



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

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**LARRY CRISENBERY
C. MICHAEL KILBURN
PAT ARNOLD SOUTH**

MINUTES: Regular Session--October 9, 2001

The Board met in regular session pursuant to adjournment of the October 4, 2001, meeting.

C. Michael Kilburn - present Larry Crisenbery - present

Pat Arnold South - present Tina Davis, Clerk- present

01-1677 A resolution was adopted to approve Amendment No. 2 to Amended and Restated Richards Run Agreement.

Vote: Mr. Kilburn – absent; Mr. Crisenbery – yea; Mrs. South – yea

01-1678 A resolution was adopted to Advertise for Bids for the Parking Lot Resurfacing Project located at 406 Justice Drive, Lebanon, Ohio

01-1679 A resolution was adopted to approve Change Order #39 with ESI Electrical Contractors regarding the construction of the New Warren County Administration Building Project.

Vote: Mr. Kilburn – absent; Mr. Crisenbery – yea; Mrs. South – yea

01-1680 A resolution was adopted to approve Notice of Intent to Award the contract for the Manchester Road and Dixie Highway Intersection Improvements Project to the John. R. Jurgensen Company.

Vote: Mr. Kilburn – absent; Mr. Crisenbery – yea; Mrs. South – yea

01-1681 A resolution was adopted to approve Emergency Repair and Cleaning of the No. 2 Well at the Union Road Water Treatment Plant and approve Purchase Order No. 51282.

Vote: Mr. Kilburn – absent; Mr. Crisenbery – yea; Mrs. South – yea

01-1682 A resolution was adopted to Set Hearing concerning the Petition for Annexation of 2.030 acres to the City of Springboro.

Vote: Mr. Kilburn – absent; Mr. Crisenbery – yea; Mrs. South – yea

01-1683 A resolution was adopted to approve Professional Services Agreement between Woolpert LLP and Warren County.

Vote: Mr. Kilburn – absent; Mr. Crisenbery – yea; Mrs. South - yea

01-1684 A resolution was adopted to approve Final Plat of Ritchey Acres, Section 1.

Vote: Mr. Kilburn – absent; Mr. Crisenbery – yea; Mrs. South – yea

01-1685 A resolution was adopted to Deny the Re-Zoning Application of Imogene Hardwick-Whitson to rezone 2.5 acres in Washington Township from Rural Residence "R-1" to General Business "B-2".

Vote: Mr. Kilburn - absent; Mr. Crisenbery - yea; Mrs. South - yea

01-1686 A resolution was adopted to approve Appropriation Adjustment in Community Development Fund #265.

Vote: Mr. Kilburn – absent; Mr. Crisenbery – yea; Mrs. South – yea

01-1687 A resolution was adopted to approve Appropriation Adjustment within Building Services Fund # 495.

Vote: Mr. Kilburn – absent; Mr. Crisenbery – yea; Mrs. South – yea

01-1688 A resolution was adopted to approve Appropriation Adjustments within Board of Election Fund #101-1301, Data Processing Fund #101-1400, #101-1403 and Building Inspection Fund #101-2300.

Vote: Mr. Kilburn – absent; Mr. Crisenbery – yea; Mrs. South – yea

01-1689 A resolution was adopted to Set Public Hearing for Rezoning Application of Linda and Richard Eddy (Case # 01-10), to rezone 1.56 acres in Harlan Township from Rural Residence “R-1” to Rural Residence “R-1” as a Planned Unit Development.

Vote: Mr. Kilburn – absent; Mr. Crisenbery – yea; Mrs. South – yea

01-1690 A resolution was adopted to Establish Tap-In Charges/Bi-Monthly Water Billings for properties within the Applewood Road Water Improvement Area, Warren County Water District.

Vote: Mr. Kilburn – absent; Mr. Crisenbery – yea; Mrs. South – yea

01-1691 A resolution was adopted to Establish Tap-In Charges/Bi-Monthly Water Billings for properties within the Bone Road Water Improvement Area, Warren County Water District.

Vote: Mr. Kilburn – absent; Mr. Crisenbery – yea; Mrs. South – yea

01-1692 A resolution was adopted to Establish Tap-In Charges/Bi-Monthly Water Billings for properties within the East Riley Wills Road Water Improvement Area, Warren County Water District.

Vote: Mr. Kilburn – absent; Mr. Crisenbery – yea; Mrs. South – yea

01-1693 A resolution was adopted to Establish Tap-In Charges/Bi-Monthly Water Billings for properties within the Bunnell Hill Road Water Improvement Area, Warren County Water District.

Vote: Mr. Kilburn – absent; Mr. Crisenbery – yea; Mrs. South – yea

01-1694 A resolution was adopted to Establish Tap-In Charges/Bi-Monthly Water Billings for properties within the Shaker Road Water Improvement Area, Warren County Water District.

Vote: Mr. Kilburn – absent; Mr. Crisenbery – yea; Mrs. South – yea

01-1695 A resolution was adopted to Establish Tap-In Charges/Bi-Monthly Water Billings for properties within the North Davis Road Water Improvement Area, Warren County Water District.

Vote: Mr. Kilburn – absent; Mr. Crisenbery – yea; Mrs. South – yea

01-1696 A resolution was adopted to Establish Tap-In Charges/Bi-Monthly Water Billings for properties within the West Lower Springboro Road Water Improvement Area, Warren County Water District.

Vote: Mr. Kilburn – absent; Mr. Crisenbery – yea; Mrs. South – yea

01-1697 A resolution was adopted to Set Public Hearing for Rezoning Application of Charles W. Evans (Case # 01-09), to rezone 0.386 acres in Union Township from General Business “B-2” to One and Two Family Residence Zone “R-2”.

Vote: Mr. Kilburn – absent; Mr. Crisenbery – yea; Mrs. South – yea

01-1698 A resolution was adopted to approve Annexation Petition of Francis L. Diehl (Christy M. Homes, Agent), to annex 15.8172 acres to the City of Loveland in conformance with an agreed entry in the Court Case of Francis L. Diehl vs. Board of County Commissioners, Warren County, Ohio (Case #01-CV58425).

Vote: Mr. Kilburn – absent; Mr. Crisenbery – yea; Mrs. South – yea

01-1699 A resolution was adopted to approve Reclassification of Janice Hayden from the position of Custodial Worker I to the position of Custodial Worker II.

Vote: Mr. Kilburn – absent; Mr. Crisenbery – yea; Mrs. South – yea

01-1700 A resolution was adopted to approve Reclassification of Robert Isbell from the position of Maintenance Worker I to the position of Maintenance Technician.

Vote: Mr. Kilburn – absent; Mr. Crisenbery – yea; Mrs. South – yea

- 01-1701 A resolution was adopted to approve Reclassification of Randy Bevins from the position of Maintenance Technician to the position of Electrician.
Vote: Mr. Kilburn – absent; Mr. Crisenbery – yea; Mrs. South – yea
- 01-1702 A resolution was adopted to authorize the posting of the “Maintenance Worker I” position within the Building Services Department, in accordance with Warren County Personnel Policy Manual, Section 2.02 (A).
Vote: Mr. Kilburn – absent; Mr. Crisenbery – yea; Mrs. South – yea
- 01-1703 A resolution was adopted to authorize the posting of the “Administrative Clerk” position, within the Office of Management and Budget, in accordance with Warren County Personnel Policy Manual, Section 2.02 (A).
Vote: Mr. Kilburn – absent; Mr. Crisenbery – yea; Mrs. South – yea
- 01-1704 A resolution was adopted to approve Modification of the Re-Zoning Application of Arlen Campbell (Case #01-08) to rezone 0.5 acres in Franklin Township from Rural Residence "R-1" to Rural Residence "R-1" as a Planned Unit Development. Vote: Mr. Kilburn - absent; Mr. Crisenbery - yea; Mrs. South - yea
- 01-1705 A resolution was adopted to authorize Payment of Bills.
Vote: Mr. Kilburn – absent; Mr. Crisenbery – yea; Mrs. South – yea
- 01-1706 A resolution was adopted to Deny the Annexation Petition of 97.010 acres, more or less, from Franklin Township to the City of Middletown.
Vote: Mr. Kilburn – absent; Mr. Crisenbery – yea; Mrs. South - yea
- 01-1707 A resolution was adopted to approve Notice of Intent to Award the contract for the Greentree Road Realignment Project to W. G. Stang, Inc.
Vote: Mr. Kilburn – absent; Mr. Crisenbery – yea; Mrs. South – yea
- 01-1708 A resolution was adopted to enter into an Addendum to Security Agreement No. 00-005 (P) with River's Bend Land Development Company, Ltd., and its Surety, National City bank in order to obtain State Funds and construction by ODOT for a traffic control signal at Ridgeview Lane and SR 48; and, accept and assign maintenance of completed improvements to date to Hamilton Township Trustees in accordance with an Addendum to Security Agreement No. 00-005 (P).
Vote: Unanimous
- 01-1709 A resolution was adopted to approve Appropriation Adjustment within Records Center Fund #101-1500.
Vote: Mr. Kilburn – absent; Mr. Crisenbery- yea; Mrs. South – yea

01-1710 A resolution was adopted to authorize Payment of Bills.
Vote: Mr. Crisenbery - abstain; Mr. Kilburn – yea; Mrs. South - yea

DISCUSSIONS

On motion, upon unanimous call of the roll, executive session was entered into at 9:15 a.m. to discuss personnel matters and pending litigation and exited at 10:17 a.m.

On motion, bids were closed at 10:30 a.m. this 9th day of October, 2001, and the following bids were received, opened and read aloud for the FY2000 Village of Pleasant Plain Playground Project for the Warren County Office of Grants Administration:

Don Walsh & Associates New Albany, Ohio	\$ 20,644.00
David Williams & Associates Alliance, Ohio	\$ 16,995.00
Play Sports Industries Loveland, Ohio	\$ 16,447.00

Jerry Haddix, Coordinator, Warren County Office of Grants Administration, will review bids for a recommendation at a later date.

PUBLIC HEARING

REZONING APPLICATION OF IMOGENE HARDWICK-WHITSON
TO REZONE 2.5 ACRES IN WASHINGTON TOWNSHIP FROM
RURAL RESIDENCE "R-1" TO GENERAL BUSINESS "B-2"

The public hearing to consider the rezoning application of Imogene Hardwick-Whitson, property owner, to rezone 2.5 acres in Washington Township from Rural Residence "R-1" to General Business "B-2" was convened this 9th day of October 2001, in the Commissioners' meeting Room.

Robert Ware, Regional Planning Commission (RPC), stated the location of the property and stated the applicant's desire to open an engine repair shop on the premises.

Mr. Hardwick, property owner, stated that her husband is retiring and desires to start this new business.

Mr. Ware then presented the RPC Executive Committee's recommendation to deny the rezoning application.

Ted Priest, Chief Zoning Official, stated that the applicant amended her applicant to request Rural Residence "R-1" as a planned unit development rather than General Business "B-2". He then stated the Rural Zoning Commission's decision to deny the rezoning application.

Commissioner Crisenbery stated his concern with the rezoning application, as the surrounding properties are all Rural Residence "R-1".

Commissioner South stated her opinion for the need to abide by the Township Land Use Plan which states the property should be residential.

Upon further discussion, the Board resolved (Resolution #01-1685) to deny the rezoning application.

REZONING APPLICATION OF ARLEN CAMPBELL
TO REZONE 0.5 ACRES IN FRANKLIN TOWNSHIP
FROM RURAL RESIDENCE "R-1" TO GENERAL BUSINESS "B-2"

The public hearing to consider the rezoning application of Arlen Campbell to rezone 0.5 acres in Franklin Township from Rural Residence "R-1" to General Business "B-2" was convened this 9th day of October 2001, in the Commissioners' Meeting Room.

Bob Ware, Regional Planning Commission (RPC), stated that the RPC Executive Committee hesitates to recommend approval of rezonings which do not coincide with the Township Land Use Plan and there recommended denial of the rezoning application.

Ted Priest, Chief Zoning Official, stated that the property owner has been in business at this location for approximately 20 years and desires to amend his application to request Rural Residence "R-1" as a planned unit development. He then stated that the Rural Zoning Commission recommended approval to rezone the property to Rural Residence "R-1" as a planned unit development subject to the standard conditions and stated an additional condition that the property must remain an automobile repair shop.

Mr. Campbell, property owner, presented a petition from neighbors in support of the rezoning application.

The Board explained the need for Mr. Campbell to "clean up" his property even if they approve his rezoning application.

Upon further discussion, the Board resolved (Resolution #01-1704) to approve the rezoning application subject to certain conditions.

Commissioner Kilburn entered the meeting at 1:50 p.m.

Dana Storts, Solid Waste Management Director, was present for the monthly meeting of the Warren County Solid Waste Management District.

Richard Renneker, Sanitary Engineer, was present for a work session and discussed the following issues:

- Hunter Sewer Problem Relative to ODOT
- Landmark Tearing Down Old Water Tower

Upon motion the meeting was adjourned.

C. Michael Kilburn, President

Larry Crisenbery

Pat Arnold South

I hereby certify that the foregoing is a true and correct copy of the minutes of the regular meeting of the Board of County Commissioners held on October 9, 2001, in compliance with Section 121.22 O.R.C.

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