



**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**

**Facsimile (513) 695-2054**

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

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

**MINUTES: Regular Session – October 12, 2021**

The Board met in regular session pursuant to adjournment of the October 5, 2021, meeting.

David G. Young – present

Shannon Jones – present

Tom Grossmann – present

Tina Osborne, Clerk – present

Minutes of the October 5, 2021 meeting were read and approved.

- 21-1363 A resolution was adopted to approve promotion of Doug Ingram to the position of Maintenance Foreman within the Water and Sewer Department. Vote: Unanimous
- 21-1364 A resolution was adopted to accept resignation of Joseph Essig, Water Distribution Worker III, within the Warren County Water and Sewer Department, effective October 21, 2021. Vote: Unanimous
- 21-1365 A resolution was adopted to hire Abby Breeze as Service Worker II within the Warren County Facilities Management Department. Vote: Unanimous
- 21-1366 A resolution was adopted to recommend member to the Local Emergency Planning Committee. Vote: Unanimous
- 21-1367 A resolution was adopted to cancel regularly scheduled Commissioners' Meeting of Thursday October 14, 2021. Vote: Unanimous
- 21-1368 A resolution was adopted to advertise for bids for the Middleboro Road Bridge #45-0.16 Rehabilitation Project. Vote: Unanimous
- 21-1369 A resolution was adopted to advertise for bids for the Waynesville Collection System Improvements, Phase 2 Project. Vote: Unanimous

- 21-1370 A resolution was adopted to approve emergency repair to the Fields Ertel Booster Station portable generator that is temporarily located at the Shelly Booster Station due to a current project requiring the utility power to be shut off.  
Vote: Unanimous
- 21-1371 A resolution was adopted to authorize the Board President to sign the easement agreement with HRC Investments, Inc. for right-of-way for the Lytle-Five Points Road at Bunnell Hill Road Roundabout Project. Vote: Unanimous
- 21-1372 A resolution was adopted to authorize acceptance of Quote In-095711 from Allstate Tower, Inc. on behalf of Warren County Telecommunications for tower site inspections at Blackhawk Tower and Zoar Tower Sites. Vote: Unanimous
- 21-1373 A resolution was adopted to authorize acceptance of Quote A00021-0215,0216,0217,0218,0219,0220, and 0221 from Paul J. Ford and Company on behalf of Warren County Telecommunications for tower inspections at Manchester, Hatfield, Snider, Goosecreek, Lytle, Emergency Operations Center (EOC), and Washington Tower Sites. Vote: Unanimous
- 21-1374 A resolution was adopted to approve agreement and addendum with ENA, Inc. as a child placement and related service provider for the Warren County Board of County Commissioners on behalf of Warren County Children Services.  
Vote: Unanimous
- 21-1375 A resolution was adopted to authorize acceptance of Quote Q-451041 from ESRI, Inc. on behalf of Warren County Telecommunications for ArcGIS Network Analyst for Desktop Single Use Perpetual License. Vote: Unanimous
- 21-1376 A resolution was adopted to enter into Classroom Training Agreement on behalf of OhioMeansJobs Warren County. Vote: Unanimous
- 21-1377 A resolution was adopted to acknowledge receipt of September 2021 Financial Statement. Vote: Unanimous
- 21-1378 A resolution was adopted to acknowledge payment of bills. Vote: Unanimous
- 21-1379 A resolution was adopted to approve a subdivision public improvement performance and maintenance security release with Grand Communities, LLC for Eagles Point, Section 3 situated in Hamilton Township. Vote: Unanimous
- 21-1380 A resolution was adopted to approve a subdivision public improvement performance and maintenance security release with Grand Communities, LLC for Shakers Run Subdivision, Section 4, Phase D situated in Turtlecreek Township.  
Vote: Unanimous
- 21-1381 A resolution was adopted to enter into a subdivision public improvement performance and maintenance security agreement with Reserve at Cedar Hill JV, LLC for installation of certain improvements in The Reserve at Cedar Ridge situated in Clearcreek Township. Vote: Unanimous

- 21-1382 A resolution was adopted to enter into street and appurtenances (including sidewalks) security agreement with Reserve at Cedar Hill JV, LLC for installation of certain improvements in The Reserve a Cedar Ridge situated in Clearcreek Township. Vote: Unanimous
- 21-1383 A resolution was adopted to enter into street and appurtenances (including sidewalks) security agreement with Grand Communities, LLC for installation of certain improvements in Providence Subdivision, Section Twelve, Block A situated in Hamilton Township. Vote: Unanimous
- 21-1384 A resolution was adopted to enter into street and appurtenances (including sidewalks) security agreement with Grand Communities, LLC for installation of certain improvements for the widening of Zoar Road associated with Providence Subdivision, Section Twelve, Block A situated in Hamilton Township. Vote: Unanimous
- 21-1385 A resolution was adopted to enter into a subdivision public improvement performance and maintenance security agreement with Grand Communities, LLC for installation of certain improvements in Providence Subdivision, Section Twelve, Block A situated in Hamilton Township. Vote: Unanimous
- 21-1386 A resolution was adopted to enter into a subdivision public improvement performance and maintenance security agreement with Grand Communities, LLC for installation of certain improvements in Eagle's Pointe, Section 5, Phase C situated in Hamilton Township. Vote: Unanimous
- 21-1387 A resolution was adopted to enter into street and appurtenances (including sidewalks) security agreement with Grand Communities, LLC for installation of certain improvements in Eagle's Pointe, Section 5, Phase C situated in Hamilton Township. Vote: Unanimous
- 21-1388 A resolution was adopted to approve various record plats.
- 21-1389 A resolution was adopted to approve supplemental appropriation into General Fund #11011110. Vote: Unanimous
- 21-1390 A resolution was adopted to approve supplemental appropriation into Local Fiscal Recovery Fund #2211. Vote: Unanimous
- 21-1391 A resolution was adopted to approve supplemental appropriations into Local Fiscal Recovery Fund #2211. Vote: Unanimous
- 21-1392 A resolution was adopted to approve supplemental appropriation within Jail Sales Tax Fund #4495. Vote: Unanimous
- 21-1393 A resolution was adopted to approve appropriation adjustment from Commissioners General Fund #11011110 into Telecommunications Fund #11012810. Vote: Unanimous

- 21-1394 A resolution was adopted to approve appropriation adjustments from Common Pleas Court #11011223 into #11011220. Vote: Unanimous
- 21-1395 A resolution was adopted to approve appropriation adjustment within Common Pleas Court General Fund Court Services #11011223. Vote: Unanimous
- 21-1396 A resolution was adopted to approve appropriation adjustments from Probate Court Fund #10111250 into Juvenile Court Fund #11011240. Vote: Unanimous
- 21-1397 A resolution was adopted to approve appropriation adjustments from Juvenile Probation Fund #11011200 into Juvenile Court Fund #11011240. Vote: Unanimous
- 21-1398 A resolution was adopted to approve appropriation adjustments from Juvenile Detention Fund #110112600 to Juvenile Court Fund #11011240. Vote: Unanimous
- 21-1399 A resolution was adopted to approve appropriation adjustment within Board of Elections Fund #11011300. Vote: Unanimous
- 21-1400 A resolution was adopted to approve appropriation adjustment within Records Center and Archives #11011500. Vote: Unanimous
- 21-1401 A resolution was adopted to approve appropriation adjustment within Facilities Management #11011600. Vote: Unanimous
- 21-1402 A resolution was adopted to approve appropriation adjustment from Telecommunications Department Fund #11012810 into #11012812. Vote: Unanimous
- 21-1403 A resolution was adopted to approve appropriation adjustment within Children Services Fund #2273. Vote: Unanimous
- 21-1404 A resolution was adopted to approve appropriation adjustments within Children Services Fund #2273. Vote: Unanimous
- 21-1405 A resolution was adopted to approve appropriation adjustment within Children Services Fund #2273. Vote: Unanimous
- 21-1406 A resolution was adopted to approve appropriation adjustment within Sheriff's Office Fund #6630. Vote: Unanimous
- 21-1407 A resolution was adopted to approve requisitions and authorize County Administrator to sign documents relative thereto. Vote: Unanimous

DISCUSSIONS

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

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On motion, upon unanimous call of the roll, the Board entered into executive session at 9:01 a.m. to discuss personnel matters relative to disciplinary action within Telecommunications pursuant to Ohio Revised Code Section 121.11 (G)(1) and exited at 9:03 a.m.

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Lauren Cavanaugh, Director of Human Services, was present for a work session to discuss proposed changes to the Prevention, Retention and Contingency Plan (PRC).

Mrs. Cavanaugh presented the attached summary of changes and additions to the plan in order to comply with the mandated changes from the state as well as add programs in order to help needy families suffering due to Covid related hardships.

There was discussion relative to the requirement of employment as it relates to mortgage/rent assistance.

Upon discussion, the Board determined that additional time is needed prior to making any decisions on this topic.

Mrs. Cavanaugh stated she will request an extension of time from the State and return for a future work session to present proposed changes that better reflects the Board's philosophy.

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The Board recessed to attend the ribbon cutting ceremony for the New Warren County Jail and Sheriff's Office Administration Building.

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Chris Brausch, Sanitary Engineer, was present along with Bruce McGary, Assistant Prosecutor, for a work session to discuss sanitary sewer access to the Stotler II Subdivision in Hamilton Township.

Mr. Brausch presented the attached PowerPoint presentation and along with Mr. McGary, discussed the background relative to the litigation and decisions made by the previous Board as it relates to the sewer improvement area and specifically, this property.


Mr. Brausch reviewed the previously approved preliminary plat as well as the revised plan, both containing 371 residential lots but the revised moving away from the cluster development.

Mr. McGary discussed, in detail, the litigation history, including the portion of the settlement agreement that provided for a 36-month deadline to submit a final subdivision plan for the Stotler II subdivision which did not happen, and therefore, it could be deemed that the property does not meet the grandfather clause and is no longer within the sewer improvement area.

There was much discussion relative to the sewer improvement area as well as the 371 proposed lots being a detriment to not only the school but to Hamilton Township's ability to provide services.

Upon discussion, the Board stated their desire to continue this discussion to October 26, 2021.


Upon motion the meeting was adjourned.

  
\_\_\_\_\_  
David G. Young, President

  
\_\_\_\_\_  
Tom Grossmann

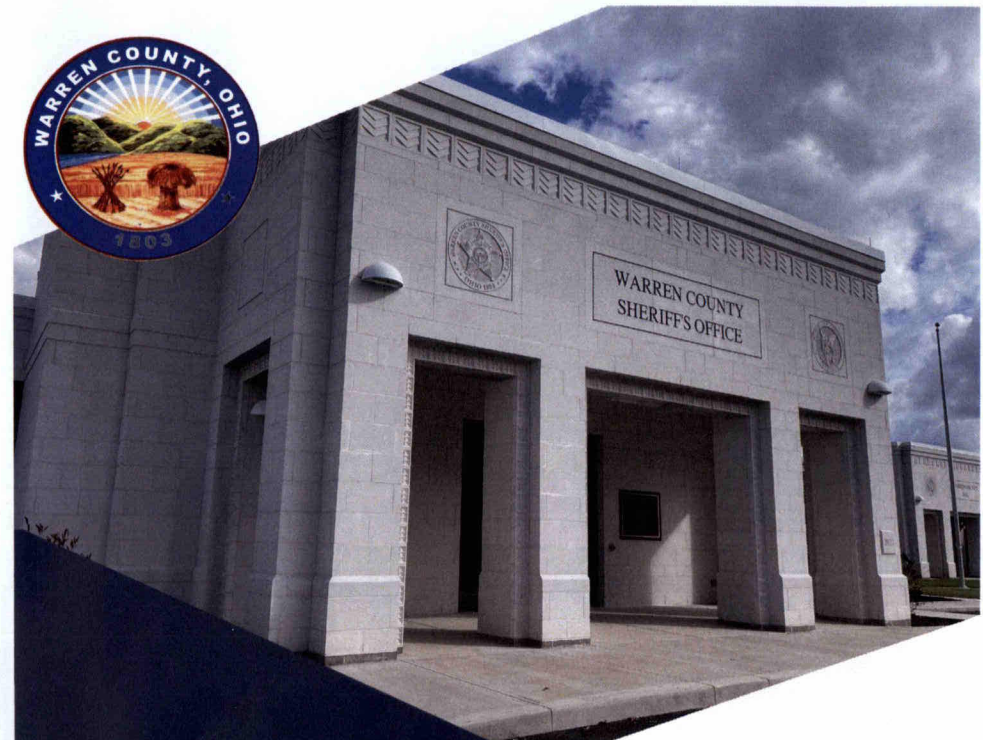
\_\_\_\_\_  
Shannon Jones

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 October 12, 2021, in compliance with Section 121.22 O.R.C.

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



Thank You!



# Warren County Jail

*Ribbon Cutting & Open House*

October 12, 2021

**GRANGER**  
ADVANCE THE ART OF BUILDING

**MEGEN**

**W**  
Wachtel & McAnally  
Architects/Planners Inc

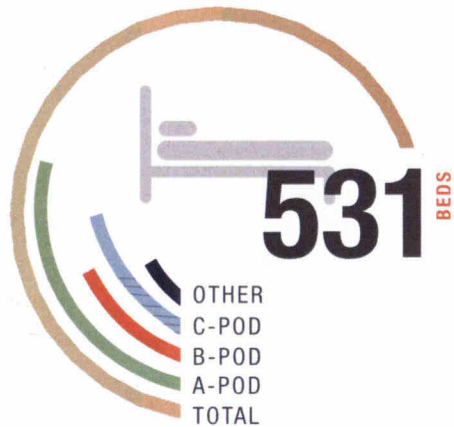
# BY THE NUMBERS

Total size of the new facility:

**148,000**

Total size of the Jail:

**122,000**



**208** BEDS  
A-POD

**120** BEDS  
B-POD

**168** BEDS  
C-POD

**118** BEDS  
OF THOSE ARE DESIGNATED FEMALE

**3** BEDS  
MEDICAL

**32** BEDS  
BOOKING/  
HOLDING

**NEW JAIL  
DESIGN-SUPERVISION  
ONLY REQUIRED**



ADDITIONAL  
CORRECTIONS OFFICERS



CLERICAL STAFF



**CLASSROOM/  
PROGRAM ROOMS**

Expanded medical, mental health, dental services, food and laundry services

**SHERIFF ADMINISTRATIVE OFFICES**

- 24 hour clerical section
- Criminal investigation section (detectives)
- Crime scene investigation unit
- Expanded evidence/property room
- Large training room
- Defensive tactics training room

## Warren County Jail

*Ribbon Cutting & Open House*

### Agenda

#### Welcome

*Commissioner Young*

*Board President, Warren County BOCC*

#### Remarks

*Garry McAnally*

*President, Wachtel McAnally Architects*

*Jason Woehrle*

*Regional Director, Granger Construction*

*Mark Campbell*

*Vice President, Megen Construction*

*Larry Sims*

*Warren County Sheriff*

**Official Ribbon Cutting Ceremony**

**Open House & Guided Tours Begin**



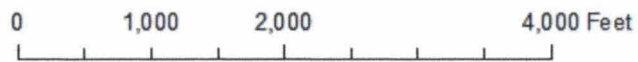
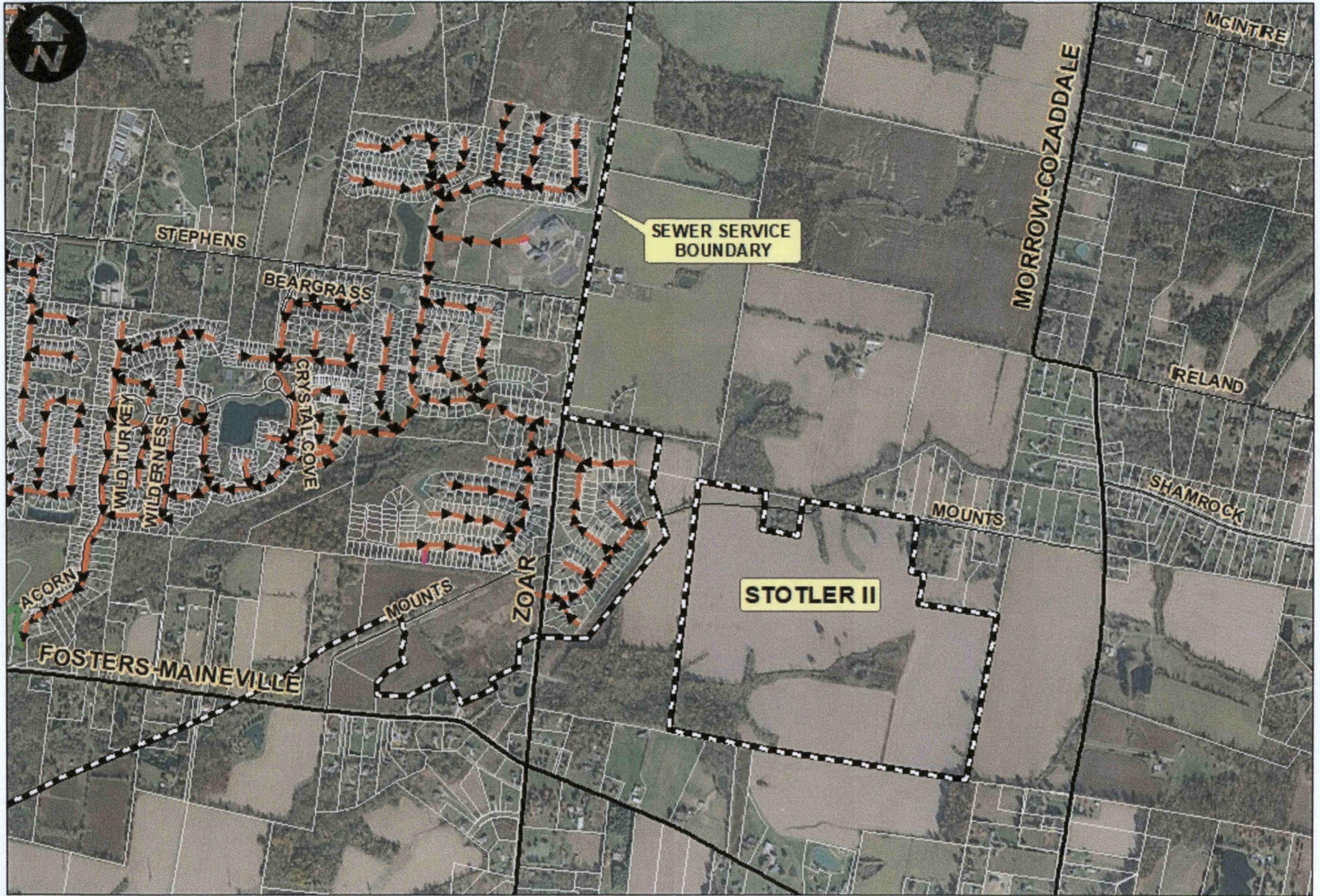


# Water & Sewer Department Work Session

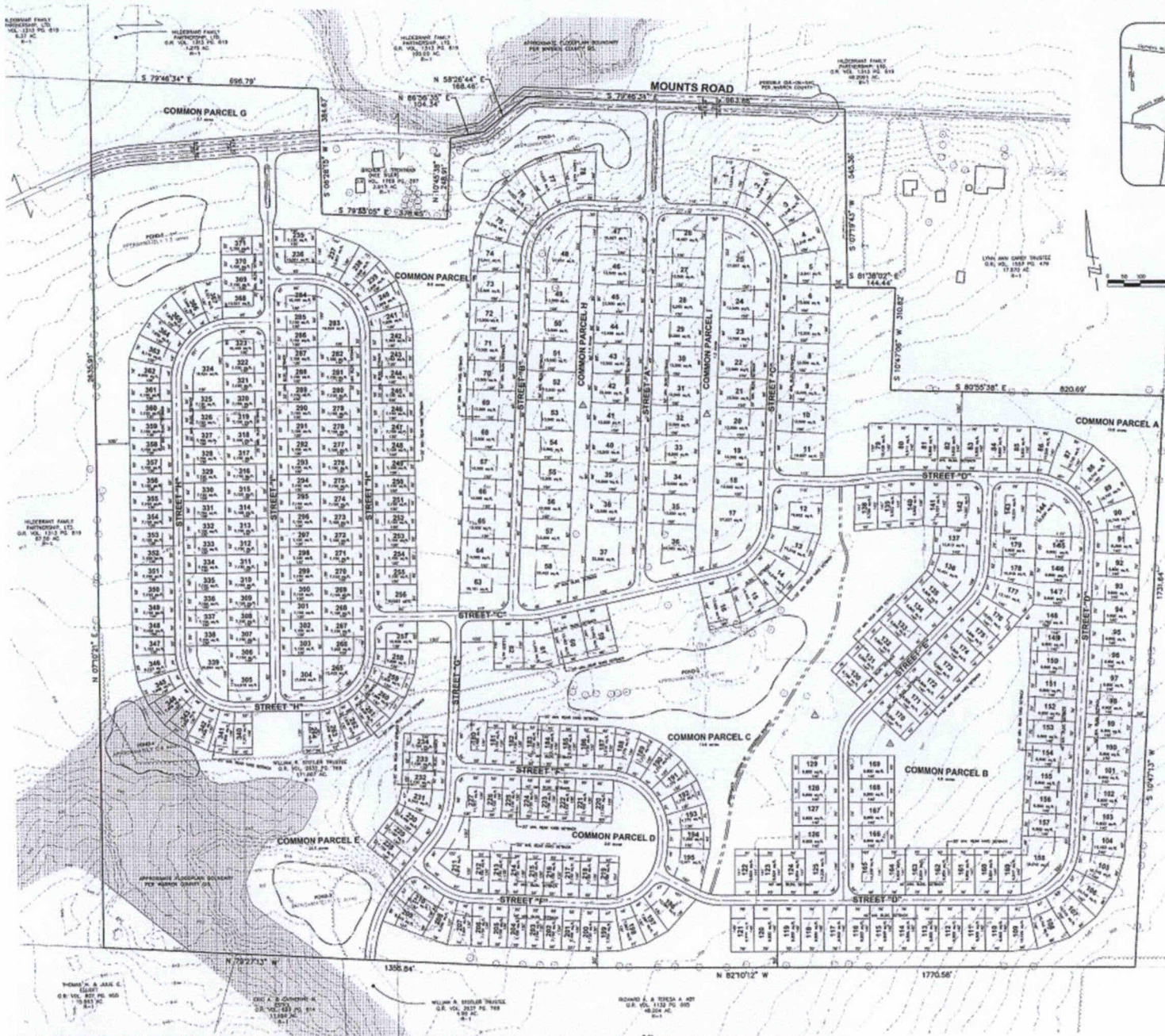
October 12, 2021



**Water & Sewer Department**



## LOWER LITTLE MIAMI SEWER SERVICE AREA



- NOTES:**
1. EASEMENT COULETS SHOWN HEREIN HAVE BEEN REFERRED TO WARREN COUNTY FOR RECORDATION AND TO BE MADE WITH ALL NECESSARY RECORDS.
  2. EXISTING UTILITIES SHOWN HEREIN ARE TO BE MAINTAINED AND TO BE MADE WITH ALL NECESSARY RECORDS.
  3. TOTAL AREA: 171.0 ACRES (3200).
  4. COMMON SITE: PUBLIC ROADWAY, 1/4 MILE PUBLIC DRIVEWAY.
  5. LOTS WILL CONTAIN SINGLE-FAMILY RESIDENCES.
  6. SPECIAL BUILDING PERMITS SHALL BE IN COMPLIANCE WITH WARREN COUNTY ZONING REGULATIONS.
  7. HOUSE COLLECTION AND DELIVERY IS TO BE IN COMPLIANCE WITH WARREN COUNTY ZONING REGULATIONS.
  8. OWNER HAS TO OBTAIN NECESSARY PERMITS TO BE IN COMPLIANCE WITH WARREN COUNTY ZONING REGULATIONS.
  9. STREET LIGHTING IS TO BE PROVIDED IN ACCORDANCE WITH THE REQUIREMENTS OF THE WARREN COUNTY ZONING REGULATIONS. A STREET LIGHTING SURVEY WILL BE CONDUCTED FOR THE PROJECT.
  10. A FLOODPLAIN STUDY SHALL BE REQUIRED TO DETERMINE THE FLOODPLAIN BOUNDARY AND TO BE MADE WITH ALL NECESSARY RECORDS.
  11. THIS PLAN SHALL BE IN COMPLIANCE WITH THE WARREN COUNTY ZONING REGULATIONS AND TO BE MADE WITH ALL NECESSARY RECORDS.
  12. PROPOSED EASEMENTS AND RESTRICTIONS HAVE NOT BEEN SETBACKS.
  13. LOTS APPLY TO BE BY WARREN COUNTY ZONING REGULATIONS TO BE IN COMPLIANCE WITH WARREN COUNTY ZONING REGULATIONS.
  14. THE DEVELOPMENT SCHEDULE FOR THE SUBDIVISION HAS BEEN ESTABLISHED.
  15. ALL OF THE LOTS OF THIS SUBDIVISION TO BE LOCATED IN WARREN COUNTY ZONING REGULATIONS.
  16. STREET R/W = 30' TRUCK, 45' BUS-LOCAL ROAD.
  17. OPEN SPACE SHALL BE PROVIDED FROM FUTURE DEVELOPMENT BY EACH RESIDENTIAL DEVELOPER TO BE PROVIDED IN ACCORDANCE WITH THE WARREN COUNTY ZONING REGULATIONS AND TO BE MADE WITH ALL NECESSARY RECORDS.
  18. THE LOTS ARE TO BE MADE WITH ALL NECESSARY RECORDS.
  19. THE LOTS ARE TO BE MADE WITH ALL NECESSARY RECORDS.
  20. THE LOTS ARE TO BE MADE WITH ALL NECESSARY RECORDS.

**AREA SUMMARY**

Total Area	171.0 ACRES
Total Lots	371
Density	2.17 UN/AC
Open Space	385 Minimum Required

AREAS	ACRES	% of Total
OPEN SPACE	70.1	41.0
LOT AREA	88.3	50.4
R/W AREA	16.8	9.8
TOTAL	171.0	100%
FLOODPLAIN	7.3	

**PROJECT SUMMARY**

Minimum Lot Area	Minimum Lot Area	# of Lots	Minimum Lot Area	Minimum Lot Area	# of Lots on 100' Open Space
(Avg 40.7')	(Avg 40.7')	(Total)	(Total)	(Total)	(Total)
50'	13,500 sq ft	78	50'	7,714'	24 / 34
70'	9,800 sq ft	101	40'	7,714'	36 / 61
55'	7,150 sq ft	182	35'/40'	7,714'	96 / 100
		371	137/95		

**PRELIMINARY PLAN CLUSTER DEVELOPMENT**

PREPARED BY: HENDERSON AND BOONELL, L.L.P.  
 CONSULTING ENGINEERS  
 3333 WILSON AVENUE  
 WASHINGTON, DC 20004  
 202-338-1128  
 202-338-1129

DESIGNED BY: STOTLER II  
 1000 WILSON AVENUE  
 WASHINGTON, DC 20004  
 202-338-1128

DATE: OCT. 17, 2005

SCALE: 1" = 100'

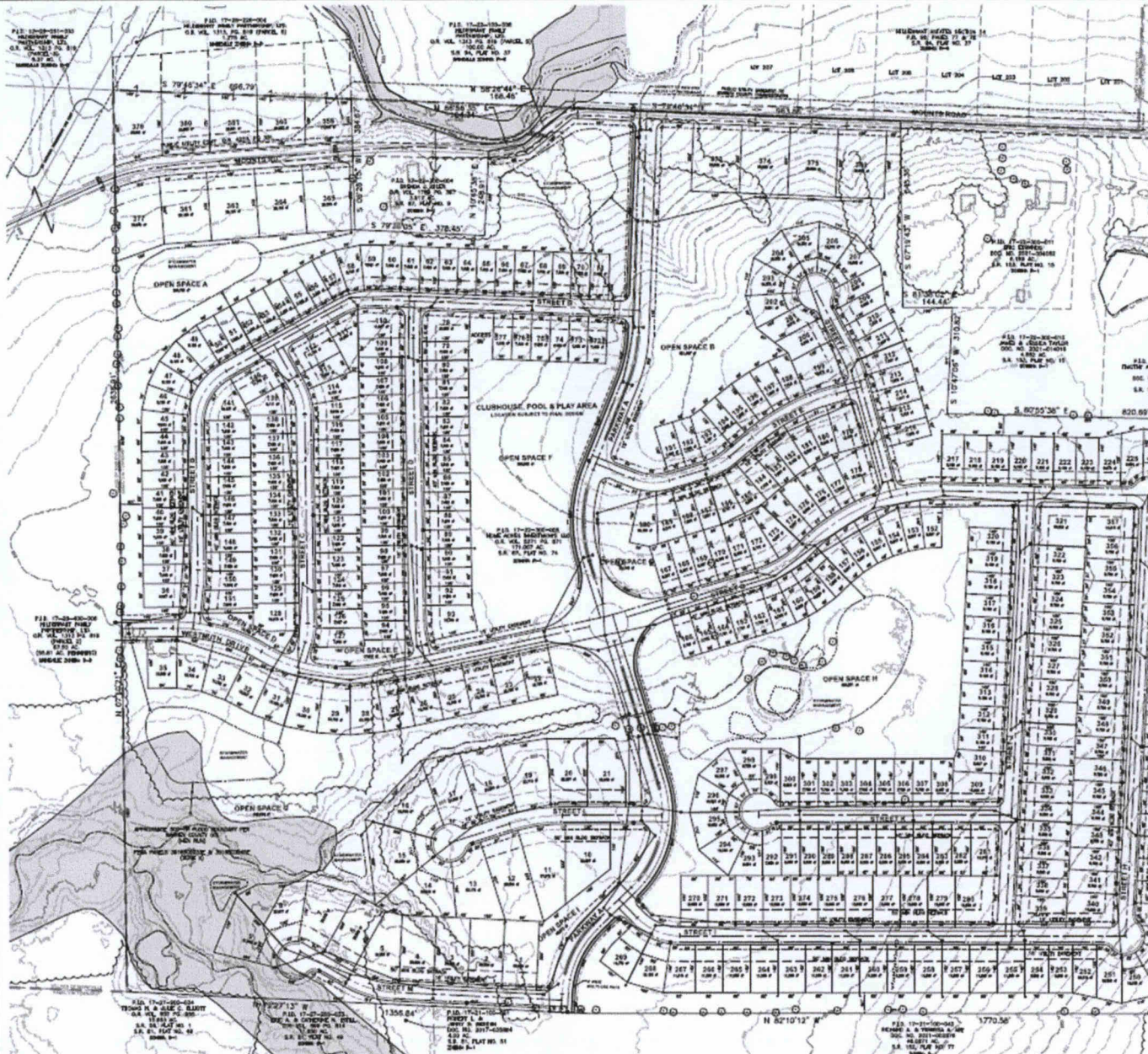
# Stotler II 2005 Preliminary Plan

**LEGEND**

- SUBDIVISION BOUNDARY
- RIGHT OF WAY
- LOT LINE / PROPERTY LINE
- PREEXISTING ROADWAY
- PROPOSED RIGHT OF WAY
- TREE
- FLOODPLAIN
- EXISTING CONTAINMENT

OWNER: WILLIAM R. STOTLER, TRUSTEE  
 7071 22ND ROAD  
 ANNAPOLIS, MD 21403

DEVELOPER: FIRM DEVELOPMENT, L.L.C.  
 7071 22ND ROAD  
 ANNAPOLIS, MD 21403  
 PHONE: 410-261-1000



### AREA SUMMARY

TOTAL ACRE	171.8 AC
TOTAL LOTS	271
LOT AREA	3,177 SQ FT
OPEN SPACE	245 UNITS REQUIRED

### PROJECT SUMMARY

Minimum Lot Size	Minimum Lot Area	# of Lots	Minimum Units (Density)
140'	17,860 sq ft	14	50' / 7.14
110'	20,548 sq ft	12	50' / 7.14
100'	16,239 sq ft	9	50' / 7.14
85'	11,800 sq ft	14	50' / 7.14
80'	11,200 sq ft	26	50' / 7.14
70'	8,800 sq ft	4	40' / 7.14
55'	6,100 sq ft	8	40' / 7.14
55'	7,415 sq ft	22	40' / 7.14
		<b>271</b>	

### NOTES

- BOUNDARY COORDINATES... (DENSELY PACKED)
- DEVELOPMENT BY OWNER... (DENSELY PACKED)
- JOINING ETC... (DENSELY PACKED)
- SHALL COMPLY... (DENSELY PACKED)
- LOTS ALL... (DENSELY PACKED)
- MINIMUM BUILDING... (DENSELY PACKED)
- PUBLIC UTILITIES... (DENSELY PACKED)
- SHALL MAINTAIN... (DENSELY PACKED)
- STREET LIGHTING... (DENSELY PACKED)
- A COMMUNITY... (DENSELY PACKED)
- FLOOD HAZARD... (DENSELY PACKED)
- PROPOSED... (DENSELY PACKED)
- SHALL BE... (DENSELY PACKED)
- THE OFFICIAL... (DENSELY PACKED)
- ALL... (DENSELY PACKED)
- SHALL MAINTAIN... (DENSELY PACKED)
- OPEN... (DENSELY PACKED)
- THE... (DENSELY PACKED)
- SHALL... (DENSELY PACKED)
- EASEMENTS... (DENSELY PACKED)
- EXACT... (DENSELY PACKED)
- EXACT... (DENSELY PACKED)

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**PROJECT SUMMARY**

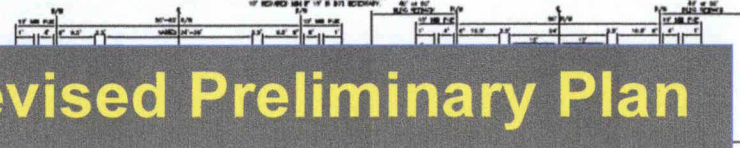
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- SHALL... (DENSELY PACKED)
- EASEMENTS... (DENSELY PACKED)
- EXACT... (DENSELY PACKED)
- EXACT... (DENSELY PACKED)

**STOTLER II**  
 REVISED PRELIMINARY PLAN  
 OCTOBER 6, 2021

OWNER: **WATSON REALTY GROUP, LLC**  
 DEVELOPER: **STOTLER II DEVELOPMENT, LLC**  
 ENGINEER: **CivilPro Engineers, LLC**



**Stotler II Revised Preliminary Plan**

10/2021 JEN-WL 10/2021

## Resolution

Number 05-1726

Adopted Date November 10, 2005

APPROVE FULL AND FINAL SETTLEMENT AND MUTUAL RELEASE OF ALL CLAIMS RELATIVE TO LITIGATION BETWEEN THIS BOARD AND WILLIAM R. STOTLER & SYLVIA A. STOTLER, TRUSTEES OF THE WILLIAM R. STOTLER AND SYLVIA A. STOTLER REVOCABLE LIVING TRUST, PBM DEVELOPMENT, LLC AND HOME BUILDERS ASSOCIATION OF GREATER CINCINNATI AND AUTHORIZE PRESIDENT OF THE BOARD TO SIGN DOCUMENTS RELATIVE THERETO

BE IT RESOLVED, to approve the full and final settlement and mutual release of all claims relative to litigation between this Board and William R. Stotler & Sylvia A. Stotler, Trustees of the William R. Stotler and Sylvia A. Stotler Revocable Living Trust, PBM Development, LLC and Home Builders Association of Greater Cincinnati; copy of said agreement attached hereto and made a part hereof; and

BE IT FURTHER RESOLVED, to authorize the President of the Board to sign documents relative thereto.

Mr. Young moved for adoption of the foregoing resolution, being seconded by Mrs. South. Upon call of the roll, the following vote resulted:

Mr. Kilburn – yea  
Mrs. South – yea  
Mr. Young – yea

Resolution adopted this 10<sup>th</sup> day of November 2005.

BOARD OF COUNTY COMMISSIONERS



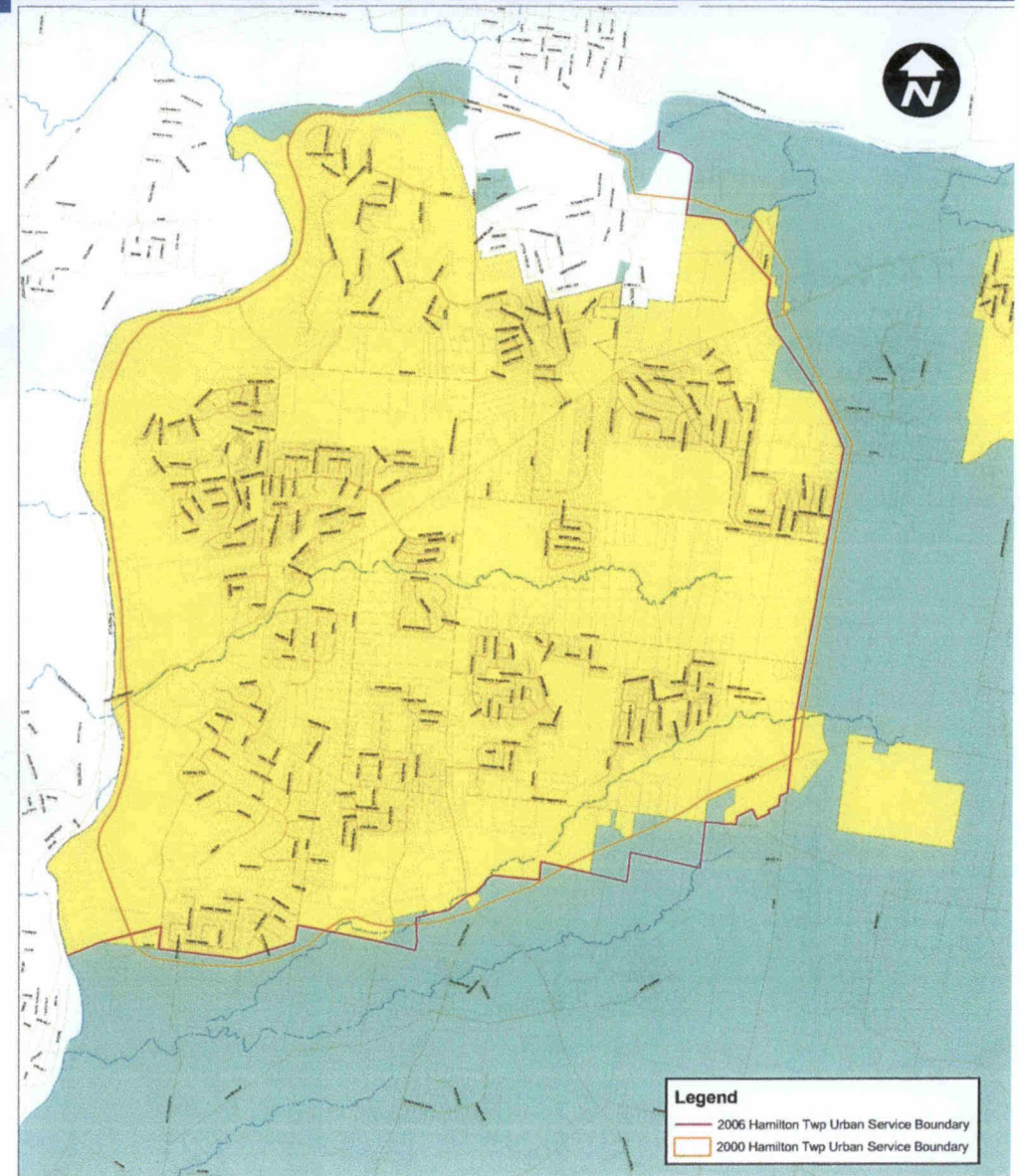
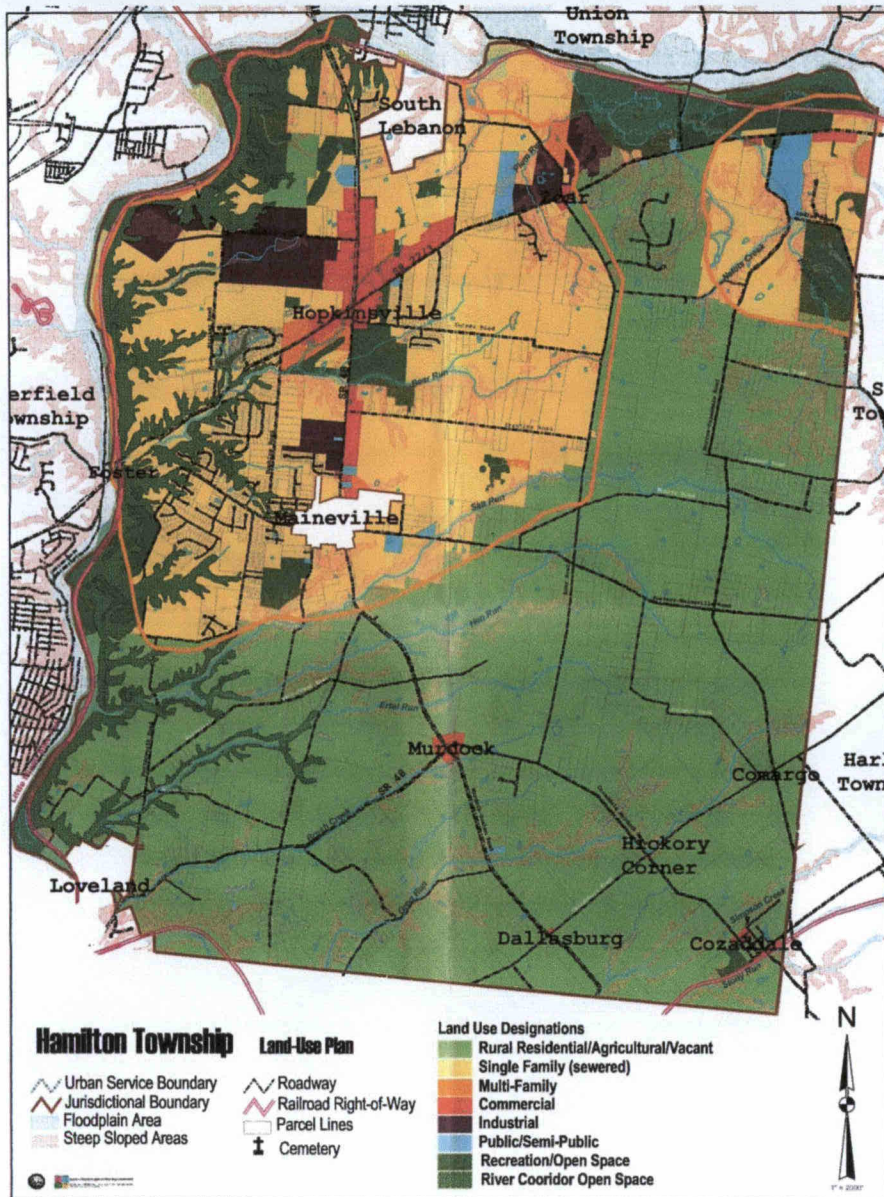
Tina Davis, Clerk

/tad

cc: C/A—William R. Stotler & Sylvia A. Stotler  
C/A—Homebuilders Association of Greater Cincinnati  
C/A—PBM Development, LLC  
**Litigation file**  
Bruce McGary

Developer shall have 36 months from the signing of this Full and Final Settlement and Mutual Release of all Claims to submit a final subdivision plat for Stotler II.

# Lower Little Miami WWTP Service Area



November 20, 2006  
This map is intended for informational purposes only and should not be used for legal or financial decisions. The user assumes all responsibility for any errors or omissions on this map.

Hamilton Township Sanitary Sewer Service Area



## Resolution

Number 05-1159

Adopted Date August 09, 2005

**AMENDING RESOLUTION 04-1881 TO ESTABLISH AND/OR APPROVING THE MODIFICATION OF BOUNDARIES OF THE LOWER LITTLE MIAMI SEWER IMPROVEMENT AREA OF THE WARREN COUNTY SEWER DISTRICT ADOPTED DECEMBER 16, 2004**

**WHEREAS**, by Resolution No. 76-191, this Board's predecessors established the Lower Little Miami Sewer Improvement Area which at that time was part of the Hamilton-Deerfield Sewer District; and,

**WHEREAS**, the properties included in the Lower Little Miami Sewer Improvement Area were determined by which properties flow, by gravity, into Bear Run Creek and Salt Run Creek, being the two drainage basins in the Village of Maineville and the Hamlet of Hopkinsville; and,

**WHEREAS**, by Resolution No. 89-621, this Board's predecessors consolidated the Franklin-Lebanon Sewer District, the Hamilton-Deerfield Sewer District, the Polk Run Sewer District, the Wayne-Massie Sewer District, Morrow-Rochester Sewer District, and all "sub-sewer districts" and "improvement areas" within such sewer districts, thereby establishing a single sewer district called the Warren County Sewer District of Warren County, Ohio; and,

**WHEREAS**, on November 9, 2004 this Board met to discuss its desire to modify the boundaries of the Lower Little Miami Sewer Improvement Area of the Warren County Sewer District, and as a result passed Resolution No. 04-1677 setting a public hearing concerning the modification of boundaries of the Lower Little Miami Sewer Improvement Area, and for the Clerk to give written notice to all property owners, as well as requesting written comments or recommendations from various County departments and agencies to be presented on or before the date of the public hearing; and,

**WHEREAS**, the Clerk mailed written notice of the public hearing scheduled for December 2, 2004 to the property owners and numerous news media with publications of general circulation in Warren County; and,

**WHEREAS**, on December 2, 2004, a public hearing was opened and later closed after the property owners and/or their representatives, and the general public, were given a reasonable opportunity to be heard and present any evidence they desired to present to the Board for consideration on this matter; further, the written comments from various County departments and agencies were received by the Board as evidence at the public hearing, and some department heads appeared at the public hearing and made verbal comments and recommendations; and,

**WHEREAS**, the Board mailed written notice to property owners that were originally given notice of the public hearing, and notice was sent to all persons who signed the attendance sheet at the public hearing on December 2, 2004, that the Board may render a decision relative to the modification of the sanitary sewer improvement area boundaries in Hamilton Township on December 16, 2004; and,

RESOLUTION # 05-1159  
DATE August 9, 2005  
PAGE 3

**NOW THEREFORE BE IT RESOLVED**, that this Board does hereby establish or alternatively approve the modification of the boundaries in Hamilton Township of the Lower Little Miami Sewer Improvement Area of the Warren County Sewer District to be one and the same as the boundaries of the Urban Service Area of the Hamilton Township Land Use Plan adopted April 11, 2000; and

**BE IT FURTHER RESOLVED**, that this Board does hereby adopt the map attached hereto as Exhibit "A" [Urban Service Area Map of the Hamilton Township Land Use Plan dated April 11, 2000] as the official map depicting the boundaries in Hamilton Township of the Lower Little Miami Sewer Improvement Area of the Warren County Sewer District; and


**BE IT FURTHER RESOLVED**, property owners and/or developers with final and/or preliminary plat approval that have substantially relied upon such approval and have made improvements should be allowed access to the public sanitary sewer system if sufficient system and treatment plant capacity is available to serve additional connections as the time such property owners and/or developers make application.

Mr. Kilburn moved for adoption of the foregoing Resolution, being seconded by Mr. Young. Upon call of the roll, the following vote resulted:

Mrs. South - yea  
Mr. Young - yea  
Mr. Kilburn - yea

Resolution adopted this 9<sup>th</sup> day of August 2005.

BOARD OF COUNTY COMMISSIONERS

  
Tina Davis, Clerk

cc: Prosecutor  
Water/Sewer (file) *AK*  
Health Dept.  
Engineer  
Soil & Water  
RPC  
Commissioners' file  
Dan Bennett, Little Miami School Superintendent  
Joe Trauth, Keating Muething & Klekamp LLP  
Richard Paolo, Arnoff Rosen & Hunt  
Bruce Ingram, Vorys Sater Seymour and Pease LLP