



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

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C. MICHAEL KILBURN

PAT ARNOLD SOUTH

DAVID G. YOUNG

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

MINUTES: Regular Session – September 7, 2010

The Board met in regular session pursuant to adjournment of the August 31, 2010, meeting.

David G. Young - present

Pat Arnold South - present

C. Michael Kilburn - present

Tina Davis, Clerk - present

Minutes of August 31, 2010, meeting were read and approved.

- 10-1297 A resolution was adopted to Cancel regularly scheduled Commissioners' Meetings of Thursday, September 9, 2010, and Thursday, September 16, 2010. Vote: Unanimous
- 10-1298 A resolution was adopted to approve and authorize the President of the Board to enter into an On-The-Job-Training Agreement on behalf of the Workforce One of Warren County. Vote: Unanimous
- 10-1299 A resolution was adopted to approve and authorize the President of the Board to enter into an On-The-Job-Training Agreement on behalf of the Workforce One of Warren County. Vote: Unanimous
- 10-1300 A resolution was adopted to issue request for Engineering Qualifications/Proposals for the Twin Creek Stream Bank Restoration Project. Vote: Unanimous
- 10-1301 A resolution was adopted to Temporarily Terminate Bi-Monthly Sewer Billing to 1183 U.S. Route 22 & 3, Maineville Ohio. Vote: Unanimous
- 10-1302 A resolution was adopted to approve Reappointments to the Warren County Port Authority. Vote: Unanimous

- 10-1303 A resolution was adopted to declare various items within Telecommunications and Health Department as surplus and authorize the disposal of said items.
Vote: Unanimous
- 10-1304 A resolution was adopted to declare various items within Sheriff's Office and Warren County Parks as surplus and authorize the disposal of said items.
Vote: Unanimous
- 10-1305 A resolution was adopted to approve and authorize the President of the Board to enter into a Service Agreement on behalf of Workforce One of Warren County.
Vote: Unanimous
- 10-1306 A resolution was adopted to authorize Negotiations with KZF Design Inc. for Professional Engineering Services of the Bethany Road Utility Relocation Project. Vote: Unanimous
- 10-1307 A resolution was adopted to authorize the Board to approve the Public Safety System Policy Manual Update. Vote: Unanimous
- 10-1308 A resolution was adopted to enter into an Agreement with George and Jeanne Poedtke, for a Contract for sale and purchase of Real Property as Road Right-Of-Way, a Storm Sewer Easement and a Temporary Easement in connection with the Bethany Road Widening Project. Vote: Unanimous
- 10-1309 A resolution was adopted to approve and enter into Waterline & Appurtenance Easement Agreements for the Butterworth Road Watermain Extension Project.
Vote: Unanimous
- 10-1310 A resolution was adopted to approve and enter into Waterline & Appurtenance Easement Agreement with David R. Hezs for the Old Route 122 and Utica Road Waterline Improvement Project. Vote: Unanimous
- 10-1311 A resolution was adopted to approve a Change Order No. 1 to the Contract with Lake Erie Electric Inc. decreasing Purchase Order No. 78896 for the Lower Little Miami Wastewater Treatment Plant Expansion Project, Fund No. 574.
Vote: Mrs. South - yea; Mr. Young - yea; Mr. Kilburn - nay
- 10-1312 A resolution was adopted to approve a Change Order No. 1 to the Contract with Building Crafts Inc. decreasing Purchase Order No. 78895 for the Lower Little Miami Wastewater Treatment Plant Expansion Project, Fund No. 574.
Vote: Mrs. South - yea; Mr. Young - yea; Mr. Kilburn - nay
- 10-1313 A resolution was adopted to affirm "Then and Now" requests pursuant to Ohio Revised Code 5705.41(d) (1). Vote: Unanimous

- 10-1314 A resolution was adopted to approve various Refunds. Vote: Unanimous
- 10-1315 A resolution was adopted to approve Bond Release for M/I Homes, LLC, for completion of improvements in Regency Park Right-of-Way Dedication Plat of Parts of Huntington Drive and Hawksbury Drive including Extraterritorial Easements, situated in Hamilton Township. Vote: Unanimous
- 10-1316 A resolution was adopted to approve a Street and Appurtenances Bond Release for VWC Holdings, Ltd. for completion of improvements in the Villages of Winding Creek, the Falls situated in Clearcreek Township. Vote: Unanimous
- 10-1317 A resolution was adopted to approve a Sidewalk Bond Release for VWC Holdings, Ltd., for completion of improvements in the Villages of Winding Creek, the Falls situated in Clearcreek Township. Vote: Unanimous
- 10-1318 A resolution was adopted to approve Crooked Creek Drive, North Wood Creek Drive, Waterway Lane, Little Falls Drive, Old Creek Court, Winding Run Blvd, and Cobble Brook Drive at the Villages of Winding Creek, the Falls for public maintenance by Clearcreek Township. Vote: Unanimous
- 10-1319 A resolution was adopted to approve a Street and Appurtenances Bond Release for VWC Holdings, Ltd. for completion of improvements in the Villages of Winding Creek, the Legacy situated in Clearcreek Township. Vote: Unanimous
- 10-1320 A resolution was adopted to approve a Sidewalk Bond Release for VWC Holdings, Ltd., for completion of improvements in the Villages of Winding Creek, the Legacy situated in Clearcreek Township. Vote: Unanimous
- 10-1321 A resolution was adopted to approve North Wood Creek Drive and Misty Creek Drive at The Villages of Winding Creek, the Legacy for public maintenance by Clearcreek Township. Vote: Unanimous
- 10-1322 A resolution was adopted to enter into Erosion Control Bond Agreement with Brisben Family Limited Partnership, for completion of improvements in Hopewell Estates, Section 1, (Curb Cut Only), situated in Salem Township. Vote: Unanimous
- 10-1323 A resolution was adopted to approve following Record Plats. Vote: Unanimous
- 10-1324 A resolution was adopted to acknowledge receipt of August 2010 Financial Statement. Vote: Unanimous
- 10-1325 A resolution was adopted to approve Appropriation Decreases within various Funds. Vote: Unanimous

- 10-1326 A resolution was adopted to accept Amended Certificate for Children's Trust Fund #244. Vote: Unanimous
- 10-1327 A resolution was adopted to approve Supplemental Appropriation within Building Services Fund #497. Vote: Unanimous
- 10-1328 A resolution was adopted to approve Supplemental Adjustment into Children's Trust Fund #244. Vote: Unanimous
- 10-1329 A resolution was adopted to approve Supplemental Appropriation within Probate/Juvenile Fund #276. Vote: Unanimous
- 10-1330 A resolution was adopted to approve Appropriation Adjustment from Commissioners Fund #101-1112 into Mason Municipal Court Fund #101-1273. Vote: Unanimous
- 10-1331 A resolution was adopted to approve Appropriation Adjustment from Commissioners Fund #101-1110 into OMB Fund #101-1115. Vote: Unanimous
- 10-1332 A resolution was adopted to approve an Appropriation Adjustment within Prosecutor Fund 249-1150. Vote: Unanimous
- 10-1333 A resolution was adopted to approve Appropriation Adjustments within the Workforce Investment Act Fund 258-5800. Vote: Unanimous
- 10-1334 A resolution was adopted to approve an Appropriation Adjustment within Workforce One Fund #258. Vote: Unanimous
- 10-1335 A resolution was adopted to approve an Appropriation Adjustment within Workforce One Fund #258. Vote: Unanimous
- 10-1336 A resolution was adopted to approve Appropriation Adjustment within Common Pleas Probation Fund #101-1223. Vote: Unanimous
- 10-1337 A resolution was adopted to approve Appropriation Adjustment within County Court Fund #283. Vote: Unanimous
- 10-1338 A resolution was adopted to approve Appropriation Adjustment within Motor Vehicle Fund #202. Vote: Unanimous
- 10-1339 A resolution was adopted to authorize payment of Bills. Vote: Unanimous
- 10-1340 A resolution was adopted to authorize payment of Bills.
Vote: Mrs. South - yea; Mr. Young - yea; Mr. Kilburn - abstain

- 10-1341 A resolution was adopted to approve and enter into Contract with American Drug Testing Services regarding Medical Services associated with Drug Testing.
Vote: Unanimous
- 10-1342 A resolution was adopted to approve Memorandum of Understanding and Addendum/Amendment to the Labor Contracts between the Warren County Sheriff and the Warren County Deputy Sheriffs' Benevolent Association.
Vote: Unanimous
- 10-1343 A resolution was adopted to Advertise for Public Hearing #1 for Fiscal Year 2011 Community Development Block Grant Program.
Vote: Mrs. South - yea; Mr. Young - yea; Mr. Kilburn - nay
- 10-1344 A resolution was adopted to acknowledge payment of Bills.
Vote: Mrs. South - yea; Mr. Young - yea; Mr. Kilburn - nay
- 10-1345 A resolution was adopted to deny the Variance and Appeal of Conditions required for an Access Permit of David Zyzak in Deerfield Township. Vote: Unanimous

DISCUSSIONS

On motion, upon unanimous call of the roll, the Board entered into executive session at 9:01 a.m. to discuss imminent litigation pursuant to Ohio Revised Code Section 121.22 (G)(3) and union negotiations pursuant to Ohio Revised Code Section 121.22 (G)(4) and exited at 10:06 a.m.

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

Tiffany Zindel, Director of OMB, was present for a work session relative to the Request for Proposals received for the Medical Services associated with Drug Testing.

Mrs. Zindel stated that pursuant to Ohio Revised Code, the proposals received are confidential until after a final decision is made as to the provider. She then stated her recommendation to

enter into an agreement with American Drug Testing pursuant to them providing the services at the lowest cost.

Ms. Rosa Cierra, Arrow Springs, stated that they are the current provider and have not had an increase in cost for three years. She also stated the convenience of the location for continuing business with Arrow Springs.

The Board explained to Ms. Cierra that even though they have not increased their prices, of the six proposals received, Arrow Springs had the next to the highest proposal.

Upon discussion, the Board thanked Ms. Cierra for the drug testing services they have provided in the past as well as the current services they provide relative to Worker's Compensation. They then resolved (Resolution #10-1341) to approve and enter into contract with American Drug Testing Services regarding medical services associated with drug testing.

Dave Mick, Assistant County Engineer, was present for a work session along with Neil Tunison, County Engineer, Neil Strawser, Parrott and Strawser Development, and Matt Nolan, Assistant Prosecutor.

Mr. Mick stated that Mr. Strawser and Mr. Parrott have four subdivision sections open. He stated that they are large lot subdivisions with a few having roadway involved. He stated that Parrott and Strawser have had a couple of their partners file bankruptcy and they have handed one of the four subdivisions back to the bank.

Mr. Mick stated that he has requested final pavement be completed in the three remaining subdivisions. He stated that Mr. Strawser indicated his desire to complete the remaining subdivisions with two of the subdivisions, Misty Meadows subdivision in Harlan Township and Laurel Glen, being completed this year. He stated that there is enough money in the letter of credit to pay for the paving but in order to pay the contractor; the performance bond would need to be released immediately rather than remain in tact during the maintenance period.

Commissioner Kilburn stated his opinion that if the final course of asphalt is put in place in the proper manner, there would be no need for a maintenance period.

Mr. Strawser stated his desire to complete his obligations to the citizens of Warren County by completing these last three subdivisions but stated that, due to financial constraints, he would not be able to provide the required maintenance bond.

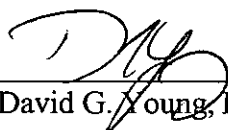
Upon discussion, the Board agreed to release the performance bond upon completion of the final pavement and waive the requirement for a maintenance bond. They then requested Matt Nolan, Assistant Prosecutor, to prepare an agreement with Parrott and Strawser reflecting the agreed upon terms.

Neil Tunison, County Engineer, gave the Board an update on the Bethany Road and Butler-Warren Road Widening Projects.

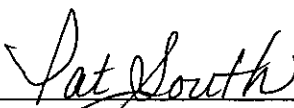
The Board also discussed with Mr. Tunison the ability to levy an additional fee upon the license tax for future road projects.

Mr. Tunison stated that the collected license tax is at its maximum collection amount of \$5.

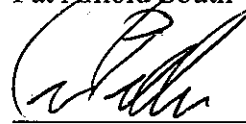
Upon motion the meeting was adjourned.



David G. Young, President

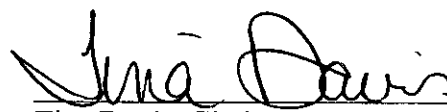


Pat Arnold South



C. Michael Kilburn

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 September 7, 2010, in compliance with Section 121.22 O.R.C.



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