek, Section 3 situated in Turtlecreek Township. Vote: Mrs. South-yea, Mr. Young-yea, Mr. Grossman-absent

- 16-1374 A resolution was adopted to approve the following record plats. Vote: Mrs. South-yea, Mr. Young-yea, Mr. Grossman-absent
- 16-1375 A resolution was adopted to approve appropriation decreases within various funds. Vote: Mrs. South-yea, Mr. Young-yea, Mr. Grossman-absent
- 16-1376 A resolution was adopted to approve a cash advance from County Motor Vehicle Fund #202 into the P&G TIF Road Construction Fund #484. Vote: Mrs. South-yea, Mr. Young-yea, Mr. Grossman-absent
- 16-1377 A resolution was adopted to approve appropriation adjustment within Recorder's Fund #216. Vote: Mrs. South-yea, Mr. Young-yea, Mr. Grossman-absent
- 16-1378 A resolution was adopted to approve appropriation adjustment within Juvenile Court Title IV-E Grant Fund #243. Vote: Mrs. South-yea, Mr. Young-yea, Mr. Grossman-absent
- 16-1379 A resolution was adopted to approve appropriation adjustments within Children Services Fund #273. Vote: Mrs. South-yea, Mr. Young-yea, Mr. Grossman-absent
- 16-1380 A resolution was adopted to approve appropriation adjustment within Human Services Fund #203. Vote: Mrs. South-yea, Mr. Young-yea, Mr. Grossman-absent
- 16-1381 A resolution was adopted to authorize payment of bills. Vote: Unanimous
- 16-1382 A resolution was adopted to accept resignation of Tiffany Ankeney, Emergency Communications Call Taker, within the Warren County Emergency Services Department, effective September 7, 2016. Vote: Unanimous
- 16-1383 A resolution was adopted to approve supplemental appropriation into Coroner's Fund #101-2100. Vote: Unanimous
- 16-1384 A resolution was adopted to approve the site plan review application of Planned Development Company of Ohio (Case# 101-2016) in Turtlecreek Township subject to certain conditions. Vote: Unanimous
- 16-1385 A resolution was adopted to approve promotion of Susan Walther to the position of Deputy Director within the Warren County Department of Job and Family Services, Children Services Division. Vote: Unanimous

DISCUSSIONS

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

On motion, bids were closed at 9:05 a.m. this 30th day of August and the following bids were received, opened and read aloud for the CDBG FY16 South Lebanon High Street Rehabilitation Project for the Warren County Office of Grants Administration:

Barrett Paving Materials Middletown, Ohio	\$306,626.60
Prus Construction Co. Cincinnati, Ohio	\$298,613.50
Adleta Construction Cincinnati, Ohio	\$298,183.20
W.G. Stang Hamilton, Ohio	\$293,823.00
Belgray, Inc. Wilmington, Ohio	\$289,722.00
Ford Development Cincinnati, Ohio	\$327,015.00

Susanne Mason, Project Manager, Warren County Office of Grants Administration will review bids for a recommendation at a later date.

Commissioner Grossmann entered the meeting at 9:10 a.m.

The Board met this 30th day of August 2016, in the Commissioners' Meeting Room, to render a decision relative to the site plan review application submitted by Planned Development Company of Ohio (Case# 101-2016) for a Mixed Use Neighborhood Development located along Butler-Warren Road in Turtlecreek Township.

The Board reviewed the proposed conditions presented by staff and began discussion relative to proposed conditions #4 as follows:

1. *BOCC to select one or the other option on 8/30/16.*

[OPTION A]

4. The Developer shall build each stub to the edge of the property during the applicable phase the stub is located in. Road connections to the two street stubs may be required by the Warren County Engineer's Office in accordance with any future traffic impact studies.

[OR]

[OPTION B]

4. The two street stubs to the northern property (parcel 1103100090) shall be constructed 10 feet from the adjoining property line. The remaining length of 10 feet shall be dedicated as right-of-way to the Warren County Engineer's Office (WCEO) for future road connections. The Developer shall be responsible for the construction of the remaining 10 feet of roadway for each stub and in the event that a preliminary plan, site plan, or similar development plan for parcel 1103100090 is approved. Road connections to the two street stubs may be required by the Warren County Engineer's Office in accordance with any future traffic impact studies.

There was discussion relative to the long term construction schedule relative to the proposed stub streets being located in the last phase of the proposed development.

Commissioner Grossmann stated the need to select Option A pursuant to the recommendation by the Assistant County Prosecutor.

Commissioner Young stated, upon review of the testimony presented during the administrative hearing, that Option B was agreed upon between the developer and adjacent property owner and it was stated, upon confirmation of the Clerk, that Option B was decided and the public hearing was closed with a decision at a later date to allow staff time to "tweak" the wording.

There was then discussion relative to modifications to conditions #7 and #13.

Chris Brausch, Sanitary Engineer, explained the reasoning for the amendments. He expanded on condition #5 stating that Butler County has indicated that they will not provide sewer services to this property without Warren County agreeing to purchase wholesale water from them as well.

There was discussion relative to Warren County being able to supply water service to the parcel and not being included to purchase bulk water when it was not necessary.

Upon discussion, the Board stated the desire to add condition #16 stating as follows:

1. Warren County shall provide water service to the property unless Warren County and Butler County enter into a separate water service agreement.

There was additional discussion relative to condition #4, option A or option B.

Commissioner South stated she understands the reason for option A but concurred that option B was what was decided upon prior to the close of the public hearing due to testimony presented by Mr. Butts, adjacent property owner.

Upon discussion, Commissioner Grossmann moved to approve the site plan review application subject to 16 conditions, including condition #4, Option A. Mr. Young seconded the motion and upon call of the roll, Mrs. South voted nay, Mr. Young voted nay and Mr. Grossmann voted yea. The resolution was not approved.

Commissioner Grossmann then moved to approve the site plan review application subject to 16 conditions including condition #4 Option B. Upon call of the roll, the Board voted unanimously to approve the site plan review application (Resolution #16-1384).

Chris Brausch, Sanitary Engineer, was present for a work session and discussed the following matters:

1. Deerfield Springs—Richard Arnold, McGill, Smith Punschon Engineering, was present to discuss the need for a 2nd lift station and stated they are investigating the ability to adjust the elevation of the proposed building.
2. Water Haulers—Mr. Brausch stated that Warren County does not provide a filling station for water haulers. He displayed a map showing the current locations where water haulers are permitted to fill their trucks with the use of a provided hydrant meters. He then explained that area residents have complained that the fillings are causing traffic concerns. There was discussion relative to the continued permitting of allowing trucks to fill. Upon discussion, the Board stated their desire to continue to provide this service but recommended the use of the Maple Street location as a first option.
3. Books Property—Mr. Brausch stated that the Books property, annexed to the Village of South Lebanon in 2012, has requested to receive sewer service from Warren County.

There was discussion relative to the ordinance of services received from South Lebanon during the annexation and when an annexation becomes null and void.

Bruce McGary, Assistant Prosecutor, stated that the annexation will never become null and void unless the property is detached.

There was discussion relative to the ordinance of South Lebanon not being adequate to provide service to the property. Mr. McGary stated the need for an intergovernmental agreement.

Jerry Haddix, Village Administrator, stated that it is not feasible for the Village to provide service and Warren County has lines adjacent to the property.

Commissioner Grossmann stated his agreement to provide the service due to the economic benefit.

Commissioner South stated she does not have a problem with providing service but does not want this sewer service question confused with the annexation discussion.

Commissioner Young reminded the Board that this was a contentious annexation that involved the Common Pleas Court. He then stated that because it was an expedited petition, the Board had no choice but to approve and now the Village cannot provide the services that were required to approve the annexation.

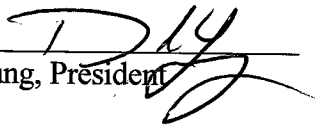
The Board requested additional information relative to the use being proposed on the property.

Mr. Books stated that they are proposing a gas station/convenience store on the property.

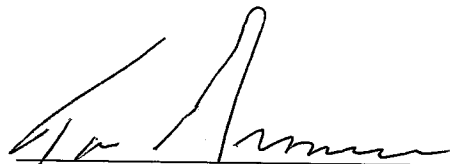
Upon further discussion, the Board directed staff to begin negotiations on an intergovernmental agreement.

On motion, upon unanimous call of the roll, the Board entered into executive session at 10:59 a.m. to discuss personnel matters to discuss discipline in Emergency Services and hiring within Children Services pursuant to Ohio Revised Code Section 121.22 (G)(1) and exited at 11:07 a.m.

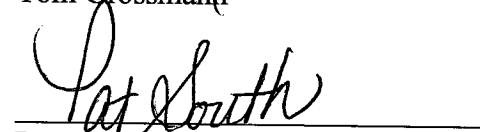
Upon motion the meeting was adjourned.



David G. Young, President




Tom Grossman



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 August 30, 2016, in compliance with Section 121.22 O.R.C.



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