



**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 – March 14, 2023

This is a summary of actions and discussions of the meeting. You may view this meeting through our YouTube Channel at <https://www.youtube.com/channel/UC1ELh0jGpXd4VV2DTgsugPA> or by contacting our office.

The Board met in regular session pursuant to adjournment of the March 7, 2023, meeting.

Shannon Jones – present

Tom Grossmann – present

David G. Young – present

Tina Osborne, Clerk – present

Minutes of the March 7, 2023, meeting were read and approved.

- 23-0293 A resolution was adopted to approve end of 365- day probationary period and approve a pay increase for Stephani Abbott within the Warren County Emergency Services Department. Vote: Unanimous
- 23-0294 A resolution was adopted to approve end of 365- day probationary period and approve a pay increase for Lyndsey Stump within the Warren County Emergency Services Department. Vote: Unanimous
- 23-0295 A resolution was adopted to hire Mikel Shane Barnette as Training Coordinator within the Warren County Department of Job and Family Services, Human Services Division. Vote: Unanimous
- 23-0296 A resolution was adopted to approve part-time work hours for Kristy Oeder, Office Administrator, within Warren County Telecommunications Department. Vote: Unanimous
- 23-0297 A resolution was adopted to approve disability retirement of Michael Callahan, Telephone Technician III, within the Telecommunications Department effective March 24, 2023. Vote: Unanimous

- 23-0298 A resolution was adopted to hire Olivia Siegmann as an intern for the Telecommunications Department. Vote: Unanimous
- 23-0299 A resolution was adopted to approve promotion of Kaylie French from Administrative Clerk to Administrative Support within the Warren County Department of Job and Family Services, Children Services Division. Vote: Unanimous
- 23-0300 A resolution was adopted to approve promotion of Miranda Griffith to the position of Case Aide within the Warren County Department of Job and Family Services, Children Services Division. Vote: Unanimous
- 23-0301 A resolution was adopted to hire Emily Gibson as On-Going Caseworker I, within the Warren County Department of Job and Family Services, Children Services Division. Vote: Unanimous
- 23-0302 A resolution was adopted to remove probationary employee Kamea Whitehead, within the Department of Job and Family Services, Children Services Division. Vote: Unanimous
- 23-0303 A resolution was adopted to set and advertise Public Hearing #2 to designate projects Warren County intends to fund for the FY 2023 Community Development Block Grant (CDBG) Urban Entitlement Program. Vote: Unanimous
- 23-0304 A resolution was adopted to authorize President of the Board to sign permit application from the Ohio Department of Commerce, Division of Liquor Control for a fundraising event at the Warren County Fairgrounds. Vote: Unanimous
- 23-0305 A resolution was adopted to authorize acceptance of quote from Business Communication Specialists on behalf of Warren County Telecommunications. Vote: Unanimous
- 23-0306 A resolution was adopted to authorize the transfer of equipment to DAYCAD for trade in on new plotter on behalf of Warren County Telecommunications. Vote: Unanimous
- 23-0307 A resolution was adopted to approve emergency replacement power plant with installation for Snider Tower Site on behalf of Warren County Telecommunications. Vote: Unanimous
- 23-0308 A resolution was adopted to approve emergency spare replacement power plant for all Telecommunications tower sites. Vote: Unanimous
- 23-0309 A resolution was adopted to approve emergency procurement services for tree removal located at the Lower Little Miami Wastewater Treatment Plant. Vote: Unanimous

- 23-0310 A resolution was adopted to approve notice on intent to award bid to Smith and Brown Contractors, Inc. for the Hunter Sewer System Improvements Project. Vote: Unanimous
- 23-0311 A resolution was adopted to approve and enter into an easement agreement with Dennis Teall and Brian Rauch for waterline and appurtenances for the State Route 48 and US 122 Water Improvement Project and approve and authorize payment of just compensation. Vote: Unanimous
- 23-0312 A resolution was adopted to approve and enter into an easement agreement with Crossroads Christian Church for waterline and appurtenances for the State Route 48 and US 22 Water Improvement Project and approve and authorize payment of just compensation. Vote: Unanimous
- 23-0313 A resolution was adopted to approve and authorize the President of the Board to enter into a professional services agreement with Backflow Service, Inc. for assistance in managing the Water and Sewer Department Backflow and Cross-Connection Program. Vote: Unanimous
- 23-0314 A resolution was adopted to approve the contract between the Family and Children First Council of Seneca County and Warren County Commissioners on behalf of the Warren County Juvenile Court Mary Haven Youth Center Division. Vote: Unanimous
- 23-0315 A resolution was adopted to authorize Warren County Administrator on behalf of the County Commissioners, to sign a grant agreement with the Ohio Emergency Management Agency relative to the Emergency Management Performance Grant (EMPG). Vote: Unanimous
- 23-0316 A resolution was adopted to acknowledge payment of bills. Vote: Unanimous
- 23-0317 A resolution was adopted to approve various record plats. Vote: Unanimous
- 23-0318 A resolution was adopted to accept amended certificate for Sheriff's Office Fund #2293 and approve supplemental appropriation into Sheriff's Office Fund #2293. Vote: Unanimous
- 23-0319 A resolution was adopted to approve operational transfer from Commissioners' Fund #11011112 into Child Support Enforcement Agency Fund #2263. Vote: Unanimous
- 23-0320 A resolution was adopted to approve operational transfers of interest earnings from Commissioners' Fund #11011112 into Water Funds #5510, #5583, Sewer Funds #5580, and #5575. Vote: Unanimous
- 23-0321 A resolution was adopted to approve supplemental appropriation into OhioMeansJobs Fund #2258. Vote: Unanimous

- 23-0322 A resolution was adopted to approve appropriation adjustments from Commissioners General Fund #11011110 into County Court Clerk Fund #11011282. Vote: Unanimous
- 23-0323 A resolution was adopted to approve appropriation adjustments from Commissioners' Genera Fund #11011110 into Coroner Fund #11012100. Vote: Unanimous
- 23-0324 A resolution was adopted to approve appropriation adjustment within Common Pleas General Fund #11011220. Vote: Unanimous
- 23-0325 A resolution was adopted to approve appropriation adjustment within Board of Elections Fund #11011300. Vote: Unanimous
- 23-0326 A resolution was adopted to approve appropriation adjustment within Probate Court Fund #10112500. Vote: Unanimous
- 23-0327 A resolution was adopted to approve appropriation adjustment within the Treasurer's Office Fund #2249. Vote: Unanimous
- 23-0328 A resolution was adopted to approve appropriation adjustment within Children Services Fund #2273. Vote: Unanimous
- 23-0329 A resolution was adopted to approve appropriation adjustment within County Court Fund #2283. Vote: Unanimous
- 23-0330 A resolution was adopted to approve requisitions and authorize County Administrator to sign documents relative thereto. Vote: Unanimous
- 23-0331 A resolution was adopted to hire McKenna Hammonds as a part-time Investigative Caseworker II, within the Warren County Department of Job and Family Services, Children Services Division. Vote: Unanimous
- 23-0332 A resolution was adopted to hire Savannah Taylor as On-Going Caseworker II, within the Warren County Department of Job and Family Services, Children Services Division. Vote: Unanimous
- 23-0333 A resolution was adopted to hire Tyler Bell as Investigative Caseworker I, within the Warren County Department of Job and Family Services, Children Services Division. Vote: Unanimous
- 23-0334 A resolution was adopted to approve rezoning applications of James and Terry Banker (Cases #2023-01, #2023-02, #2023-03), to rezone approximately 102.879 acres from "R1B" Single Family Residential (1 acre density) and "B1" Neighborhood Commercial Business to "A1" Agricultural Zone in Turtlecreek Township. Vote: Unanimous

DISCUSSIONS

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

John Gomez, Southwest Regional Liaison for Ohio Treasurer Robert Sprague, was present to introduce himself as the new representative to Warren County.

Students from Lebanon High School Government class were present for 2023 Student Government Day.

The students each introduced themselves and the Board discussed county government.

PUBLIC HEARING

CASE #2023-01, 2023-02, AND 2023-03

REZONING APPLICATIONS OF JAMES AND TERRY BANKER
TO REZONE APPROXIMATELY 102.879 ACRES FROM "R1B" SINGLE FAMILY
RESIDENTIAL (1 ACRE DENSITY) AND "B1" NEIGHBORHOOD COMMERCIAL
BUSINESS TO "A1" AGRICULTURAL ZONE IN TURTLECREEK TOWNSHIP

The Board met this 14th day of March 2023, to consider the public hearing for the rezoning application of James and Terry Banker, owners of record (Case #2023-01, 2023-02, 2023-03), to rezone approximately 102.879 (Parcel Numbers 12-10-101-001-0, 12-10-151-002-0, 12-11-100-033-0, & 12-11-100-021-0) located at 619 McClure Road in Turtlecreek Township from "R1B" Single Family Residential (1 acre density) and "B1" Neighborhood Commercial Business Zone to "A1" Agricultural Zone.

Michelle Tegtmeier, Director of the Building and Zoning Department presented the attached PowerPoint presentation reviewing the location of the property, current zoning, existing use and requested zone. She stated this hearing includes three cases containing a total of 4 separate parcels. She stated that all parcels are being requested to be rezoned to Agriculture A1.

Mrs. Tegtmeier stated that the Regional Planning Commission recommended approval of the applications and the Rural Zoning Commission unanimously approved all three applications.

Jim and Terry Banker, property owners residing at 619 McClure Road, stated they desire to have all their property aligned with the zoning that matches the actual use which is agricultural. He stated

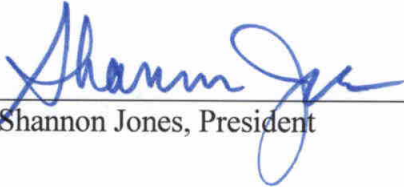
that they purchased the original farm in 1992, the adjacent farm in 2004 and then the last parcel that is adjacent to them in 2015.


Commission Grossmann questioned what it is the property owners desire to do with the property that they cannot do already.

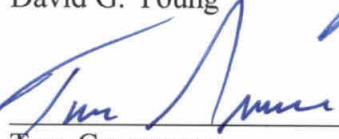
Mr. Banker stated that the property is already in a conservation easement, and they desire to rezone to remain consistent with the use.

There being no one to speak in favor of or in opposition to these rezoning applications, the Board closed the public hearing and resolved (Resolution #23-0334) to approve the rezoning applications.


Upon motion the meeting was adjourned.


Shannon Jones, President


David G. Young

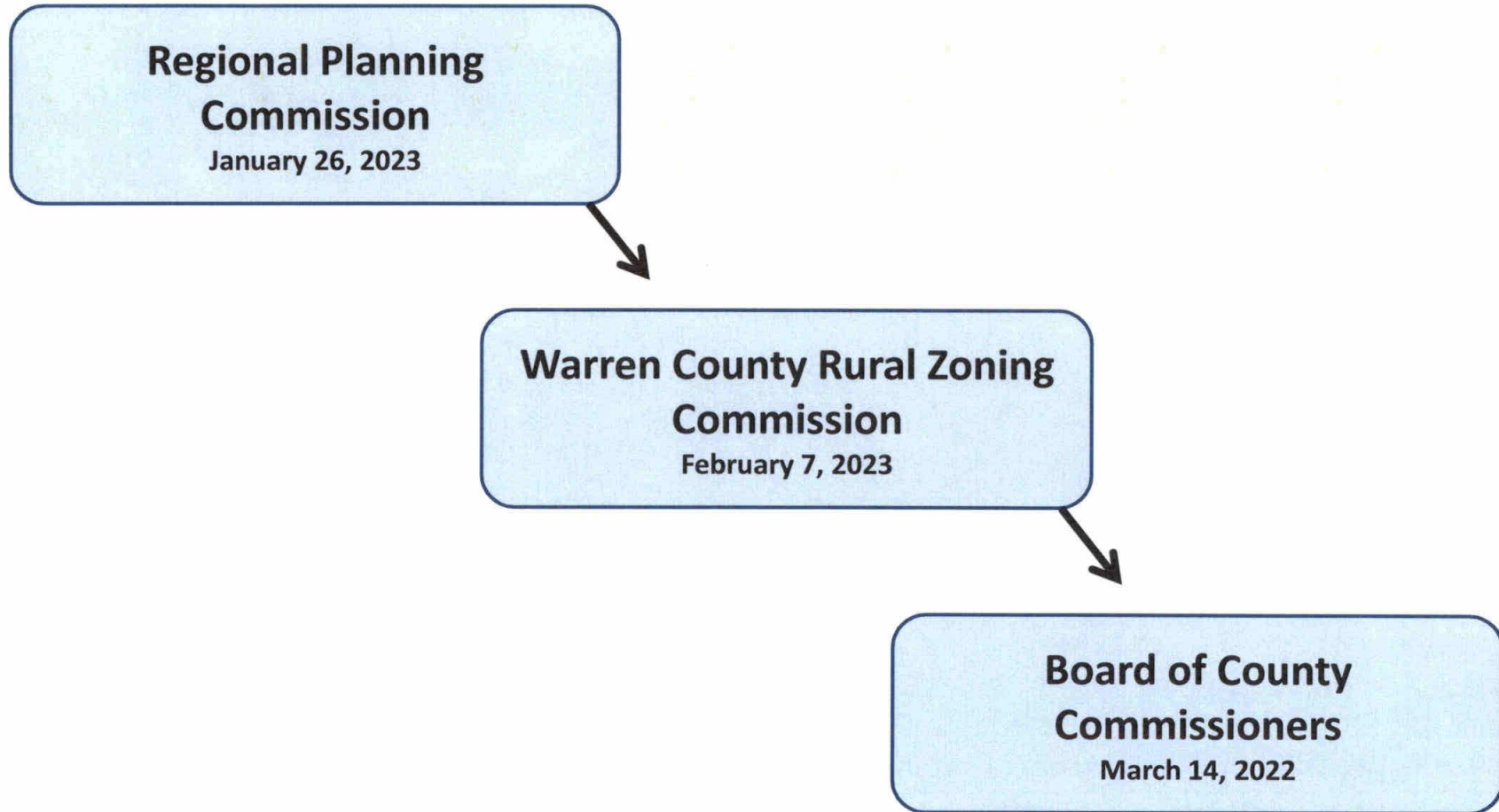

Tom Grossmann

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 March 14, 2023, in compliance with Section 121.22 O.R.C.


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

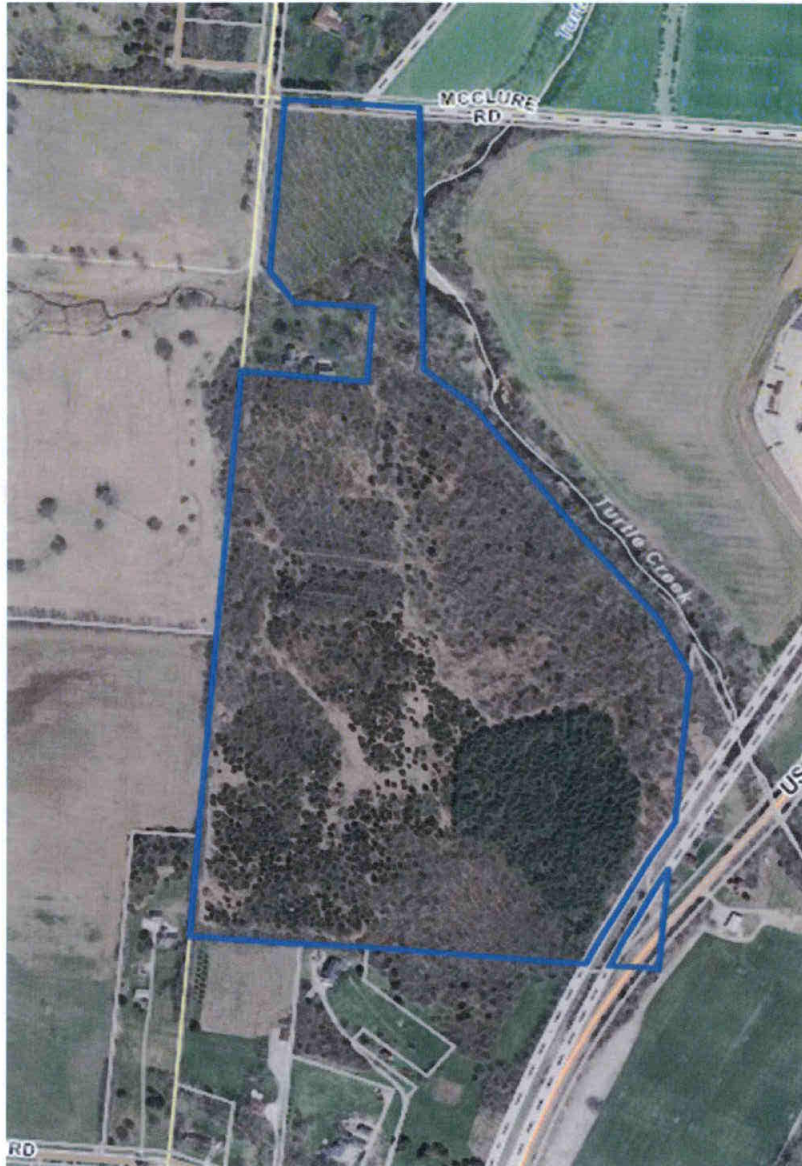
| | | |
|---|---|---|
| PP Exhibit #1 CASE # | 2023-01, 2023-02, 2023-03 | |
| APPLICANT/OWNER/AGENT | James & Terry Banker | |
| TOWNSHIP | Turtlecreek | |
| PROPERTY LOCATION'S | ADDRESS | 619 McClure Rd., 1899 Route 63 Lebanon, Ohio 45036 |
| | PIN | 12-10-101-001-0, 12-10-151-002-0, 12-11-100-033-0, & 12-11-100-021-0 |
| PROPERTY SIZE Frontage | 12-10-101-001-0 is .204, 12-10-151-002-0 is 61.014 acres, 12-11-100-033-0 is 39.778 acres, 12-11-100-021-0 is 1.883 acres. For a total of 102.879 acres. | |
| CURRENT ZONING DISTRICT'S | "R1B" Single Family Residential (1 acre density) "B1" Neighborhood Commercial Businesses Zone | |
| FUTURE LAND USE MAP (FLUM) DESIGNATION | Agricultural-Rural Residential | |
| EXISTING LAND USE | Single Family Resident | |
| ZONING REQUESTED | "A1" Agricultural Zone | |
| ISSUE FOR CONSIDERATION | Request to rezone 4 parcels from B1 and R1B to A-1, Agriculture. | |

Rezoning Process



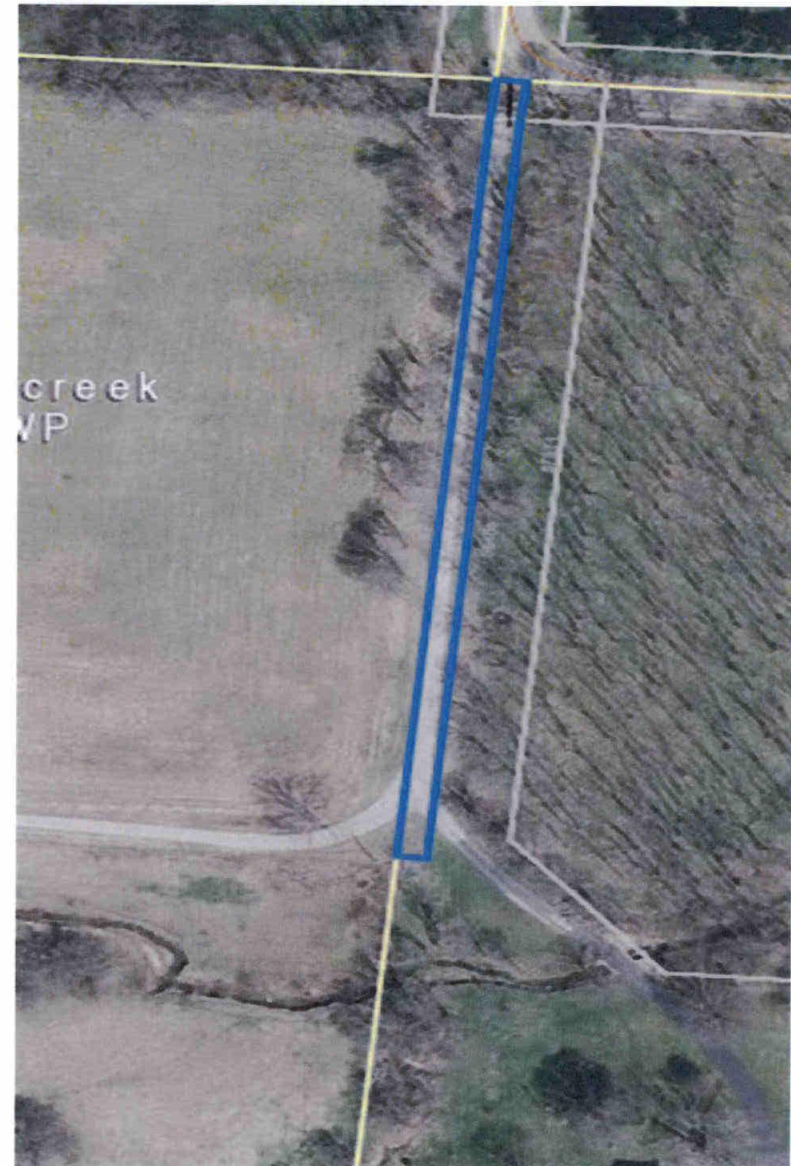
AERIALS FOR CASE # 2023-01

Parcel 12-10-151-002-0



61.014 acres

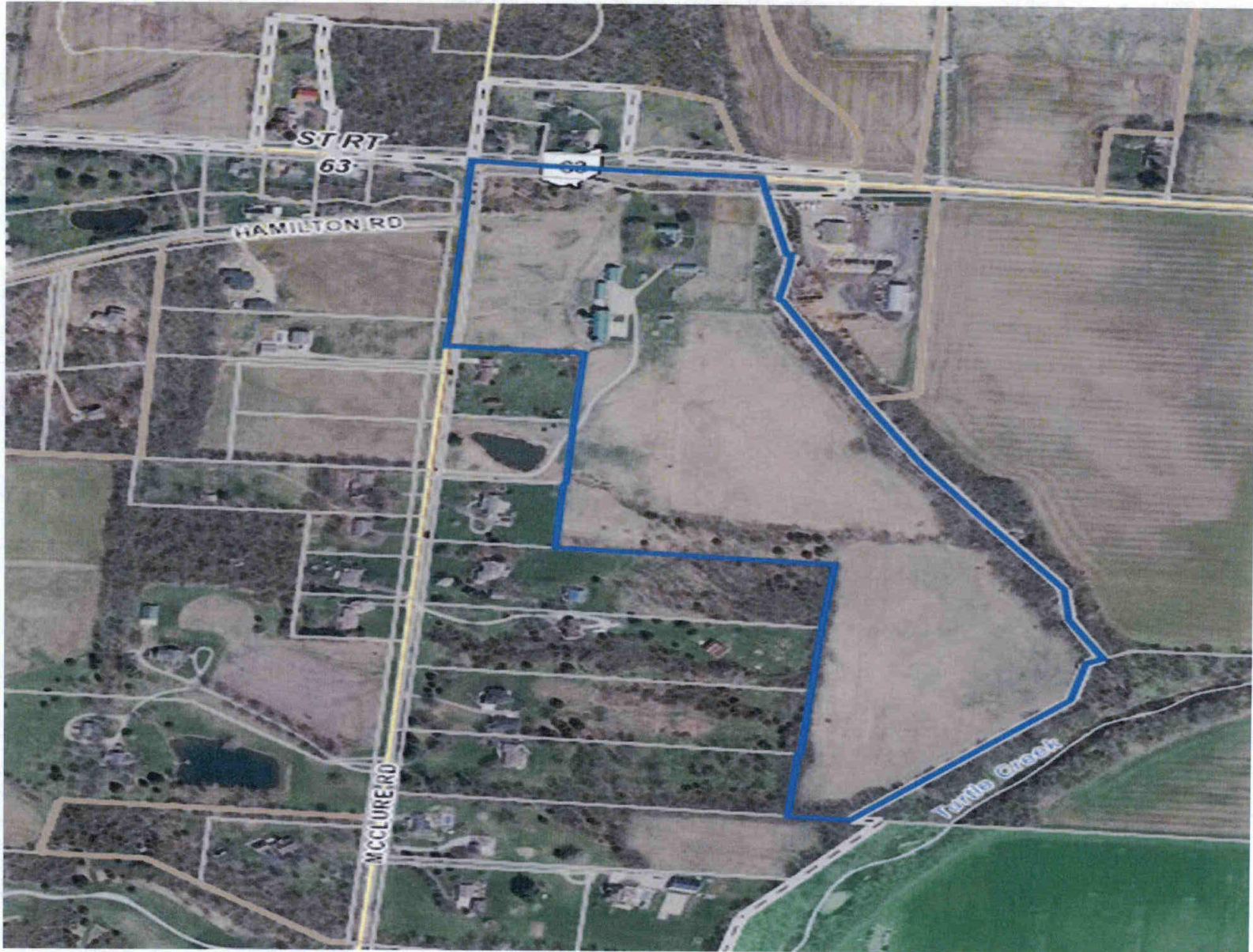
Parcel 12-10-101-001-0



.204 acres

AERIAL FOR CASE # 2023-02

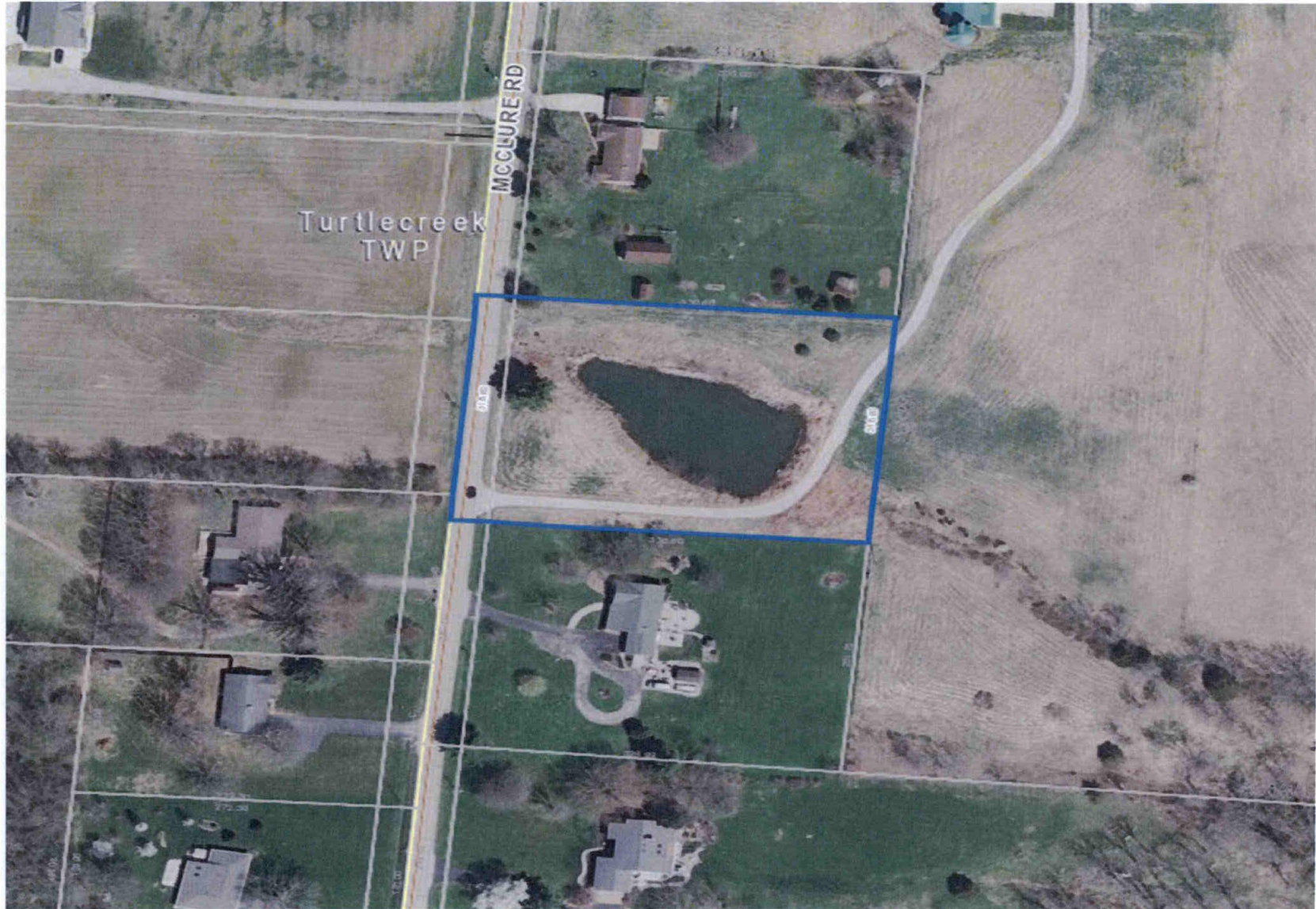
Parcel 12-11-100-033-0



39.778 acres – A1 and B1

AERIAL FOR CASE # 2023-03

Parcel 12-11-100-021-0

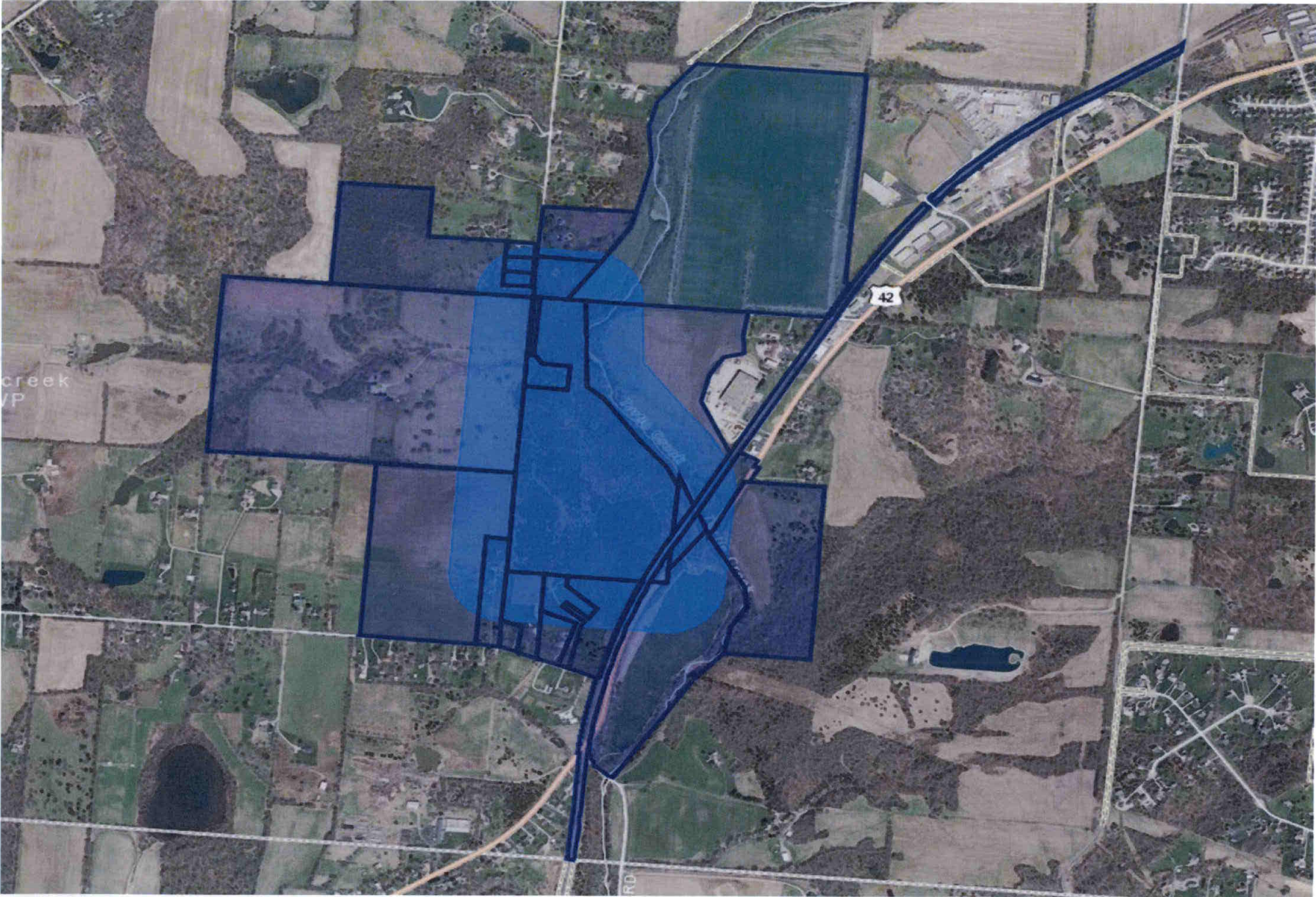


1.883 acres

Notification Map

2023-01

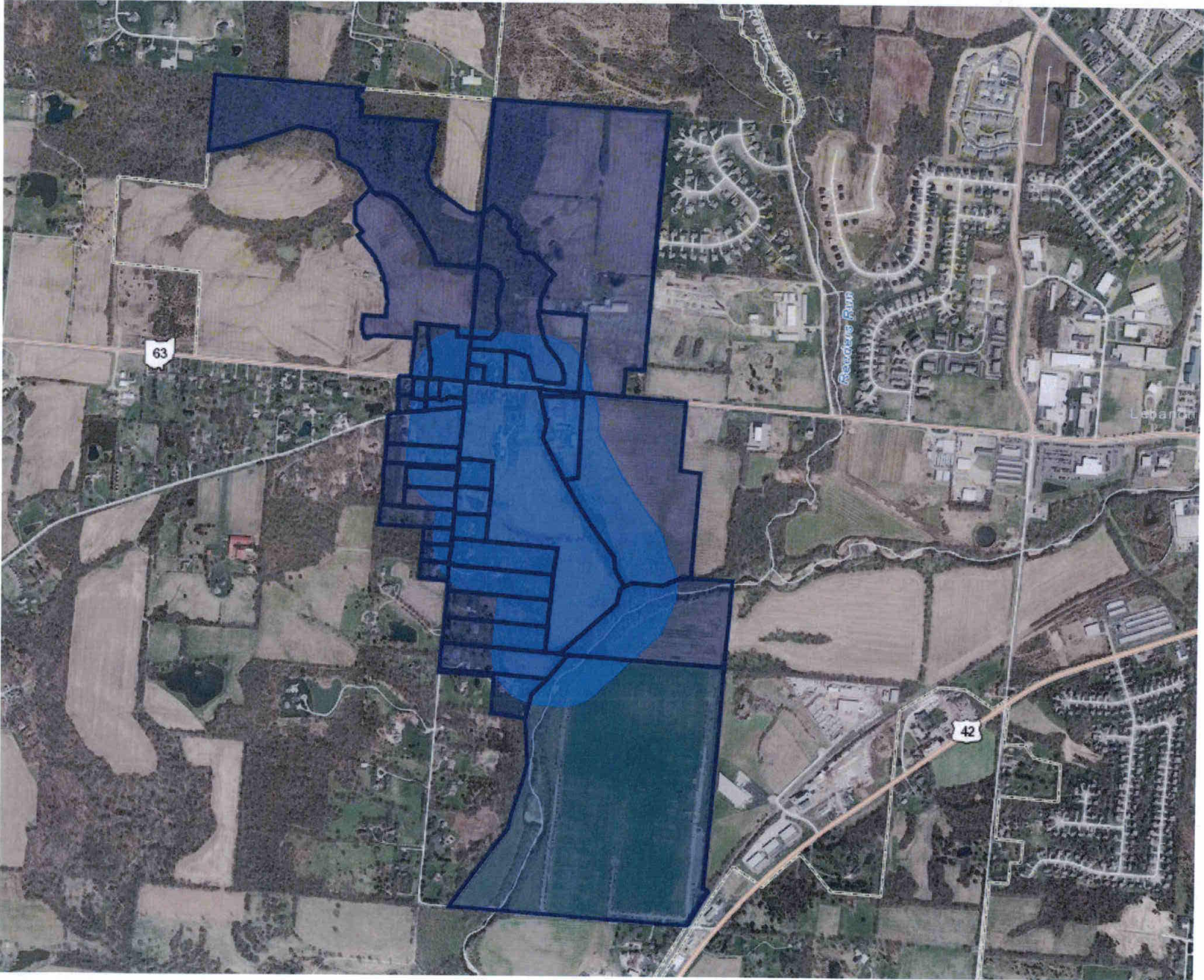
Parcel 12-10-151-002-0 & Parcel 12-10-101-001-0



Notification Map

2023-02

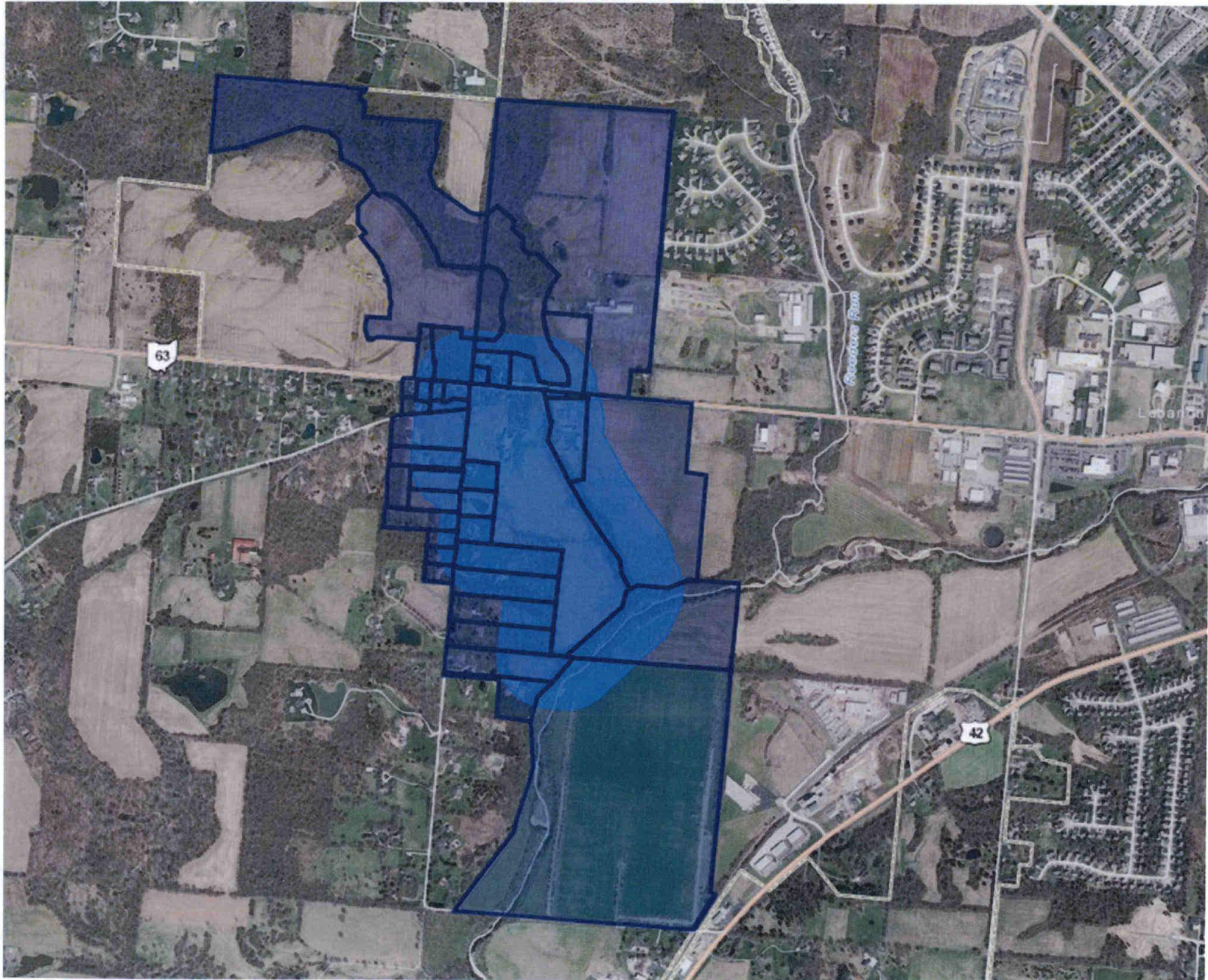
Parcel 12-11-100-033-0



Notification Map

2023-03

Parcel 12-11-100-021-0



A-1 Zoning Section 2.405

AGRICULTURAL ZONE REGULATIONS (A1):

Purpose: The purpose of the A1–Agricultural Zoning District is to protect the agricultural production resources of Warren County as seen today in viable agricultural operations, and the agricultural heritage. This district contains those areas of Warren County where it is necessary and desirable to preserve, promote, maintain and enhance the use of the land for agricultural purposes and to protect such lands from encroachment by nonagricultural uses or activities. In the A1–Agricultural Zoning District, agriculture shall be the primary land use, with a minimum of ten (10) acres of vacant land.

2.405.3 Maximum Density: one dwelling per forty-one (41) acres and there shall be no more than one residence on any lot.

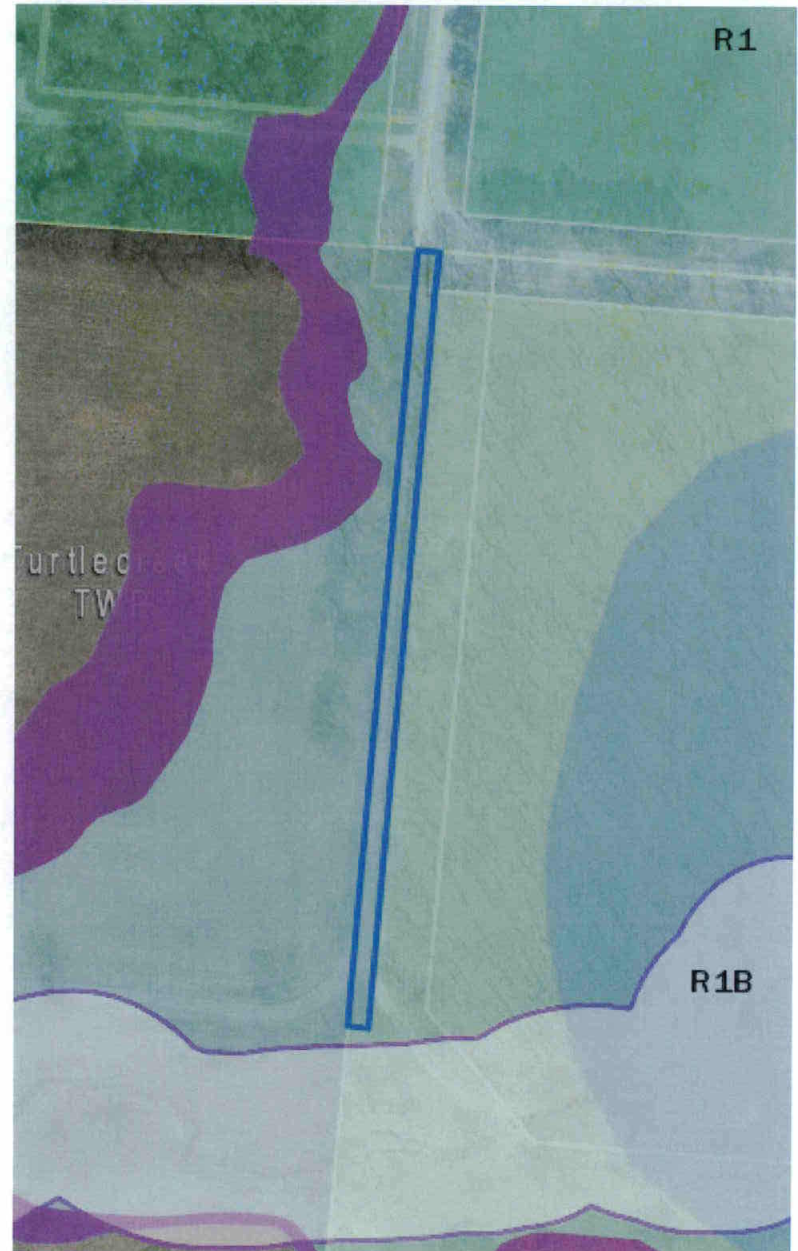
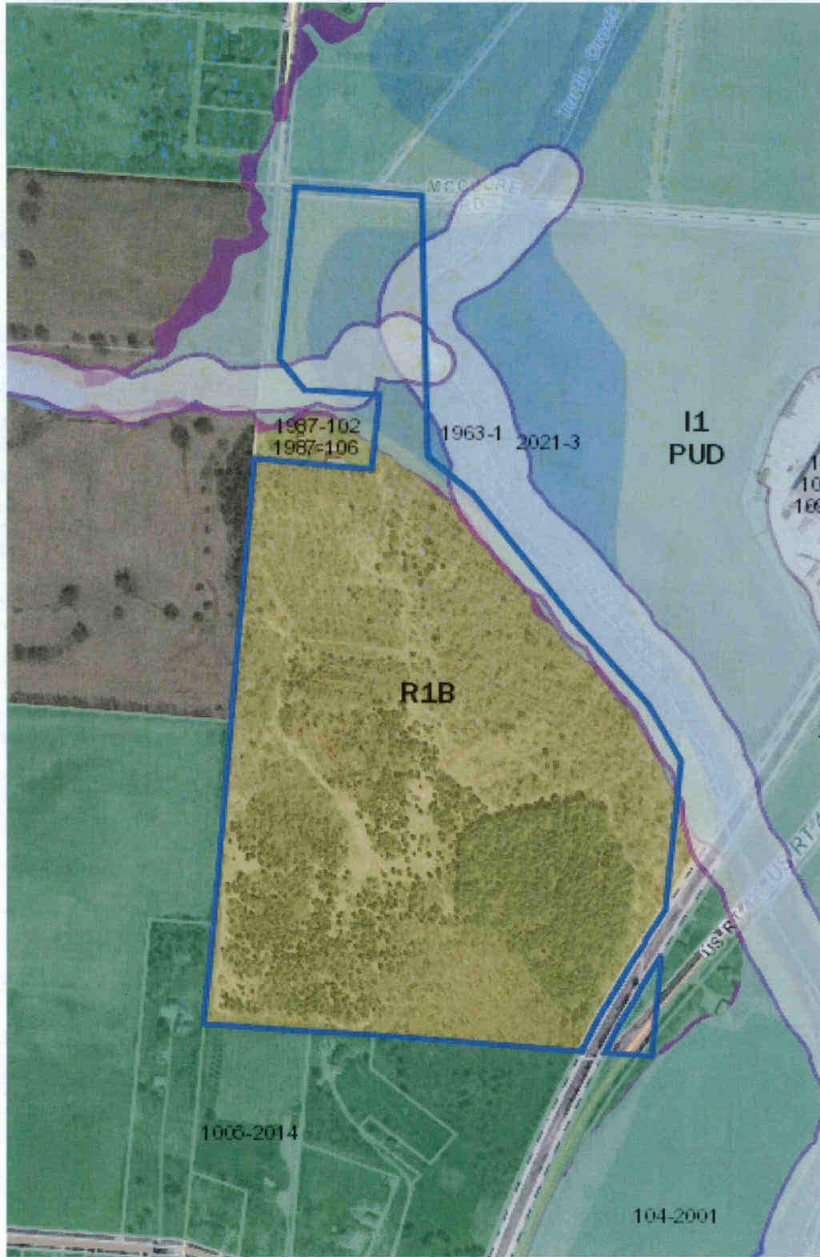
Permitted Uses:

1. Agriculture Uses
2. Roadside Stands
3. Single-family Residences
4. Farm worker residences

Flood and Zoning Map

Parcel 12-10-151-002-0 & Parcel 12-10-101-001-0

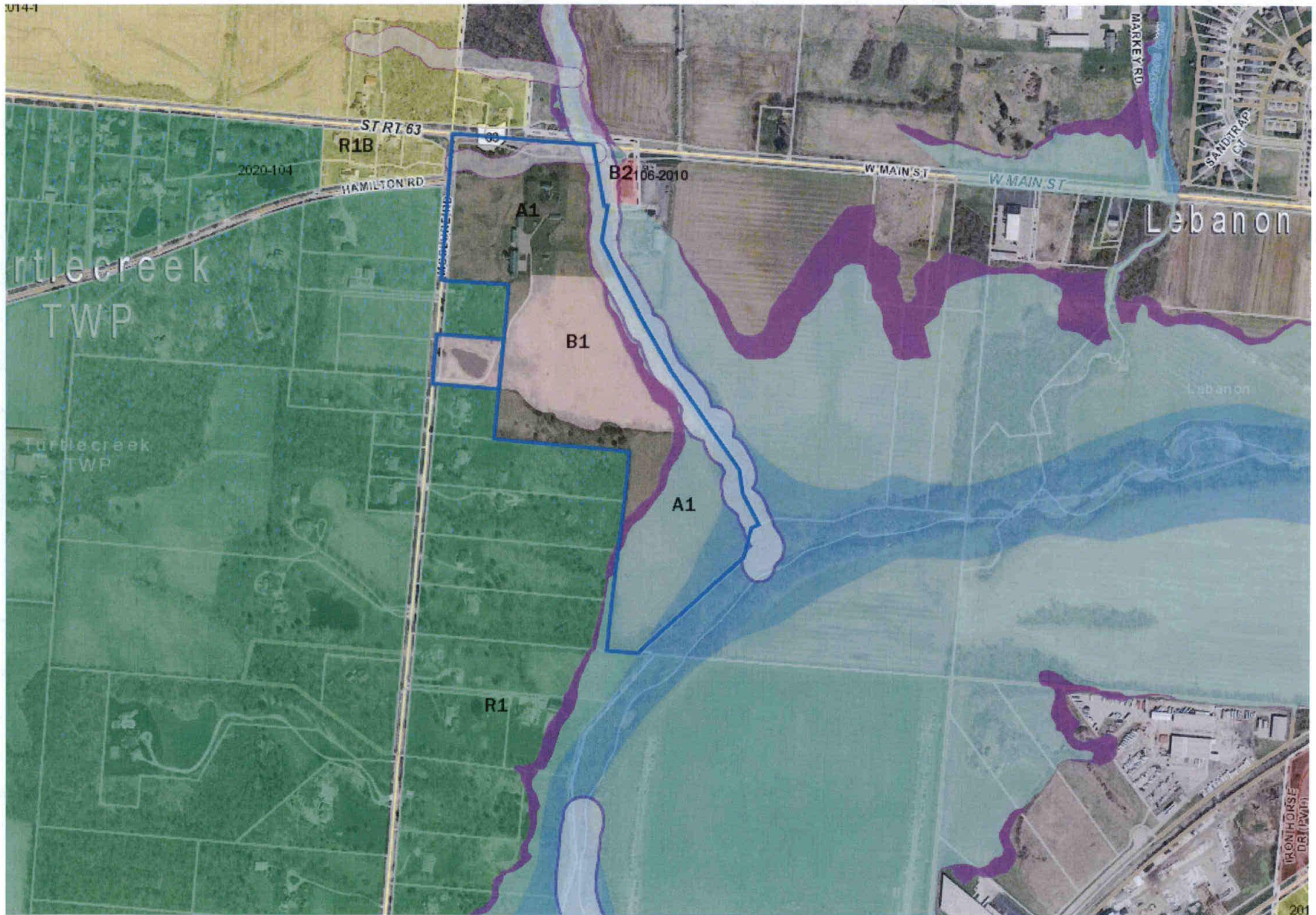
2023-01 and 02



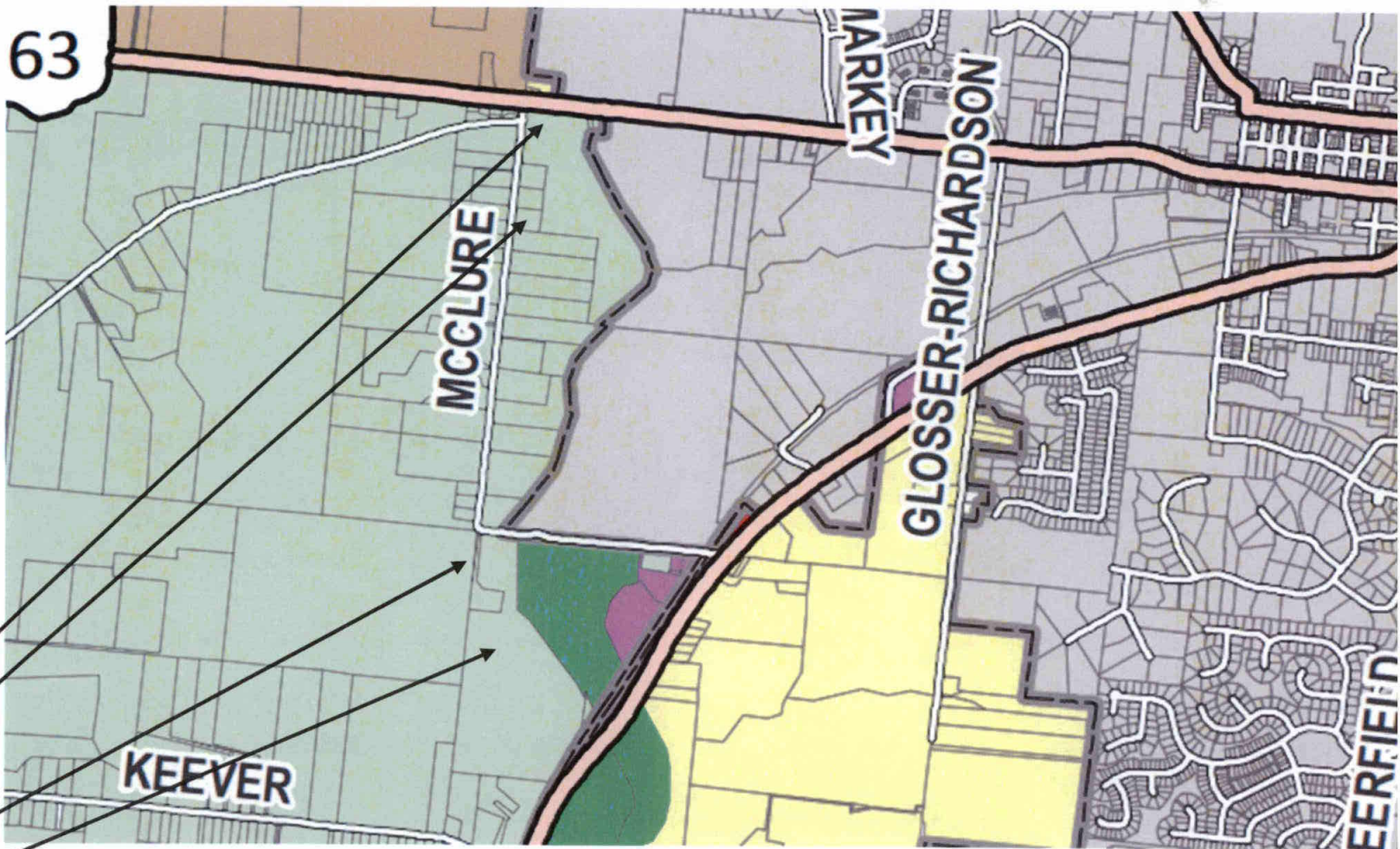
Flood and Zoning Map

2023-03

Parcel 12-11-100-033-0 & Parcel 12-11-100-021-0



FLUM



Legend

Future Land Uses

- Agricultural-Rural Residential
- Commercial
- Industrial
- Mixed-Use Neighborhood
- Multi-Family Residential
- Office
- Protection Area
- Public-Semi-Public

Deerfield Township Character Areas

- Parks and Recreational-Open Space
- Single Family Residential
- Low Density Rural Neighborhoods
- Med Density Rural Neighborhoods
- Neighborhood MU
- Neighborhoods
- Office Park
- Regional Highway Commercial

Town Center MU

- Town Center MU

Clearcreek Township Additional Uses

- Township Residential

Hamilton Township Additional Uses

- Rural Residential

Salem Township Additional Uses

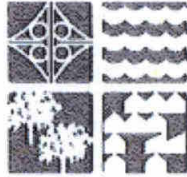
- Mixed Use
- Mixed Use Light Ind/Office

Union Township Additional Uses

- Low Density Residential

Wayne Township Additional Uses

- Mixed Use Commercial/Industrial
- Mixed Use Residential



Warren County Regional Planning Commission

WARREN COUNTY ADMINISTRATION BUILDING
406 JUSTICE DRIVE • LEBANON, OHIO 45036
TELEPHONE (513) 695-1223

STANLEY C. WILLIAMS, EXECUTIVE DIRECTOR

Warren County Regional Planning Commission Recommendation

January 26, 2023

Ms. Michelle Tegtmeier
Warren County Rural Zoning
406 Justice Drive
Lebanon, OH 45036

Dear Ms. Tegtmeier:

This letter is in regard to the proposed rezoning for the Banker property, from "A1", "B1", and "R1B" to "A1" Agricultural, in Turtlecreek Township.

At its meeting on January 26, 2023, the Warren County Regional Planning Commission Executive Committee voted to recommend approval of the Rezoning to the Warren County Rural Zoning Commission with a vote of 11 aye, 0 nay, 1 abstain.

A copy of the staff report is attached.

If you have any questions regarding this action, please contact this office.

Sincerely,

Stanley C. Williams, AICP
Executive Director

Rural Zoning
Commission
Recommendation:

I Jim Gibbs would like to make a motion to RECOMMEND the Rezoning case # Case #2023-01/ 2023-02/ 2023-03 James & Terry Banker in Turtlecreek Township, parcel# 12-10-101-001-0, 12-10-151-002-0, 12-11-100-033-0, & 12-11-100-021-0, to the Warren County Commissioners.

Ginger Haddix seconded the motion.

| | |
|----------------|-----|
| Fred Grimm | Yes |
| Dan Jenkins | Yes |
| Ginger Haddix | Yes |
| Ralph Campbell | Yes |
| Jim Gibbs | Yes |

ANY
QUESTIONS?



1.304.5 Decision-Making Determination Considerations: The approving authority shall review the proposed Zoning Amendment in the interest of public health and safety, as well as the public convenience, comfort, prosperity, or general welfare, as applicable, by considering the following factors:

- (A) Is the proposed amendment consistent with the purposes and intent of this Zoning Code?
- (B) Does the proposed amendment deviate from the suggestions of the Warren County Comprehensive Plan?
- (C) Is the proposed amendment justified because of changed or changing conditions of the surrounding area since the time the current zoning designation for the property was established, and has assumptions on, capital investments, road locations, population trends, land committed to development, density, use, or other elements changed to justify the amendment?
- (D) Is the proposed zoning compatible with the present zoning, nearby uses, and the character of the surrounding area?
- (E) Is the site suitable for the uses to which it has been restricted, or does the current zoning deprive the site of all economically viable uses?
- (F) How long has the property remained vacant as zoned and is it zoned different from an adjacent properties?
- (G) Are there available sites elsewhere in the County that are already zoned for the proposed use?
- (H) Are public central sanitary sewer, stormwater facilities, roads and other public facilities available and do they have adequate capacity to serve allowable uses?
- (I) Will approval of this amendment result in existing land uses, parcels, or structures becoming non-conforming or somehow result in conflict with any provision, restriction, or requirement of this code?