



BOARD OF COUNTY COMMISSIONERS

WARREN COUNTY, OHIO

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LARRY CRISENBERY

C. MICHAEL KILBURN

PAT ARNOLD SOUTH

BOARD OF COUNTY COMMISSIONERS

WARREN COUNTY, OHIO

MINUTES: Regular Session--March 5, 2002

The Board met in regular session pursuant to adjournment of the February 28, 2002, meeting.

C. Michael Kilburn - absent Larry Crisenbery - present

Pat Arnold South - present Tina Davis, Clerk - present

02-376 A resolution was adopted to approve and enter into Professional Service Agreement with Viola Hopkins, Transcriber, on behalf of the Warren County Sheriff's Office. Vote: Unanimous

02-377 A resolution was adopted to approve and enter into Professional Services Agreement with Darlene Turnbow, Transcriber, on behalf of the Warren County Sheriff's Office. Vote: Unanimous

02-378 A resolution was adopted to approve and enter into Professional Services Agreement with Jenni L. Moore, Transcriber, on behalf of the Warren County Sheriff's Office. Vote: Unanimous

02-379 A resolution was adopted to advertise for Bids for State Route 741 Water Improvement Area Project. Vote: Unanimous

02-380 A resolution was adopted to approve and enter into a Cooperative Agreement by and between the Warren County Board of Commissioners and the Deardoff Trustees on behalf of the Walter and Audrey Deardoff Senior Citizens Center. Vote: Unanimous

- 02-381 A resolution was adopted to approve various Refunds. Vote: Unanimous
- 02-382 A resolution was adopted to authorize Reimbursement to the Butler County Department of Environmental Services for System Capacity Charges for the Deerfield Area. Vote: Unanimous
- 02-383 A resolution was adopted to authorize Reimbursement to Deerfield Township Trustees and the Butler County Department of Environmental System Capacity Charges for the Deerfield Area. Vote: Unanimous
- 02-384 A resolution was adopted to authorize Reimbursement to Deerfield Township Trustees and the Butler County Department of Environmental Services for System Capacity Charges for the Northwest Deerfield Area. Vote: Unanimous
- 02-385 A resolution was adopted to enter into a Lease Agreement with the Warren County Career Center to utilize space in the building located at 312 East Silver Street, Lebanon, Ohio. Vote: Unanimous
- 02-386 A resolution was adopted to approve Operational Transfer from Commissioners Fund #101-1112 into Telecommunications Construction Projects Fund #492. Vote: Unanimous
- 02-387 A resolution was adopted to approve Operational Transfer from Commissioners Fund #101-1112 into Telecommunication Construction Projects Fund #492. Vote: Unanimous
- 02-388 A resolution was adopted to approve Appropriation Adjustment within the Telecommunications Department Fund #492. Vote: Unanimous
- 02-389 A resolution was adopted to approve Appropriation Adjustment within Building Services Fund #467. Vote: Unanimous
- 02-390 A resolution was adopted to continue Public Hearing concerning the Petition for Annexation of 90.5793 acres to the City of Lebanon. Vote: Unanimous
- 02-391 A resolution was adopted to affirm the Commitment of Open Government. Vote: Unanimous
- 02-392 A resolution was adopted to authorize payment of Bills. Vote: Unanimous
- 02-393 A resolution was adopted to approve Promotion of Cheryl Sorrell to the position of Customer Representative within the Water and Sewer Department. Vote: Unanimous

02-394 A resolution was adopted to authorize the posting of the "Billing Clerk I" position within the Water and Sewer Department, in accordance with Warren County Personnel Policy Manual, section 2.02 (A). Vote: Unanimous

DISCUSSIONS

Commissioner Kilburn entered the meeting at 10:17 a.m.

On motion, bids were closed at 10:15 a.m. this 5th day of March, 2002, and the following bids were received, opened and read aloud for 2002 Dump Trailer for the Warren County Engineer:

Worldwide Equipment, Inc. Cincinnati, Ohio	\$ 27,900.00 Plus - \$ 6,000.00 Trade In
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Freightliner Trucks of Cincinnati, Inc. Cincinnati, Ohio	\$ 29,875.00 Plus - \$ 5,500.00 Trade In
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East Manufacturing Corp. Randolf, Ohio	\$ 29,539.00 Plus - \$ 2,800.00 Trade In
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Stoops Freightliner Dayton, Ohio	\$ 28,900.00 Plus - \$ 8,000.00 Trade In
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Neil Tunison, Warren County Engineer will review bids for a recommendation at a later date.

Mrs. Shutts, resident of Turtlecreek Township, was present to request the Board to enact a “master plan” for development in her area.

The Board informed her of the Land Use Plan on file in the Regional Planning Commission and directed her to contact Mr. Craig, Director.

Marilee Swarzwald and Karin Haerberlin, Humane Association, were present to request additional funds from the Board for the Spay and Neuter program.

Mrs. Swarzwald stated their request to increase their annual allocation from \$5000 to \$7500.

Upon discussion, the Board agreed to the additional funding.

PUBLIC HEARING

ANNEXATION PETITION OF WILLIAM DETERS II TO ANNEX 90.5793 ACRES TO THE CITY OF LEBANON

The public hearing to consider the annexation petition of William Deters II, agent to annex 90.5793 acres to the City of Lebanon was reconvened this 5th day of March 2002, in the Commissioners’ Meeting Room.

William Deters, II, Agent stated that the property is owned by the Lebanon City School District and the City of Lebanon. He stated the school’s desire to construct a new high school on the property. He then stated that all matters required by law have been complied with.

Commissioner Kilburn questioned if the property is considered contiguous to the City of Lebanon due to the “ball on a string” decision of the Court of Appeals.

Mr. Deters stated that it meets the test due to it being city owned property and not road right-of-way.

Commissioner Kilburn questioned Rachel Hutzel, Assistant County Prosecutor, her opinion on the matter.

Ms. Hutzel stated her desire to see case law prior to making a recommendation to the Board.

Mr. Deters stated the need for annexation is essential for construction of the new school.

Mrs. Lutmer, adjacent property owner, questioned if the utilities will be connected through the railroad property or along Drake Road.

Pat Clements, City of Lebanon, stated that the only planned use of the railroad right-of-way is to provide electric services to the property. He stated that water and sanitary sewer will come from the southwest entrance of Drive Road, behind the Harmon property and Country Creek Subdivision.

Bob Singlebrock, adjacent property owner, stated his concern relative to electric going in behind his property.

There was much discussion relative to how utilities would reach the proposed development and the lack of notification of the time and place of the public hearing to adjacent property owners.

On motion, upon unanimous call of the roll, the Board stated their desire to mandate the Agent for Petitioners to notify all adjacent property owners of the time and date of hearings or the Board will not conduct proceedings.

Upon further discussion, the Board resolved (Resolution #02-390) to continue the public hearing to April 25, 2002, at 6:15 p.m.

Dan Druffles, 8643 Morrow-Cozaddale Road, was present along with Jerry Spurling, Chief Building Official, to discuss requirements being mandated by the Building Department when he was originally told the building construction was exempt due to agricultural use.

Upon discussion, the Board worked out a compromise for Mr. Druffles on the list of items Mr. Druffles presented.

Neil Tunison, County Engineer, Beth Deckard, County Recorder, and Gary Browning, Data Processing Director, were present to escort the Board to view the large document scanner on loan in the Map Room for possible purchase. The Board convened to the Map Room and upon return, stated their agreement to purchase the equipment.

Upon motion the meeting was adjourned.

C. Michael Kilburn, President

Larry Crisenbery

Pat Arnold South

I hereby certify that the foregoing is a true and correct copy of the minutes of the regular meeting of the Board of County Commissioners held on March 5, 2002, in compliance with Section 121.22 O.R.C.

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