



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

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***TOM ARISS***

***PAT ARNOLD SOUTH***

***DAVID G. YOUNG***

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

**MINUTES: Regular Session – November 8, 2012**

The Board met in regular session pursuant to adjournment of the November 6, 2012, meeting.

David G. Young - present

Pat Arnold South - present

Tom Ariss - present

Tina Davis, Clerk - present

Minutes of the November 6, 2012 meetings were read and approved.

- 12-1559      A resolution was adopted to hire Bonnie Halmi-Evans as Investigative Caseworker II, within the Warren County Department of Job and Family Services, Children Services Division. Vote: Unanimous
- 12-1560      A resolution was adopted to declare various items within Engineer's Office, Clerk of Courts, Workforce One, Facilities Management and Telecommunications as surplus and authorize the disposal of said items. Vote: Unanimous
- 12-1561      A resolution was adopted to declare an Emergency and Waive Competitive Bidding Process for emergency repair to the Generator at Juvenile Justice Center. Vote: Unanimous
- 12-1562      A resolution was adopted to approve the Destruction of the following Warren County Sheriff's Office Equipment. Vote: Unanimous
- 12-1563      A resolution was adopted to approve Emergency Repair to the Sycamore Trails Package Plant and approve Purchase Order No. 90018. Vote: Unanimous
- 12-1564      A resolution was adopted to acknowledge receipt of October 2012 Financial Statement. Vote: Unanimous

- 12-1565 A resolution was adopted to approve various Refunds. Vote: Unanimous
- 12-1566 A resolution was adopted to affirm "Them and Now" requests pursuant to Ohio Revised Code 5705.41(D) (1). Vote: Unanimous
- 12-1567 A resolution was adopted to affirm "Then and Now" requests pursuant to Ohio Revised Code 5705.41(D) (1). Vote: Unanimous
- 12-1568 A resolution was adopted to approve a Street and Appurtenances Bond Release for BBBR, LLC for completion of improvements in the Estates at Shaker Run situated in Turtlecreek Township. Vote: Unanimous
- 12-1569 A resolution was adopted to approve a Sidewalk Bond Release for BBBR LLC, for completion of improvements in the Estates at Shaker Run situated in Turtlecreek Township. Vote: Unanimous
- 12-1570 A resolution was adopted to approve Meadow View Lane in the Estates at Shaker Run for public maintenance by Turtlecreek Township. Vote: Unanimous
- 12-1571 A resolution was adopted to approve a Street and Appurtenances Bond Release for Countrytyme Lebanon, Ltd for completion of improvements in Spartan Meadow Subdivision situated in Wayne Township. Vote: Unanimous
- 12-1572 A resolution was adopted to approve Spartan Hill Lane in Spartan Meadow Subdivision for public maintenance by Wayne Township. Vote: Unanimous
- 12-1573 A resolution was adopted to approve a Street and Appurtenances Bond Release for Trail Blazer Homes, Inc. for completion of improvements in Hopewell Meadows, Section 4 situated in Washington Township. Vote: Unanimous
- 12-1574 A resolution was adopted to approve Arrowcreek Drive and Blazing Trail in Hopewell Meadows, Section 4 for public maintenance by Washington Township. Vote: Unanimous
- 12-1575 A resolution was adopted to approve a Street and Appurtenances Bond Release for Scott & Diane Fornshell for completion of improvements in First Addition to Spring Haven Subdivision situated in Washington Township. Vote: Unanimous
- 12-1576 A resolution was adopted to approve the Shepherd's Way in First Addition to Spring Haven for public maintenance by Washington Township. Vote: Unanimous
- 12-1577 A resolution was adopted to approve Operating Transfers from Water Revenue Fund 510-3219 (Surplus) into Fund No. 583, various Water Revenue Projects. Vote: Unanimous

- 12-1578 A resolution was adopted to approve Operating Transfers from Sewer Revenue Fund 580-3319 (Surplus) into Fund No. 575, various Sewer Revenue Projects. Vote: Unanimous
- 12-1579 A resolution was adopted to approve Appropriation Adjustment from Commissioners Fund #101-1110 into OMB Fund #101-1115. Vote: Unanimous
- 12-1580 A resolution was adopted to approve Appropriation Adjustment within Juvenile Fund #101-1240. Vote: Unanimous
- 12-1581 A resolution was adopted to approve an Appropriation Adjustment within Prosecutor Fund 101-1150. Vote: Unanimous
- 12-1582 A resolution was adopted to approve Appropriation Adjustment within the Clerk County Court Fund #101-1282. Vote: Unanimous
- 12-1583 A resolution was adopted to approve Appropriation Adjustments within the Water Revenue Fund No. 510. Vote: Unanimous
- 12-1584 A resolution was adopted to approve Appropriation Adjustments within Sheriff's Office Fund #101-2200. Vote: Unanimous
- 12-1585 A resolution was adopted to approve Appropriation Adjustment within Records Center & Archives Fund #101-1500. Vote: Unanimous
- 12-1586 A resolution was adopted to authorize payment of Bills. Vote: Unanimous
- 12-1587 A resolution was adopted to approve Addendum to Sub-Lease dated November 6, 2012, by and between this Board, Miami Valley Gaming & Racing, LLC and the Warren County Agricultural Society. Vote: Unanimous
- 12-1588 A resolution was adopted to approve Text Amendments to the Warren County Rural Zoning Code "A" to add Section 2.611 Interstate 71 & State Route 123 Joint Economic Development District (JEDD) Overlay. Vote: Unanimous

#### DISCUSSIONS

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

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PUBLIC HEARING

CONSIDER TEXT AMENDMENTS TO THE WARREN COUNTY RURAL ZONING CODE  
TO ADD SECTION 2.603 INTERSTATE 71 & STATE ROUTE 123 JOINT ECONOMIC  
DEVELOPMENT DISTRICT (JEDD) OVERLAY

The public hearing to consider text amendments to the Warren County Rural Zoning Code to consider adding Section 2.603 Interstate 71 & State Route 123 Joint Economic Development District (JEDD) Overlay was convened this 8<sup>th</sup> day of November 2012, in the Commissioners' Meeting Room

Mike Yetter, Zoning Supervisor, presented and reviewed the proposed language to be added to the Zoning Code and stated that the property being considered within the overlay district has the correct zoning and is ready to be developed.

Commissioner South questioned if this is rezoning the property proposed within the overlay district.

Mr. Yetter explained that the properties would keep their existing zoning but the overlay would allow mixed use development as well as a higher building height. He then stated that the overlay will allow additional restrictions to be placed on the property and require a higher development standard.

Commissioner Ariss stated his opinion that the overlay will allow additional control of how the area will be developed from this point forward.

There was discussion from the residents that live adjacent to the area relative to their opposition to the proposed truck stop being considered within the area.

Mr. Yetter explained that the property proposed for the truck stop is zoned appropriately and would be permitted with or without the overlay being considered.

Debra Fisher, area resident, stated that if the JEDD was not approved then the truck stop would be on septic and therefore, would not be permitted.

Mr. Yetter stated that when Pilot first inquired into locating on the property, they were prepared to install a package plant that is self contained and not utilize sanitary sewer.

There was discussion from the area residents relative to why the Turtlecreek Township Trustees were in favor of this project.

Jonathan Sams, Turtlecreek Township Trustee, stated that the JEDD came into consideration because of the truck stop locating in the area. He explained that if the JEDD had been in place prior to the truck stop, it would have not been able to locate on the property as it would not meet the development standards. He further explained that this overlay is being considered to help ensure that the remaining properties in the area are development in a way that is the best and highest use for the property as well as in the best interest of the township.

Commissioner Young stated that this public hearing is not to consider the location of a truck stop within the area. He invited the residents to return to the public hearing scheduled on November 15, 2012, at 5:30 p.m. for any additional discussion relative to that specific use.

There was discussion relative to the sanitary sewer location and how it would affect the residential properties.

The Board stated that the City of Lebanon would be engineering the sanitary sewer line and they could get additional information from them.

There was discussion relative to concerns from area residents relative to the additional ten feet in height being permitted on buildings within the overlay area.

Ken Natorp, property owner within the proposed JEDD overlay area, stated that he has no problems with the building height remaining what it permitted under standard zoning.

Upon further discussion, the Board closed the public hearing and resolved (Resolution #12-1588) to approve text amendments to the Warren County Rural Zoning Code to consider adding Section 2.603 Interstate 71 & State Route 123 Joint Economic Development District (JEDD) Overlay with a modification to the permitted height of building within the overlay to remain 60 feet and to authorize staff to renumbering the articles within the text as deemed appropriate.

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## PUBLIC HEARING

### CONSIDER MAP AMENDMENTS TO THE WARREN COUNTY OFFICIAL MAP RELATIVE TO THE ADDITION OF THE INTERSTATE 71 & STATE ROUTE 123 JOINT ECONOMIC DEVELOPMENT DISTRICT (JEDD) OVERLAY

The public hearing to consider map amendments to the Warren County Official Zoning Map relative to the addition of the Interstate 71 & State Route 123 Joint Economic Development District (JEDD) Overlay was convened this 8<sup>th</sup> day of November, 2012, in the Commissioners' meeting Room.

Mike Yetter, Zoning Supervisor, presented the proposed map amendment and stated that no property within the JEDD overlay area is zoned residential.

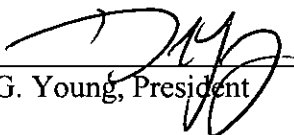
Upon discussion, the Board resolved (Resolution #12-1589) to approve map amendments to the Warren County Official Zoning Map relative to the addition of the Interstate 71 & State Route 123 Joint Economic Development District (JEDD) Overlay.

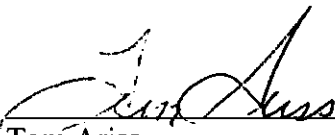
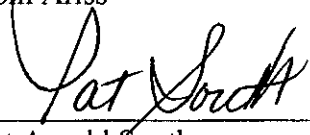
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On motion, upon unanimous call of the roll, the Board entered into executive session at 6:12 p.m. to discuss acquisition of property pursuant to Ohio Revised Code Section 121.22 (G)(2) and exited at 7:20 p.m.


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Upon motion the meeting was adjourned.

  
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David G. Young, President

  
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Tom Ariss  
  
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Pat Arnold South

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 November 8, 2012, in compliance with Section 121.22 O.R.C.

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