



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 – October 28, 2010

The Board met in regular session pursuant to adjournment of the October 21, 2010, meeting.

David G. Young - present

Pat Arnold South - present

C. Michael Kilburn - present

Tina Davis, Clerk - present

- 10-1568 A resolution was adopted to approve Voluntary Disability Separation for Peggy Schuler, Custodial Worker I, effective October 29, 2010. Vote: Unanimous
- 10-1569 A resolution was adopted to approve and enter into Waterline & Appurtenance Easement Agreements for the State Route 122, 123, and 741 Watermain Relocation Project. Vote: Unanimous
- 10-1570 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
- 10-1571 A resolution was adopted to approve Change Order #1 with Sidewinder Electric Company relevant to the Warren County Post Frame Barn Replacement Project. Vote: Unanimous
- 10-1572 A resolution was adopted to declare various items within Regional Planning, Building Services and Sheriff's Office as surplus and authorize the disposal of said items. Vote: Unanimous
- 10-1573 A resolution was adopted to approve and enter into an Agreement with Proware for the Court Management System Extended Warranty and Software Maintenance. Vote: Unanimous

- 10-1574 A resolution was adopted to approve various Refunds. Vote: Unanimous
- 10-1575 A resolution was adopted to affirm "Then and Now" requests pursuant to Ohio Revised Code 5705.41(D) (1). Vote: Unanimous
- 10-1576 A resolution was adopted to affirm "Then and Now" requests pursuant to Ohio Revised Code 5705.41(D) (1). Vote: Unanimous
- 10-1577 A resolution was adopted to acknowledge payment of Bills. Vote: Unanimous
- 10-1578 A resolution was adopted to approve a Street and Appurtenances Bond Release for Salt Run Land Development, Inc for completion of improvements in Hildebrant Estates, No. 8, Phase One situated in Hamilton Township. Vote: Unanimous
- 10-1579 A resolution was adopted to approve a Street and Appurtenances Bond Release for Delmar L. and Jean S. Ring for completion of improvements in Foxdale Farms, Section 2 situated in Clearcreek Township. Vote: Unanimous
- 10-1580 A resolution was adopted to approve Equine Trail, Contessa Way, and Jaguar Court in Foxdale Farms, Section Two for public maintenance by Clearcreek Township. Vote: Unanimous
- 10-1581 A resolution was adopted to acknowledge approval of Appropriation Adjustment within County Court Fund #283. Vote: Unanimous
- 10-1582 A resolution was adopted to approve Expense Adjustment within the One-Stop Business and Employment Center Fund #258. Vote: Unanimous
- 10-1583 A resolution was adopted to approve Appropriation Adjustment from Commissioners Grants Fund #101-1112 into Clerk of Courts Fund #101-1260. Vote: Unanimous
- 10-1584 A resolution was adopted to approve Appropriation Adjustment within Coroner's Fund #101-2100. Vote: Unanimous
- 10-1585 A resolution was adopted to approve Appropriation Adjustments within Sheriff - Detention and Concealed Handgun License Funds #101-2210 and #285-2200. Vote: Unanimous
- 10-1586 A resolution was adopted to approve an Appropriation Adjustment within Workforce One Fund #258. Vote: Unanimous
- 10-1587 A resolution was adopted to approve an Appropriation Adjustment within Workforce One Fund #258. Vote: Unanimous

- 10-1588 A resolution was adopted to approve an Appropriation Adjustment within Workforce One Fund #258. Vote: Unanimous
- 10-1589 A resolution was adopted to approve an Appropriation Adjustment within Workforce One Fund #258. Vote: Unanimous
- 10-1590 A resolution was adopted to approve an Appropriation Adjustment within the Workforce Investment Act Fund #258. Vote: Unanimous
- 10-1591 A resolution was adopted to approve Appropriation Adjustment within Building Services Fund #101-1600. Vote: Unanimous
- 10-1592 A resolution was adopted to approve Appropriation Adjustment within Children Services Fund #273. Vote: Unanimous
- 10-1593 A resolution was adopted to approve Supplemental Appropriation within Building Services Fund #498. Vote: Unanimous
- 10-1594 A resolution was adopted to approve Supplemental Appropriations into Sheriff's Office Fund #630. Vote: Unanimous
- 10-1595 A resolution was adopted to authorize payment of Bills. Vote: Unanimous
- 10-1596 A resolution was adopted for Butterworth Road - Establish Non-Participant Charges. Vote: Unanimous
- 10-1597 A resolution was adopted to authorize the Posting of a Temporary "Clerical Specialist II" position, within the Department of Job and Family Services, Human Services Division, in accordance with Warren County Personnel Policy Manual, Section 2.02(a). Vote: Unanimous
- 10-1598 A resolution was adopted to Appropriate a Perpetual Storm Sewer Easement and two (2) Temporary Construction Easements in, on, over, through and under the property of David V. Zyzak, Butler-Warren Rd., Deerfield Township, for the construction, maintenance and operation of public road improvements to serve the Butler-Warren Road (CR 2) Improvement Project in Warren County, Ohio. Vote: Unanimous
- 10-1599 A resolution was adopted to Appropriate a Temporary Construction Easement in, on, over, through and under the property of Hitesh D. Patel, Village Green Dr., Deerfield Township for the construction, maintenance and operation of public road improvements to serve the Butler-Warren Road (CR 2) Improvement Project in Warren County, Ohio. Vote: Unanimous

- 10-1600 A resolution was adopted to approve and authorize the President and/or the Vice-President of this Board to sign a Grant Award for the Community Oriented Policing Services (COPS) Secure Our Schools Program on behalf of the Warren County Sheriff's Office. Mrs. South - yea; Mr. Young - yea; Mr. Kilburn - nay
- 10-1601 A resolution was adopted to approve Revision to the CY2011 Rural Transit Program Application and authorize the President and/or Vice President of this Board to sign documents relative thereto.
Mrs. South - yea; Mr. Young - yea; Mr. Kilburn - nay
- 10-1602 A resolution was adopted to acknowledge payment of Bills.
Mrs. South - yea; Mr. Young - yea; Mr. Kilburn - nay
- 10-1603 A resolution was adopted to acknowledge payment of Bills.
Mr. Kilburn - yea; Mr. Young - yea; Mrs. South - abstain
- 10-1604 A resolution was adopted to accept Resignation due to Retirement of Paula Tanner, Eligibility Referral Specialist II, within the Department of Job and Family Services, Human Services Division, effective December 31, 2010.
Vote: Unanimous
- 10-1605 A resolution was adopted to accept Resignation due to Retirement of Janet Cooley, Eligibility Referral Specialist II, within the Department of Job and Family Services, Human Services Division, effective December 31, 2010.
Vote: Unanimous
- 10-1606 A resolution was adopted to approve and enter into Agreement with Delta Development Group, Inc. Mrs. South - yea; Mr. Young - yea; Mr. Kilburn - nay
- 10-1607 A resolution was adopted to accept Amended Certificate, approve Appropriation Adjustment and Supplemental Appropriation within Fund #260.
Mrs. South - yea; Mr. Young - yea; Mr. Kilburn - nay
- 10-1608 A resolution was adopted to authorize payment of Bills.
Mr. Kilburn - yea; Mr. Young - yea; Mrs. South - abstain

DISCUSSIONS

On motion, upon unanimous call of the roll, the Board entered into executive session at 3:06 p.m. to discuss pending litigation pursuant to Ohio Revised Code Section 121.22 (G)(3), personnel matters pursuant to Ohio Revised Code Section 121.22 (G)(1) and matters required to be kept confidential per Federal or State law pursuant to Ohio Revised Code Section 121.22 (G)(6) and exited at 5:12 p.m.

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

Chris Brausch, Sanitary Engineer, was present to discuss the following matters:

1. Mr. Brausch is requesting to move forward with the demolition of the Union Road Water Treatment Plant that has been obsolete for several years now. The Board advised him to move forward with getting the price quotes but to not take any action.
 2. Hendrickson Road Water—There are several residents on Hendrickson Road that are requesting the extension of the waterline to serve their property. The preliminary estimates are approximately \$30,000 per benefitted household but the residents are requesting that a petition be sent the property owners. The Board stated they would not approve a \$30,000 assessment until 100% of all property owners were in favor of the project.
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Lisa Evans, property owner in the City of Carlisle (200 Industry Drive), was present along with Greg Wallace, representative from the City of Carlisle, Matt Nolan, Prosecutor's Office, and Jerry Spurling, Chief Building Official, to discuss a construction elevation issue she has on her property.

Ms. Evans stated that her property was built in 1985 with all the required approvals at the time. She stated that the City of Carlisle had Flood Plain Regulations in place which applied to her property and that Warren County approved all building inspections.

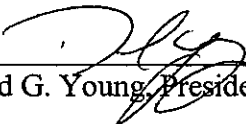
Ms. Evans stated that the business has closed and the property was listed for sale and had an accepted contact for purchase. Upon title examination, it was determined that the building was constructed below flood elevation and therefore, any mortgage company would require flood insurance at a cost of approximately \$10,000 per year due to the elevation being below what is required in a flood plain.

Ms. Evans then stated that the purchaser walked away from the property which is now in foreclosure.

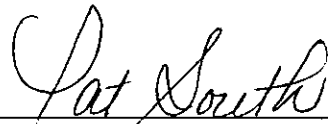
Mr. Spurling provided the Board with a copy of the approved zoning permit issued by the City of Carlisle relative to the Building Permit approval from 1985.

There was much discussion relative to Ms. Evans situation and upon discussion, the Board suggested she contact an attorney relative to any legal claims she may have and also requested Mr. Spurling to help Ms. Evans with any necessary actions she can take with FEMA to try to have her property removed from the flood plain.

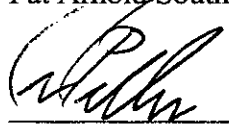
Upon motion the meeting was adjourned.



David G. Young, President

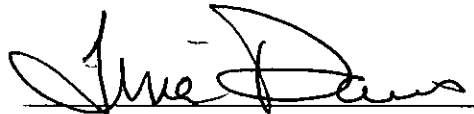


Pat Arnold South



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 October 28, 2010, in compliance with Section 121.22 O.R.C.



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