



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

406 Justice Drive, Lebanon, Ohio 45036

www.co.warren.oh.us

commissioners@co.warren.oh.us

Telephone (513) 695-1250

Facsimile (513) 695-2054

***TOM GROSSMANN
SHANNON JONES
DAVID G. YOUNG***

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

MINUTES: Regular Session – February 12, 2019

The Board met in regular session pursuant to adjournment of the February 5, 2019, meeting.

Shannon Jones – present

Tom Grossmann – present

David G. Young – absent

Tina Osborne, Clerk – present

- 19-0180 A resolution was adopted to promote Terry Finamore to the position of Eligibility Referral Specialist III within the Warren County Department of Job and Family Services, Human Services Division. Vote: Unanimous
- 19-0181 A resolution was adopted to promote Amanda Baldwin to the position of Eligibility Referral Specialist III within the Warren County Department of Job and Family Services, Human Services Division. Vote: Unanimous
- 19-0182 A resolution was adopted to approve end of 365 day probationary period and approve a pay increase for Sherri Carbo within the Warren County Board of Commissioners. Vote: Unanimous
- 19-0183 A resolution was adopted to approve end of 365 day probationary period and approve a pay increase for Jason Strickland, Lab Tech II within the Warren County Water and Sewer Department. Vote: Unanimous
- 19-0184 A resolution was adopted to hire Kairee Bedinghaus as Protective Services Caseworker I, within the Warren County Department of Job and Family Services, Children Services Division. Vote: Unanimous
- 19-0185 A resolution was adopted to approve the promotion of Seth Adams from Sewer Collections Worker I to the position of Sewer Collections Worker II within the Water and Sewer Department. Vote: Unanimous

- 19-0186 A resolution was adopted to restore Michael Lamb to the position of Water Distribution Worker III. Vote: Unanimous
- 19-0187 A resolution was adopted to authorize the first amendment to the Workers' Compensation Self Insurance Service contract through Careworks Consultant NKA York Risk Services Group, Inc effective January 1, 2019. Vote: Unanimous
- 19-0188 A resolution was adopted to acknowledge and accept stop loss policy with HCC Life Insurance Company relative to the Warren County Health Insurance Plan effective January 1, 2019. Vote: Unanimous
- 19-0189 A resolution was adopted to authorize President of Board to sign the Task Completion Reports 105 and 112 with TriTech Software Systems on behalf of Warren County Telecommunications. Vote: Unanimous
- 19-0190 A resolution was adopted to approve annual Equitable Sharing Agreement and Certification Report with the US Department of Justice for the Warren County Sheriff's Office. Vote: Unanimous
- 19-0191 A resolution was adopted to approve first amendment to service agreement with Mental Health and Recovery Services regarding psychiatric services, on behalf of the Warren County Jail. Vote: Unanimous
- 19-0192 A resolution was adopted to approve and authorize the President of the Board to enter into a Memorandum of Understanding on behalf of OhioMeansJobs Warren County. Vote: Unanimous
- 19-0193 A resolution was adopted to approve statement of work agreement with Promark Company, for the Area 12 Workforce Development Board. Vote: Unanimous
- 19-0194 A resolution was adopted to approve Master Services Agreement with Promark Company for the Area 12 Workforce Development Board. Vote: Unanimous
- 19-0195 A resolution was adopted to enter into an engineering services contract with Barge Design Solutions, Inc. on behalf of the Warren County Engineer's Office. Vote: Unanimous
- 19-0196 A resolution was adopted to authorize Board to sign the County Highway System Mileage Certification. Vote: Unanimous
- 19-0197 A resolution was adopted to set and advertise Public Hearing #2 to designate projects Warren County intends to fund for the FY 2019 Community Development Block Grant (CDBG) Urban Entitlement Program and accept the 2019-2023 draft of the Consolidated Plan. Vote: Unanimous
- 19-0198 A resolution was adopted to advertise for bids for the Juvenile Center Roof Replacements Project. Vote: Unanimous

- 19-0199 A resolution was adopted to approve and authorize Warren County Grants Director to sign the FY19 Ohio Transit Preservation Partnership Program Grant contract by and between the Ohio Department of Transportation and the Warren County Board of Commissioners. Vote: Unanimous
- 19-0200 A resolution was adopted to declare various items within Board of Elections, Community Corrections, Common Pleas Court-General Division, Water & Sewer-Water, as surplus and authorize the disposal of said items. Vote: Unanimous
- 19-0201 A resolution was adopted to acknowledge payment of bills. Vote: Unanimous
- 19-0202 A resolution was adopted to approve a street and appurtenances bond reduction for Keever Creek, LLC for completion of performance of construction of improvements and enter into the maintenance security for the Estates of Keever Creek, Section 3 in Turtlecreek Township. Vote: Unanimous
- 19-0203 A resolution was adopted to approve various record plats. Vote: Unanimous
- 19-0204 A resolution was adopted to approve an operational transfer from Commissioners fund #11011112 into Human Services fund #2203. Vote: Unanimous
- 19-0205 A resolution was adopted to approve supplemental appropriation into Common Pleas Special Projects fund #2224. Vote: Unanimous
- 19-0206 A resolution was adopted to approve a supplemental appropriation into Miami Valley Gaming TIF fund #4485. Vote: Unanimous
- 19-0207 A resolution was adopted to approve appropriation adjustment from Commissioners General fund #11011110 into Treasurer's Office fund #11011130. Vote: Unanimous
- 19-0208 A resolution was adopted to approve appropriation adjustment within Court of Common Pleas Court Services fund #11011223. Vote: Unanimous
- 19-0209 A resolution was adopted to approve appropriation adjustment within Sheriff's Office fund #11012200. Vote: Unanimous
- 19-0210 A resolution was adopted to approve appropriation adjustment within the Building and Zoning Department fund #11012300. Vote: Unanimous
- 19-0211 A resolution was adopted to approve an appropriation adjustment within Health Insurance fund #6632. Vote: Unanimous
- 19-0212 A resolution was adopted to waive Non-Participant Charge for parcel 13-01-376-006 on State Route 22&3, Morrow Ohio. Vote: Unanimous

- 19-0213 A resolution was adopted to continue public hearing to consider text amendments to the Warren County Rural Zoning code to amend various sections initiated by the Board of County Commissioners. Vote: Unanimous
- 19-0214 A resolution was adopted to approve map amendment rezoning approximately 70.39 acres located at 2260 N. State Route 48 in Turtlecreek Township from Single Family Residential (“R-1”) to Planned Unit Development (“PUD”) subject to the attached PUD standards and list of staff recommended conditions. Vote: Unanimous
- 19-0215 A resolution was adopted to cancel regularly scheduled Commissioners meeting of Thursday, February 14, 2019. Vote: Unanimous
- 19-0216 A resolution was adopted to enter into street and appurtenances (including sidewalks) security agreement with The Drees Company for installation of certain improvements in Legacy at Elliott Farm, Section 2, Block “C” situated in Deerfield Township. Vote: Unanimous
- 19-0217 A resolution was adopted to enter into a subdivision public improvement performance maintenance security agreement with The Drees Company for installation of certain improvements in Legacy at Elliott Farm, Section 2, Block “C” situated in Deerfield Township. Vote: Unanimous

DISCUSSIONS

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

Chris Brausch, Sanitary Engineer, was present for a work session to discuss fees for a parcel that were misquoted by staff.

Mr. Brausch explained that staff quoted a fee for connection to the sanitary sewer system but inadvertently omitted the non-participant fee of \$3,070.

It was determined that the homeowner relied upon the quoted cost that was proven in writing in budgeting for construction of her home.

Commissioner Jones stated her opinion that the customer cannot be held liable for an error of staff and stated her desire to waive the non-participant charge.

Commissioner Grossmann stated his concurrence and upon further discussion and recommendation of the Sanitary Engineer, the Board waived the non-participant fee for Shirley Popkins, parcel # 13-01-376-006.

PUBLIC HEARING

CONSIDER TEXT AMENDMENT TO THE WARREN COUNTY RURAL ZONING CODE
INITIATED BY THE BOARD OF COMMISSIONERS

The public hearing to consider text amendments to the Warren County Rural Zoning Code initiated by this Board was convened this 12th day of February 2019, in the Commissioners' Meeting Room.

Michael Yetter, Zoning Supervisor, reviewed the history of the proposed text amendments and stated the Regional Planning Commission and Rural Zoning Commission both recommended approval of the text amendments. He then stated that the Turtlecreek Township Trustees have no objections to the text amendments.

Larry Pockras, Franklin Township resident, presented the attached presentation and requested the Board consider not allowing commercial uses within residential areas due to road sizes/ classification. He stated his opinion that if the roadway is not up to code, it should not be permitted.

Pam Pockras, Franklin Township resident, stated that she lives next door to the proposed wedding venue on Robinson-Vail Road in Franklin Township. She stated her concern relative to safety as it relates to the increase in traffic.

John Phillips, attorney representing 24 property owners opposed to the wedding venue locating on Robinson-Vail Road, stated that the residents are opposed to the wedding venue portion of this text amendment. He stated that the residents have proposed their own text amendment that is currently in process and requested the Board remove this portion of the amendment. He then stated the concern with a commercial facility being allowed to locate in the middle of a residential zone when it is designed to make a profit and the infrastructure does not support a commercial facility.

Commissioner Grossmann explained that these proposed amendments are designed to provide clarifications and are not specific to any particular project in any one area.

Mr. Phillips stated the residents desire to remove the conditional use of a wedding venue within the R1 zone.

There was discussion relative to the need to accept all of the proposed amendments, only a portion or to deny the amendments.

Mr. Phillips again stated the residents desire to remove the wedding venue as an allowable conditional use.

Commissioner Jones stated her concern relative to that amendment not having been deliberated through the process.

Commissioner Grossmann stated he would not be amenable to make any changes to the zoning codes that haven't been properly vetted through the process.

Mark Peters, Robinson-Vail Road resident, stated he does not understand how the current zoning code considers a wedding venue as a club.

There was discussion relative to the consideration of the request to take no action prior to a decision from the Common Pleas Court relative to the pending litigation of the wedding venue on Robinson-Vail Road.

Commissioner Jones stated that taking no action does not "fix" the matter to their desired outcome.

Commissioner Grossmann stated that the text amendment being considered today is to provide clarification on what is or is not allowed.

Mr. Yetter clarified that the amendments being considered today are not changing what is allowed or not allowed within the zoning code but are intended to provide clarification and standards of what is allowed within an R1 zone including golf courses, churches, driving ranges, etc.

Bruce McGary, Assistant Prosecutor, clarified that the wedding venue is not a permitted use, but rather a conditional use that the Board of Zoning Appeals could vote to approve or deny. He stated that these amendments provide appropriate standards that would be applied should the Board of Zoning Appeals determine the use is appropriate.

Mr. Phillips discussed the need to make golf courses, etc. harmonious with residential uses. He then questioned what the Board intends to do when the facilities are not successful.

Upon further discussion, the Board resolved (Resolution #19-0213) to continue this public hearing to February 26, 2019, at 9:15 a.m.

DECISION—REZONING APPLICATION OF STEPHEN DEGER/MIKE WILLIAMS
TO REZONING 70.39 ACRES IN TURTLECREEK TOWNSHIP FROM SINGLE FAMILY
RESIDENCE R1 TO PLANNED UNIT DEVELOPMENT

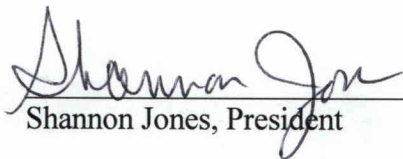
The Board met this 12th day of February 2019, in the Commissioners' Meeting Room to render a decision relative to the rezoning application of Stephen Deger/Mike Williams to rezone 70.39 acres in Turtlecreek Township from Single Family Residence R1 to Planned Unit Development.

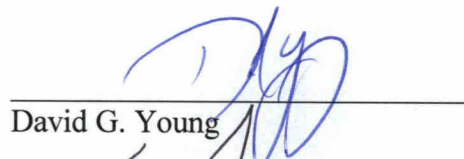
Bruce McGary, Assistant Prosecutor, stated that staff has some recommended Planned Unit Development standards that have been modified to include the same language relative to the private sewage system that was included within the Aberlin Springs development rezoning.

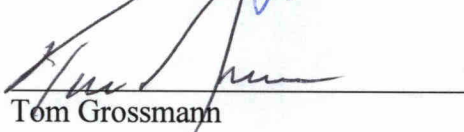
Mike Williams, developer/applicant, stated he has reviewed the proposed conditions and accepts the standards.

Upon further discussion, the Board resolved (Resolution #19-0214) to approve the rezoning application subject to certain standards and conditions.


Upon motion the meeting was adjourned.


Shannon Jones, President


David G. Young


Tom Grossmann

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 February 12, 2019, in compliance with Section 121.22 O.R.C.


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

**Making a Silk Purse out of a
Sow's Ear**

proverb: mid-1500s

Ohio Department of Transportation

Highway Functional Classification System

Concepts, Procedures and Instructions

Introduction

This document provides recommended guidance for assigning functional classification to roadways and streets within Ohio. It is based on *Highway Functional Classification: Concepts, Criteria and Procedures, 2013 Edition* published by the Federal Highway Administration (FHWA), which can be downloaded from the following link:

www.fhwa.dot.gov/planning/processes/statewide/related/highway_functional_classifications

The Purpose for Classifying Highways

Highway functional classification is used to determine which roads, streets and highways are eligible for federal transportation funds. It is used to establish design criteria for various roadway features, and also serves as a management tool to measure a route's importance in project selection and program management.

Highway Functional Classification Concepts

Most vehicle travel occurs through a network of interdependent roadways, with each roadway segment moving traffic through the system towards destinations. The concept of functional classification defines the role a particular roadway segment plays in serving this flow of traffic. Roadways are assigned to one of the seven (7) classifications within a hierarchy, as shown in Table 1 and Figure 1 below, according to the character of travel service each roadway provides. Note in both the table and graphic each roadway classification is color-coded. These colors are used on ODOT highway functional classification maps for easy identification.

Table 1: Highway Functional Classification Identification

#	Description
Principal Arterial Roads	
01	Interstates
02	Other Freeways or Expressways
03	Other Principal Arterial Roads
Minor Arterial Roads	
04	Minor Arterial Roads
Collector Roads	
05	Major Collector Roads
06	Minor Collector Roads
Local Roads	
07	Local Roads

Collector Road Characteristics are identified for urban and rural areas in Table 4 below:

Table 4: Collector Road Urban and Rural Characteristics

MAJOR COLLECTORS	
Urban	Rural
<ul style="list-style-type: none"> • Serve both land access and traffic circulation in higher density residential and commercial/industrial areas • Penetrate residential neighborhoods, often for significant distances • Distribute and channel trips between Local Roads and Arterials, usually over a distance of greater than three-quarters of a mile • Operating characteristics include higher speeds and more signalized intersections 	<ul style="list-style-type: none"> • Provide service to any county seat not on an Arterial route, to the larger towns not directly served by the higher systems and to other traffic generators of equivalent intra-county importance such as consolidated schools, shipping points, county parks and important mining and agricultural areas • Link these places with nearby larger towns and cities or with Arterial routes • Serve the most important intra-county travel corridors
MINOR COLLECTORS	
Urban	Rural
<ul style="list-style-type: none"> • Serve both land access and traffic circulation in lower density residential and commercial/industrial areas • Penetrate residential neighborhoods, often only for a short distance • Distribute and channel trips between Local Roads and Arterials, usually over a distance of less than three-quarters of a mile • Operating characteristics include lower speeds and fewer signalized intersections 	<ul style="list-style-type: none"> • Be spaced at intervals, consistent with population density, to collect traffic from Local Roads and bring all developed areas within reasonable distance of a Collector • Provide service to smaller communities not served by a higher class facility • Link locally important traffic generators with their rural hinterlands

Local Roads

Local Roads (Classification 07) account for the largest percentage of all roadways in terms of mileage. They are not intended for use in long distance travel due to their provision of direct access to abutting land. They are often designed to discourage through traffic. Local Roads are often classified by default. In other words, once all Arterial and Collector roadways have been identified, all remaining roadways are classified as Local Roads. Local Road characteristics are identified for urban and rural areas in Table 5 below:

Table 5: Local Road urban and Rural Characteristics

Urban	Rural
<ul style="list-style-type: none">• Provide direct access to adjacent land• Provide access to higher systems• Carry no through traffic movement• Constitute the mileage not classified as part of the Arterial and Collector systems	<ul style="list-style-type: none">• Serve primarily to provide access to adjacent land• Provide service to travel over short distances as compared to higher classification categories• Constitute the mileage not classified as part of the Arterial and Collector systems

Functional Classification Emphasis

When classifying roadways the emphasis should be on function and service rather than an urban versus rural distinction. Nevertheless, the classification process is influenced by the intensity and distribution of land development patterns. Roadway classification in urban areas is typically guided by a local comprehensive planning and design process. By comparison, rural development patterns are often more diverse, if not less orderly, thereby making functional classification determinations of some rural roadways more challenging.

Functional Classification VMT and Mileage Guidelines

Most times, roadway functional classification assignment is straightforward, especially for Interstates and Local Roads. However, there can be debate between adjacent classifications, for example, in deciding whether a given roadway should be classified as a Minor Arterial or Major Collector. In such cases, the physical characteristics - lane width, shoulder width, average annual daily traffic (AADT), divided/undivided status and access control, as well as Vehicle Miles Traveled (VMT) and Mileage Extent ranges for each classification, as shown in Table 6, should be used to determine “borderline” classifications.

Table 6: Functional Classification Physical Characteristics, VMT and Mileage Guidelines

Typical Characteristics	Arterials				Collectors		Local
	Interstates	Freeways and Expressways	Principal Arterial	Minor Arterial	Major Collector	Minor Collector	
Lane Width (Feet)	12	11 - 12	11 - 12	10 - 12	10 - 12	10 - 11	8 - 10
Inside Shoulder Width (Feet)	4 - 12	0 - 6	0	0	0	0	0
Outside Shoulder Width (Feet)	10 - 12	8 - 12	8 - 12	4 - 8	1 - 6	1 - 4	0 - 2
AADT (Rural) (000's)	12 - 34	4 - 18.5	2 - 8.5	1.5 - 6	0.3 - 2.6	0.2 - 1.1	0.1 - 0.4
AADT (Urban) (000's)	35 - 129	13 - 55	7 - 27	3 - 14	1.1 - 6.3		0.1 - 0.7
Divided/Undivided	Divided	Either	Either	Undivided	Undivided	Undivided	Undivided
Access:	Fully Controlled	Partial/Full Control	Partial/Uncontrolled	Uncontrolled	Uncontrolled	Uncontrolled	Uncontrolled
Mileage/VMT Extent							
Rural System							
Mileage Extent	1% - 2%	0% - 2%	2% - 5%	3% - 7%	10% - 17%	5% - 13%	66% - 74%
VMT Extent	18% - 34%	0% - 8%	12% - 29%	12% - 19%	12% - 24%	3% - 10%	7% - 20%
Urban System							
Mileage Extent	1% - 2%	0% - 2%	4% - 5%	7% - 12%	7% - 13%	7% - 13%	67% - 76%
VMT Extent	17% - 30%	3% - 18%	17% - 29%	15% - 22%	7% - 13%	7% - 13%	6% - 24%

Robinson-Vail is 18' 4" from fog line to fog line.

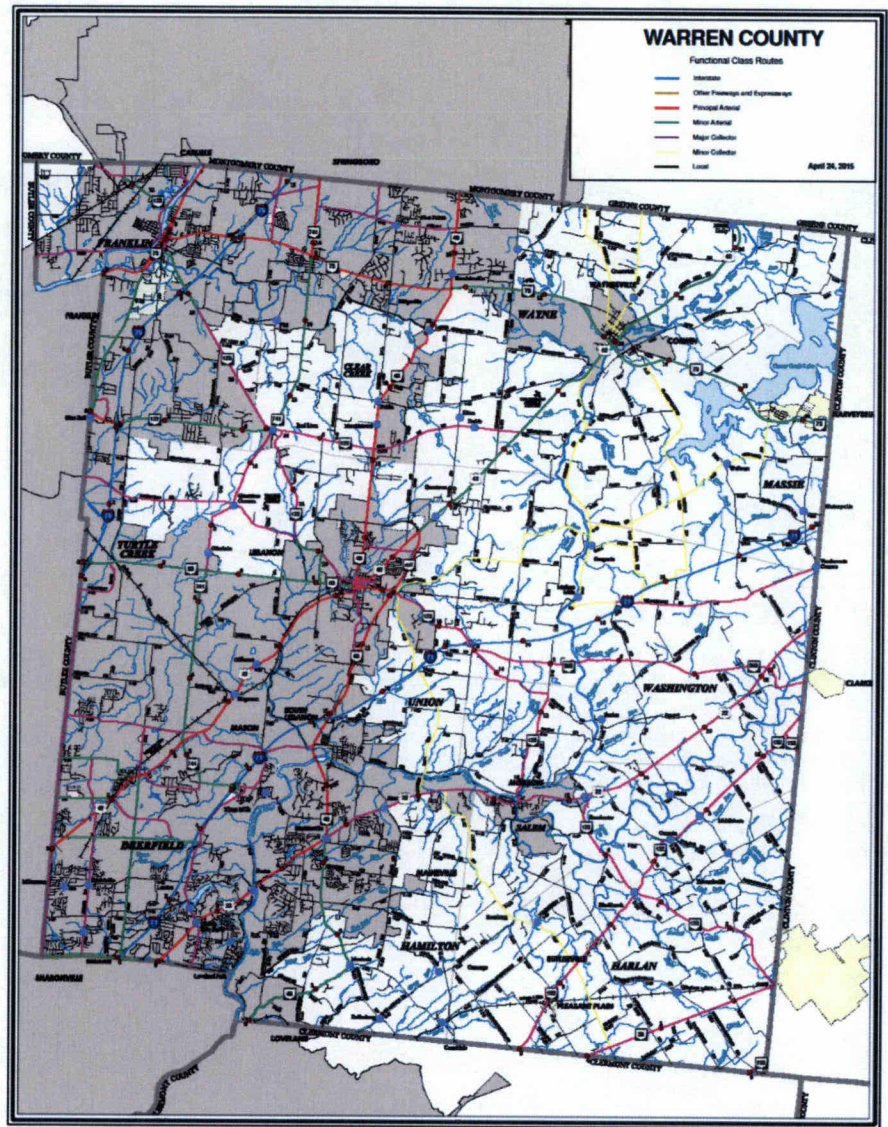
The double yellow lines are 16".

Each lane is 8' 6" wide.

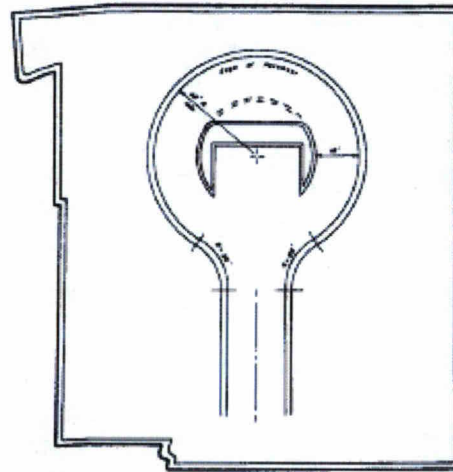
It has less than 1' on the shoulder in most places.

It's right of way is 60'.

Robinson-Vail is **not a collector.**



Requirements and Standards
for the Design and Construction of
STREETS AND ROADWAY FACILITIES
Warren County, Ohio



Warren County Board of Commissioners

Larry Crisenbery
C. Michael Kilburn
Pat Arnold South

**REQUIREMENTS AND STANDARDS
FOR THE DESIGN AND CONSTRUCTION OF
STREETS AND ROADWAY FACILITIES**

Warren County, Ohio

May 20, 1986

**Amended
April 3, 1990
August 9, 1994
June 27, 1995**

Warren County Board of Commissioners

**Larry Crisenbery
C. Michael Kilburn
Pat Arnold South**

320 East Silver Street, Lebanon, Ohio

TABLE 1
STREET DESIGN STANDARDS
Local I Streets

Right-of-way (ROW)	:	30 feet for streets with curbs and gutters
	:	60 feet for streets without curbs and gutters
Public utility easement	:	15 feet on each side of ROW
Pavement width	:	2 lanes - 12 feet per lane
Minimum street grade	:	1.0%
Maximum street grade	:	12.0%
Minimum stopping sight distance	:	150 feet
Minimum centerline radius	:	175 feet
Vertical curve 'K' values	:	20 for 'crest' curves 27 for 'sag' curves
Maximum bridge length on a cul-de-sac street	:	10 feet
Additional 'turnarounds' required on cul-de-sac streets for a street length of		
0 to 1199 feet	:	None
1200 to 1799 feet	:	1
1800 to 2399 feet	:	2
2400 to 2999 feet	:	3
3000 feet or greater	:	4

- Notes: 1 - Adapted from: Recommended Guidelines for Subdivision Streets - Institute of Transportation Engineers, 1984.
- 2 - Parking is permitted along one side of the street.
- 3 - Design speed = 25 MPH
- 4 - Stopping sight distance is measured from an eye height of 3.5 feet to an object height of 0.5 feet. This criteria shall apply to both horizontal and vertical sight distance.
- 5 - See TABLE 9 for cul-de-sac turnaround design standards.

TABLE 3

STREET DESIGN STANDARDS
Collector I Streets

Right-of-way (ROW)	:	42 feet for streets with curbs and gutters 72 feet for streets without curbs and gutters
Public utility easement	:	15 feet on each side of ROW
Pavement width	:	2 lanes and 1 turning lane (as required) - 12 feet per lane
Minimum street grade	:	1.0%
Maximum street grade	:	8.0%
Minimum stopping sight distance	:	250 feet
Minimum centerline radius	:	350 feet
Vertical curve 'K' values	:	42 for 'crest' curves 45 for 'sag' curves

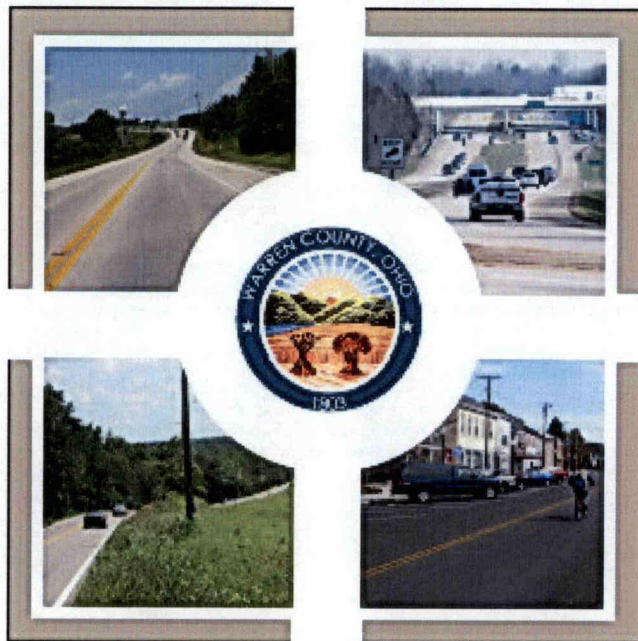
Notes: 1 - Adapted from: Recommended Guidelines for Subdivision Streets - Institute of Transportation Engineers, 1984.

2 - No on-street parking is permitted

3 - Design speed = 35 MPH

4 - Stopping sight distance is measured from an eye height of 3.5 feet to an object height of 0.5 feet. This criteria shall apply to both horizontal and vertical sight distance.

THOROUGHFARE



PLAN

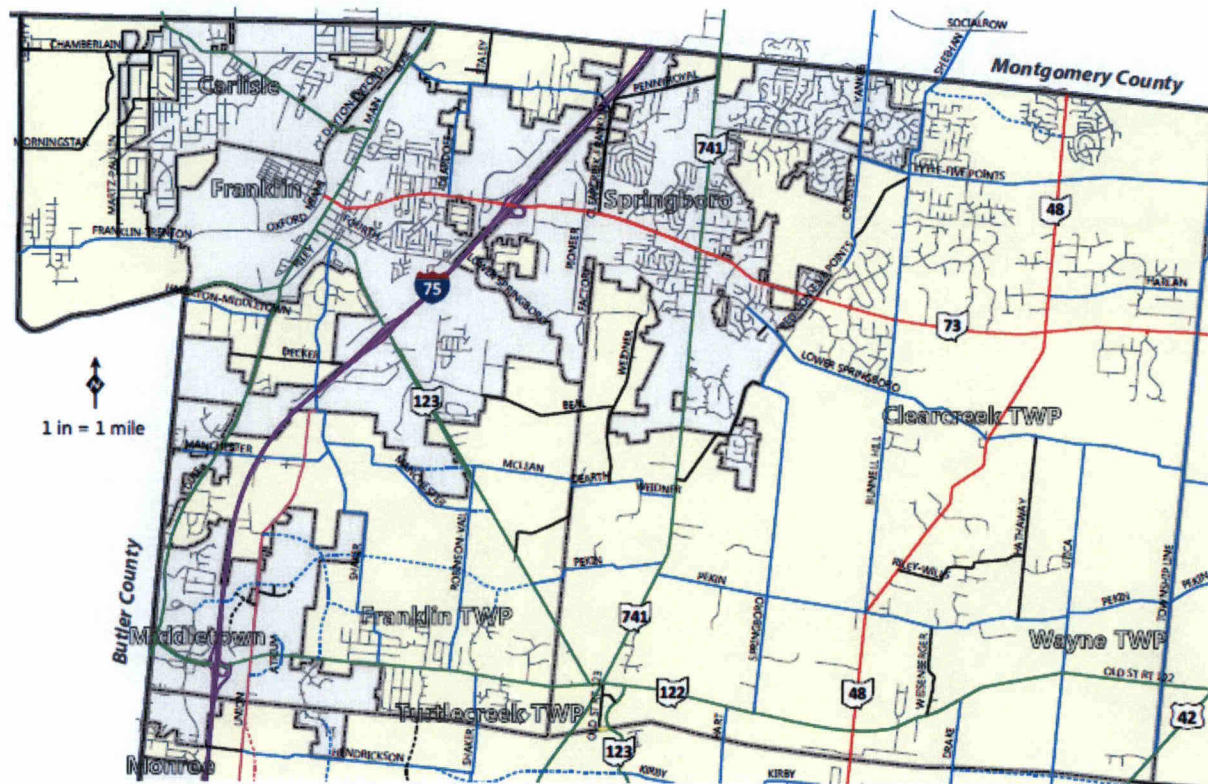


FIGURE 3.2

**Functional Classifications:
Northwest Area**

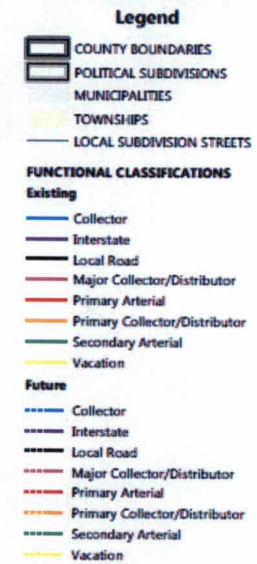
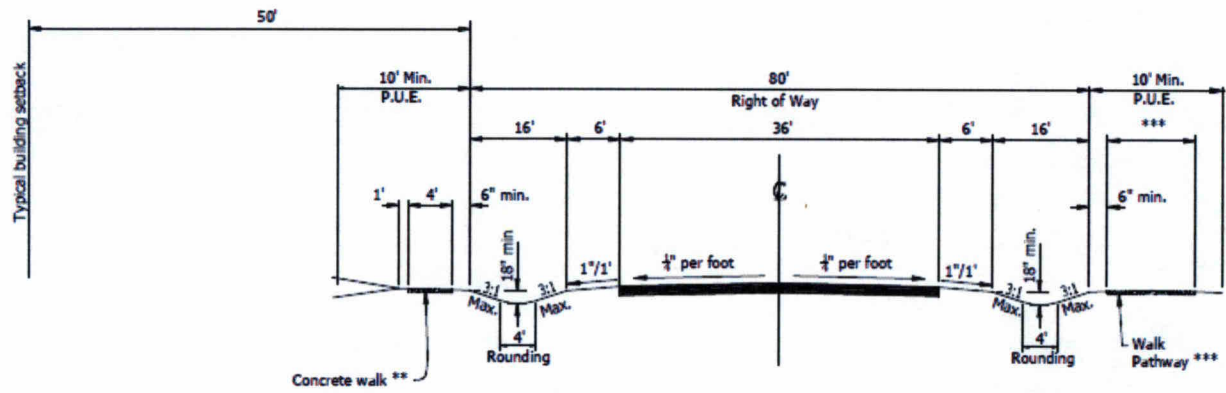




FIGURE A.9
Typical Section, Collector - Residential/Rural

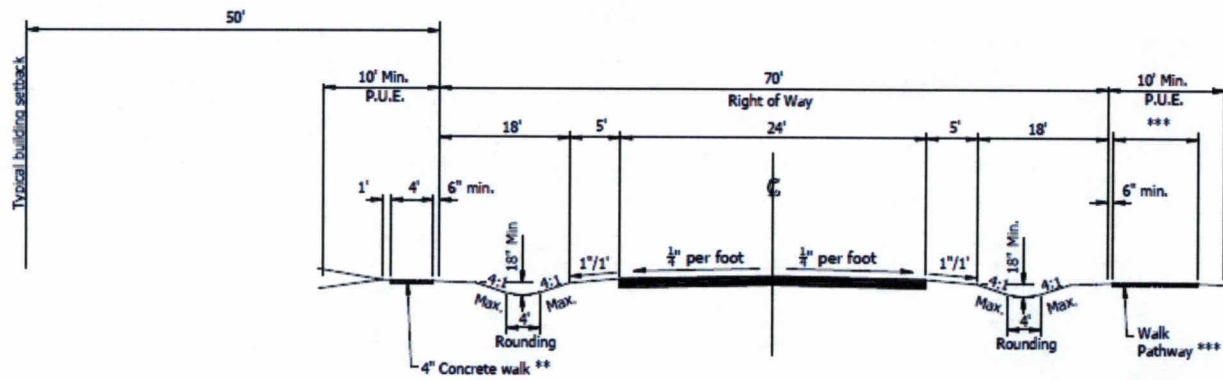


** As per Subdivision Regulations.

*** As per Pathway Map/Subdivision Regulations.
 (if applicable, width & location TBD)



FIGURE A.11
Typical Section, Local Road - Residential/Rural (Ditch)



** As per Subdivision Regulations.

*** As per Pathway Map/Subdivision Regulations.
 (if applicable, width & location TBD)



Robinson-Vail is 18' 4" from fog line to fog line.

The double yellow lines are 16".

Each lane is 8' 6" wide.

It has less than 1' on the shoulder in most places.

It's right of way is 60'.

Robinson-Vail is **not a collector**.

SEC 3.206 **COMMERCIAL BUSINESS AND SERVICES USES:** Commercial use within a residential district, excluding Mixed Use Neighborhood Zone (MXU-N), are limited to access from an arterial or collector road, but may also take access from a local road that is not more than five hundred (500) feet, or one (1) lot away, from an arterial or collector road. A Bed and Breakfast may be accessed by any public road.

In cases where two (2) or more attached retail, service, office (including uses within Section 3.207), eating or drinking establishments, or other combination of permitted business or commercial uses, are designed or intended for more than one ownership, side yards between ownerships are not required, provided:

- (A) The complex is planned and constructed as one entity and at the same time.
- (B) Interior side lot lines are coincident with party walls.
- (C) The normal side yard is provided at each end of the complex.

New Wine into Old Wineskins is a parable of Jesus.

It is found at Matthew 9:14-17, Mark 2:18-22 and Luke 5:33-39.

In it, Jesus tells his disciples, "And no one puts new wine into old wineskins. If he does, the new wine will burst the skins and it will be spilled, and the skins will be destroyed."

It is like putting a new venue into a grandfathered roadway. If the road is not up to code, it should not support a new venue.