



**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 5, 2013

The Board met in regular session pursuant to adjournment of the October 29, 2013, meeting.

Tom Ariss - present

David G. Young - present

Pat Arnold South - absent

Tina Osborne, Clerk - present

Minutes of the October 29, 2013 meeting were read and approved.

- 13-1612 A resolution was adopted to approve hiring of David Shiverdecker as a Data technician within the Telecommunications Department. Vote: Unanimous
- 13-1613 A resolution was adopted to designate Family and Medical Leave of Absence to Julie McGeorge, Administrative Support, within the Office of Management and Budget. Vote: Unanimous
- 13-1614 A resolution was adopted to designate Family and Medical Leave of Absence to Susan Spencer, Personnel Officer, within the Office of Management and Budget. Vote: Unanimous
- 13-1615 A resolution was adopted to establish the Wayne-Massie Sewer District System Improvement Area. Vote: Unanimous
- 13-1616 A resolution was adopted to declare Official Intent with respect to Reimbursement of Temporary Advances made for Capital Expenditures to be made from subsequent borrowings for the Wayne-Massie Sewer District System Improvement Area. Vote: Unanimous

- 13-1617 A resolution was adopted to approve Revised General Plans for Sanitary Sewer Facilities in the Warren County Sewer District, to include Forcemain Upsizing and Sanitary Lift Station Upgrades in the Wayne-Massie Sewer District System Improvement Area. Vote: Unanimous
- 13-1618 A resolution was adopted to determine necessity for the Wayne-Massie Sewer District System Improvement Area Project for public use. Vote: Unanimous
- 13-1619 A resolution was adopted to approve Amendment #14 (Service Agreement) to the current Home Incarceration Agreement with BI Incorporated for Electronic Monitoring Service on behalf of Warren County Common Pleas Court, Community Corrections Division. Vote: Unanimous
- 13-1620 A resolution was adopted to nominate Jeff Thomas, Warren County Soil and Water Conservation District, to the natural Resources Assistance Council of the Green Space Conservation Program. Vote: Unanimous
- 13-1621 A resolution was adopted to retain Taft, Stettinius & Hollister LLP as Special Legal Counsel relative to Workers' Compensation. Vote: Unanimous
- 13-1622 A resolution was adopted to approve and authorize the President and/or Vice President of this Board to sign an Amendment to the Grant Agreement between Warren County and the State of Ohio Attorney General's Office relative to the Moving Ohio Forward Demolition Program. Vote: Unanimous
- 13-1623 A resolution was adopted to approve and authorize the President of the Board to sign the Government and Education Processing Agreement Terms and Conditions with Heartland payment Systems for Credit and Debit Card processing Services for the purpose of processing payment of Water and Sewer Bills and other Water related charges. Vote: Unanimous
- 13-1624 A resolution was adopted to approve and authorize the President of the Board to enter into a Master Services Agreement with First Mobile Trust, an Ohio Limited Liability Company and Subsidiary of First Billing Services for Electronic Checks (E-Check), Credit and Debit Card Services for the purpose of processing payments of Water and Sewer Bills and other Water and Sewer related charges. Vote: Unanimous
- 13-1625 A resolution was adopted to approve various Refunds. Vote: Unanimous
- 13-1626 A resolution was adopted to acknowledge payment of Bills. Vote: Unanimous
- 13-1627 A resolution was adopted to approve Bond Reduction for VWC Holdings, Ltd., for completion of improvements in Turning Leaf Section 3 situated in Clearcreek Township. Vote: Unanimous

- 13-1628 A resolution was adopted to approve Bond Reduction for VWC Holdings, Ltd., for completion of Improvements in Boulevards, Section 3 situated in Clearcreek Township. Vote: Unanimous
- 13-1629 A resolution was adopted to approve Appropriation Decreases within various Funds. Vote: Unanimous
- 13-1630 A resolution was adopted to accept an Amended Certificate, approve Supplemental Appropriations and Repayment of Cash Advances within Fund 439, various Water Assessment Projects. Vote: Unanimous
- 13-1631 A resolution was adopted to approve an Amended Certificate Decrease in Fund #490 – Bethany Road Widening Project. Vote: Unanimous
- 13-1632 A resolution was adopted to approve Operational Transfers from Commissioners Fund #101-1110 into Radio System Bond Fund #268. Vote: Unanimous
- 13-1633 A resolution was adopted to approve an Operational Transfer from the Harveysburg Road Widening Project Fund #491 into the Motor Vehicle Fund #202 and approve Repayment of a Cash Advance from the Harveysburg Road Widening Project Fund #491 into the Motor Vehicle Fund #202.
Vote: Unanimous
- 13-1634 A resolution was adopted to approve Supplemental Appropriation into Health Insurance Fund #632. Vote: Unanimous
- 13-1635 A resolution was adopted to approve Supplemental Appropriation into Sheriff's Office Fund #286. Vote: Unanimous
- 13-1636 A resolution was adopted to approve an Appropriation Adjustment within Prosecutor Fund #101-1150. Vote: Unanimous
- 13-1637 A resolution was adopted to approve Appropriation Adjustment within Emergency Services / Communications Fund #101-2850. Vote: Unanimous
- 13-1638 A resolution was adopted to approve Appropriation Adjustment from Commissioners Grant Fund #101-1112 into Tax Settlement Fund #101-1990.
Vote: Unanimous
- 13-1639 A resolution was adopted to approve Appropriation Adjustment within County Garage Fund #619-1110 and #101-1620. Vote: Unanimous
- 13-1640 A resolution was adopted to approve Appropriation Adjustment within the telecommunications Department Fund #10-2810. Vote: Unanimous

- 13-1641 A resolution was adopted to approve an Appropriation Adjustment within Prosecutor Fund #255. Vote: Unanimous
- 13-1642 A resolution was adopted to approve Appropriation Adjustment within Juvenile Court Title IV-E Grant Fund #243. Vote: Unanimous
- 13-1643 A resolution was adopted to approve Appropriation Adjustment within Veterans Fund #101-5220. Vote: Unanimous
- 13-1644 A resolution was adopted to approve Appropriation Adjustments within DTAC – Prosecutor ORC 321.261 Fund #271. Vote: Unanimous
- 13-1645 A resolution was adopted to approve Appropriation Adjustments within Community Corrections Fund #101-1224. Vote: Unanimous
- 13-1646 A resolution was adopted to approve Appropriation Adjustment within Human Services Fund #203. Vote: Unanimous
- 13-1647 A resolution was adopted to authorize payment of Bills. Vote: Unanimous
- 13-1648 A resolution was adopted to approve the following Record Plats.
Vote: Unanimous
- 13-1649 A resolution was adopted to change the name of Workforce One of Warren County to Ohio Means Jobs of Warren County. Vote: Unanimous
- 13-1650 A resolution was adopted to acknowledge Intent to Renew Agreement for broker Services by and between Horan Associates, Inc. and the Board of County Commissioners relative to the 2014 Health insurance Plan. Vote: Unanimous
- 13-1651 A resolution was adopted to release Security Agreement No. 13-012 (X) and Escrow Funds Securing the completion of the performance of improvements by Fischer Development Co. II, Inc. in Providence, Section II, Phase I situated in Hamilton Township. Vote: Unanimous
- 13-1652 A resolution was adopted to approve a Street and Appurtenances Bond Release for Providence 1, LLC for completion of improvements in Providence, Section II, Phase I, situated in Hamilton Township. Vote: Unanimous
- 13-1653 A resolution was adopted to approve a Sidewalk Bond Release for Woods on Providence 1, LLC for completion of improvements in the Providence, Section II, Phase I, situated in Hamilton Township. Vote: Unanimous

- 13-1654 A resolution was adopted to approve Quellin Boulevard, Berringer Court and Carrington Place in Providence, Section II, Phase I for public maintenance by Hamilton Township. Vote: Unanimous
- 13-1655 A resolution was adopted to set Public Hearing for Rezoning Application initiated by the Rural Zoning Commission, Joseph Carter, owner of record (Case #2013-07), to rezone 4.3 acres from Rural Residential "RU" to Community Commercial "B2" in Harlan Township. Vote: Unanimous
- 13-1656 A resolution was adopted to approve Appropriation Adjustments within Adult probation Fund #101-1223. Vote: Unanimous
- 13-1657 A resolution was adopted to Transfer Balances within certain Subfunds of the Emergency Management Agency Fund #264 to close prior years completed EMA Subfunds. Vote: Unanimous
- 13-1658 A resolution was adopted to approve Appropriation Adjustment from Telecom Fund #101-2810 into #101-2812. Vote: Unanimous
- 13-1659 A resolution was adopted to approve Appropriation Adjustment within Auditors Fund #101-1120. Vote: Unanimous
- 13-1660 A resolution was adopted to Cancel regularly scheduled Commissioners' Meeting of Thursday November 07, 2013. Vote: Unanimous
- 13-1661 A resolution was adopted to approve Appropriation Adjustment within Common Pleas Fund #101-1220. Vote: Unanimous
- 13-1662 A resolution was adopted to approve Appropriation Adjustments from Commissioners' General Fund #101-1110 into Auditor's Fund #101-1120. Vote: Unanimous
- 13-1663 A resolution was adopted to approve and enter into a Service Contract with Careworks Consultants, Inc. for the Third Party Administration of the Warren County Self-Insured Workers' Compensation Program. Vote: Unanimous
- 13-1664 A resolution was adopted to approve Modified Text Amendments to the Warren County Rural Zoning Code to Amend Article 1, Chapters 2 & 3; Article 3, Chapter 1; and add new section 1.313 "Reasonable Accommodations Request". Vote: Unanimous
- 13-1665 A resolution was adopted to promote Laura Dickey from Eligibility Referral Specialist II to the position of Social Service worker II within the Warren County Department of Human Services. Vote: Unanimous

- 13-1666 A resolution was adopted to promote Amber Edwards from Unit Support Worker II to the position of Eligibility Referral Specialist II within the Warren County Department of Job and Family Services, Human Services Division.
Vote: Unanimous
- 13-1667 A resolution was adopted to authorize the posting of the "Unit Support Worker II" position, within the Human Services Department, in accordance with Warren County Personnel Policy Manual, Section 2.02(A). Vote: Unanimous
- 13-1668 A resolution was adopted to promote Chelsea Nichols to the position of Case Aide within the Warren County Department of Job and Family Services, Children Services Division. Vote: Unanimous
- 13-1669 A resolution was adopted to authorize the posting of the "Economic Development Specialist" position, within the Economic Development Department, in accordance with Warren County Personnel Policy Manual, Section 2.02(A).
Vote: Unanimous

DISCUSSIONS

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

PUBLIC HEARING

CONSIDER VARIOUS TEXT AMENDMENTS TO THE WARREN COUNTY RURAL ZONING CODE TO AMEND ARTICLE 1, CHAPTERS 2 & 3; ARTICLE 2, CHAPTER 5; ARTICLE 3, CHAPTER 1; ADD NEW SECTION 1.313 "REASONABLE ACCOMMODATIONS REQUEST", SECTION 2.302.4 "VISIT-ABILITY STANDARDS" AND SECTION 2.509 (D) "PUD DEVELOPMENT STANDARDS FOR VISIT-ABILITY"

The public hearing to consider various text amendments to the Warren County Rural Zoning Code to amend Article 1, Chapters 2 & 3; Article 2, Chapter 5; Article 3, Chapter 1; add a new Section 1.313 "REASONABLE ACCOMMODATIONS REQUEST", Section 2.302.4 "VISIT-ABILITY STANDARDS" and Section 2.509 (D) "PUD DEVELOPMENT STANDARDS FOR VISIT-ABILITY" was reconvened this 5th day of November 2013, in the Commissioners' Meeting Room.

Mike Yetter, Zoning Supervisor, presented the language modifications requested by Bruce McGary, Assistant Prosecutor, at the previous public hearing.

Mr. Yetter presented the following:

1. Article 1, Chapter 2 Section 1.204 –Board of Zoning Appeals—the Board approved as modified
2. Article 1, Chapter 2 Section 1.205—The amended language provides clarification on which body will hear major modifications to a site plan –The Board approved as proposed
3. Article 2 Chapter 3 Visit-Ability
Commissioner Young stated his concern relative to social engineering being done in the proposed additional language and Commissioner Ariss agreed with his concern.—The Board removed the proposed additional language, leaving Article 2 Chapter 3 unchanged.
4. Article 2 Chapter 5 Visit-Ability in the PUD
Commissioner Young again stated his concern relative to social engineering being done in the proposed additional language and Commissioner Ariss agreed with his concern.—The Board removed the proposed additional language, leaving Article 2 Chapter 5 unchanged.
5. Article 3 Chapter 1 Zoning Supplemental Provisions—The Board approved the modification as proposed.

Upon further discussion, the Board resolved (Resolution #13-1664) to approve a modification of the text amendments to amend Article 1, Chapter 2 and Chapter 3 and Article 3 Chapter 1.

Chris Brausch, Sanitary Engineer, was present for a work session and discussed the following matters:

1. Falls of Landen—the Homeowners' Association has requested the minimum bill to be reduced. Mr. Brausch stated he will follow up on the request and discuss his findings and recommendation at a later date.
2. 348 Antietam, Maineville—The homeowner is having a sewer lateral issue. There seems to be a low spot in the lateral within the road right of way. The estimated cost is \$10,000 - \$20,000 to repair. The policy of the Board has been that the county addresses issues

within the road right of way and the homeowner is responsible for any repair on private property. The Board agreed to proceed as policy.

3. Dick Haglage, Terra Firma Associates, was present to request a release of a portion of Union Township for sanitary sewer service by the City of Lebanon. Mr. Haglage reviewed the location of the property and presented a resolution from the City of Lebanon agreeing to provide sanitary sewer to the property approximately 400 acres in size. The total of the project is estimated at 425 acres proposing a mixed use development.

Commissioner Young stated he does not want to make any decision that will dramatically impact the area. He stated that the thought of 800 – 1000 additional homes in the rural area of Union Township creates a concern. He then stated that two (2) acres lots, as the property is zoned today, does not create the same concern.

Mr. Haglage stated that the zoning on the property would be a separate question at such time as they have their proposed development designed. He then stated that even if they are constructing 110 – 120 lots, they would like to have sanitary sewers. He also reminded the Board that under the newly adopted zoning code, even if the property has sanitary sewers available, without a rezoning, they are only permitted 2 acre lots.

Mr. Haglage then stated that he attended the Union Township Trustees meeting last evening and presented his proposal. He stated that they are generally in favor although they have not voted formally.

There was much discussion relative to the sewerage of the property as it relates to the City of Lebanon and the City of Mason.

Upon further discussion, the Board stated their desire to discuss this matter with the Union Township Trustees.

The Board convened to the conference room for a work session to discuss the 2014 budget with Tiffany Zindel, Deputy County Administrator.

On motion, upon unanimous call of the roll, the Board entered into executive session at 12:14 p.m. to discuss personnel matters relative to promotions within Human Services and Children Services and additional compensation for an elected official and exited at 12:45 p.m.


Upon motion the meeting was adjourned.

Tom Ariss, President


Pat Arnold South


David G. Young

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 5, 2013, in compliance with Section 121.22 O.R.C.


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