



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

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***TOM GROSSMANN
SHANNON JONES
DAVID G. YOUNG***

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

MINUTES: Regular Session – July 17, 2018

The Board met in regular session pursuant to adjournment of the July 10, 2018, meeting.

Tom Grossmann – present

Shannon Jones – present

David G. Young – absent

Tina Osborne, Clerk – present

Minutes of the July 10, 2018, meeting were read and approved.

- 18-1108 A resolution was adopted to accept resignation of Erynn Hartmann, Fiscal Purchasing Specialist, within the Office of Management and Budget, effective August 3, 2018. Vote: Unanimous
- 18-1109 A resolution was adopted to promote Kevin Hogg to the position of Protective Services Supervisor within the Warren County Department of Job and Family Services, Children Services Division. Vote: Unanimous
- 18-1110 A resolution was adopted to hire Ashley Borsch as Protective Services Caseworker I, within the Warren County Department of Job and Family Services, Children Services Division. Vote: Unanimous
- 18-1111 A resolution was adopted to authorize the posting of the “Investigative Caseworker I or II” position, within the Department of Job and Family Services, Children Services Division, in accordance with the Warren County Personnel Policy Manual, Section 2.02(a). Vote: Unanimous
- 18-1112 A resolution was adopted to accept resignation of Kiley Dane, Eligibility Referral Supervisor, within the Warren County Department of Job and Family Services, Human Services Division, effective August 3, 2018. Vote: Unanimous

- 18-1113 A resolution was adopted to authorize the posting of the “Eligibility Referral Supervisor I” position, within the Department of Job and Family Services, Human Service Division, in accordance with Warren County Personnel Policy Manual, Section 2.02(a). Vote: Unanimous
- 18-1114 A resolution was adopted to authorize Amendment No. 6 to the Butler-Warren Sanitary Sewer Agreement. Vote: Unanimous
- 18-1115 A resolution was adopted to authorize Amendment No. 6 to the Butler-Warren Road Water Improvement Area No. 1 Agreement. Vote: Unanimous
- 18-1116 A resolution was adopted to set public hearing concerning the establishment of boundaries of the Waynesville Regional Wastewater Treatment Service Area of the Warren County Sewer District. Vote: Unanimous
- 18-1117 A resolution was adopted to set public hearing to consider amendment to the Warren County Comprehensive Plan to amend the Turtlecreek Crossroads Future Land Use Map. Vote: Unanimous
- 18-1118 A resolution was adopted to advertise for bids for the FY18 Village of Maineville- ADA Restroom CDBG Project. Vote: Unanimous
- 18-1119 A resolution was adopted to approve the contract between Clinton County Family and Children First Council and Warren County Commissioners on behalf of the Warren County Juvenile Court Mary Haven Youth Center Division. Vote: Unanimous
- 18-1120 A resolution was adopted to approve and authorize the President of the Board of County Commissioners to enter into an Equipment Maintenance Agreement with Southpointe Engineering Systems and the Board of Warren County Commissioners for the Warren County Water and Sewer Departments KIP Wide Format Printer/Copier. Vote: Unanimous
- 18-1121 A resolution was adopted to enter into an agreement with Vertiv Services, Inc. on behalf of Warren County Telecommunications. Vote: Unanimous
- 18-1122 A resolution was adopted to approve Notice of Intent to award bid to Danis Industrial Construction Company for Simpson Creek, Bear Run, Kings Union Lift Station Improvements Project. Vote: Unanimous
- 18-1123 A resolution was adopted to approve Third Amendment to the agreement with Callyo to provide surveillance services, on behalf of the Warren County Sheriff. Vote: Unanimous
- 18-1124 A resolution was adopted to enter into contract with Barrett Paving Materials Inc for the 2018 Resurfacing Project. Vote: Unanimous

- 18-1125 A resolution was adopted to approve emergency repair to the sanitary sewer forcemain located on Bethany Road. Vote: Unanimous
- 18-1126 A resolution was adopted to approve emergency repair/replacement of the clarifier gear reducing drive at the Sycamore Trails Package Plant. Vote: Unanimous
- 18-1127 A resolution was adopted to affirm "Then and Now" requests pursuant to Ohio Revised Code 5705.41(D) (1). Vote: Unanimous
- 18-1128 A resolution was adopted to approve various refunds. Vote: Unanimous
- 18-1129 A resolution was adopted to acknowledge payment of bills. Vote: Unanimous
- 18-1130 A resolution was adopted to release subdivision public improvement performance and maintenance security agreement with SF Duke, LLC DBA Vintage Oaks for Vintage Oaks Subdivision situated in Deerfield Township. Vote: Unanimous
- 18-1131 A resolution was adopted to release a subdivision public improvement performance and maintenance security agreement with BMB Ltd. an Ohio partnership for Greenfield Reserve situated in Deerfield Township. Vote: Unanimous
- 18-1132 A resolution was adopted to release subdivision public improvement performance and maintenance security agreement with Trails of Shaker Run Holdings LLC for Trails of Shaker Run, Section Nine-B situated in Turtlecreek Township. Vote: Unanimous
- 18-1133 A resolution was adopted to approve appropriation decreases within various funds. Vote: Unanimous
- 18-1134 A resolution was adopted to approve a cash advance from the County Motor Vehicle Fund #202 into the Old 122 & Township Line Rd Roundabout Project Fund #453. Vote: Unanimous
- 18-1135 A resolution was adopted to approve operational transfer from County Commissioners' Fund #101-1112 into Mary Haven Youth Treatment Center Fund #270. Vote: Unanimous
- 18-1136 A resolution was adopted to approve appropriation adjustment from Commissioners General Fund #101-1110 into Recorder's Fund #101-1160. Vote: Unanimous
- 18-1137 A resolution was adopted to approve appropriation adjustments within Facilities Management Fund #101-1600. Vote: Unanimous

- 18-1138 A resolution was adopted to approve appropriation adjustment within Telecommunications Department Fund #492. Vote: Unanimous
- 18-1139 A resolution was adopted to approve appropriation adjustment within the Sewer Revenue Fund No. 575. Vote: Unanimous
- 18-1140 A resolution was adopted to authorize payment of bills. Vote: Unanimous
- 18-1141 A resolution was adopted to enter into agreement with City of Franklin relative to building code enforcement on behalf of Warren County Building Department. Vote: Unanimous
- 18-1142 A resolution was adopted to grant variance to John Candle Homes, LLC required for an access permit for Parcel ID #1502126002 on Irwin Simpson Road in Deerfield Township, Warren County, Ohio. Vote: Unanimous

DISCUSSIONS

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

Jerry Spurling, Chief Building Official, was present along with Sonny Lewis, Franklin City Manager, to present the contract for Warren County to provide plan review and inspections on behalf of the City of Franklin.

Mr. Spurling reviewed the Board's agreement to provide these services to Franklin during the 2018 budget process.

Mr. Lewis thanked the Board for their agreement to provide these services to the City.

Upon discussion, the Board resolved (Resolution #18-1141) to enter into an agreement with the City of Franklin.

ADMINISTRATIVE HEARING
CONSIDER REQUEST FOR VARIANCE REQUIRED FOR AN ACCESS PERMIT FILED
BY JOHN CANDLE HOMES IN DEERFIELD TOWNSHIP

The administrative hearing to consider the Request for Variance of Conditions Required for an Access Permit due to its Application for an access permit being denied for Parcel ID #1502126002 to access Irwin Simpson Road in Deerfield Township in Deerfield Township, Warren County, Ohio, filed by John Candle Homes, LLC on September June 18, 2018, was convened this 17th day of July 2018, in the Commissioners' Meeting Room.

Commissioner Grossmann convened the hearing by requesting the Clerk to identify:

- i) The name and address of the Owner
- ii) Identify the Owner's attorney, if any
- iii) Identify each document filed with you in support of THE REQUEST
- iv) The Resolution # and Date setting THE REQUEST for an Administrative Hearing
- v) How and When was this Administrative Hearing was advertised

Tina Osborne, Clerk of Commissioner, stated the property owner as John Candle Homes, LLC, 7556 Central Park Boulevard, Mason, Ohio, 45040, and that the owner is not represented by an attorney. She then stated that they owner has filed an application for appeal along with a map showing the proposed access. She then stated that on July 3, 2018, this Board adopted Resolution # 18-0994 setting the matter for an administrative hearing (the "hearing") on July 17, 2018, and, notice was published in the Journal - News Pulse of Lebanon and Mason newspaper on June 29, 2018, and on the County Commissioners' website and written notice was mailed on June 21, 2018, to the Applicant's engineering firm, the Applicant, the Deerfield Township Board of Trustees.

Commissioner Grossmann administered the oath to those desiring to testify during today's hearing.

Dominic Brigano, Assistant County Engineer, stated that the County Engineer's Office is in support of the variance. He testified that granting the variance would not endanger public safety nor hinder traffic movement or the proper operation of the public road. He further testified that granting the variance would be consistent with the purpose of the Access Management Regulations and all feasible access options except granting a variance have been considered.

Richard Arnold, McGill Smith Punshon, testified that the applicant has submitted to the County Engineer a letter from Jack Pflum, Traffic Engineer, certifying that access has been placed in the best possible location with requested turn lanes in conjunction with the County Engineer recommendation.

The owner of John Candle Homes, LLC, Chad Seitz, and the applicant's engineer testified that the Board did not: i) deny the Applicant the opportunity to present its position, arguments, and contentions, ii) deny Applicant the Right to offer and examine witnesses and present evidence into the record; iii) deny Applicant the right to cross-examine witnesses in opposition; iv) deny Applicant the opportunity to offer evidence to refute evidence or testimony offered in opposition; or, v) refuse or fail to compel the appearance of any witnesses or evidence at Applicant's request.

After applying the applicable law, including without limitation the factors in Section 601.4, et seq. of the Access Management Regulations, to the testimony and evidence presented during the hearing, the Board voted unanimously (Resolution #18-1142) to grant the variance thereby allowing the County Engineer to grant a Permit for the access point as shown on Access Location Sheet dated 06/12/18.

Commissioner Jones provided an updated on the Addiction Policy Forum kickoff event taking place this evening at the Warren County Career Center.

Tiffany Zindel, County Administrator, presented the request from the Warren County Court Judges Loxley and Fischer, to hire an additional employee to focus on probation activities for participants within the specialized dockets of County Court.

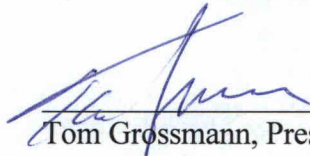
Mrs. Zindel presented the statistic as presented by the Court showing the need due to additional caseloads.

Commissioner Jones stated her understanding of the need as well as the growing cost which underscores the need to investigate criminal justice diversion.

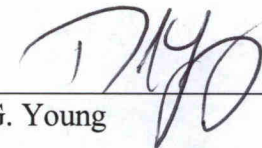
Upon discussion, the Board stated their approval of the request.

On motion, upon unanimous call of the roll, the Board entered into executive session at 9:37 a.m. to discuss pending litigation pursuant to Ohio Revised Code Section 121.22 (G)(3) and exited at 9:55 a.m.

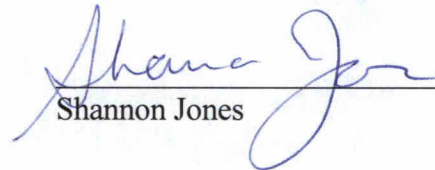
Upon motion the meeting was adjourned.



Tom Grossmann, President




David G. Young



Shannon Jones

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 July 17, 2018, in compliance with Section 121.22 O.R.C.



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