



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

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

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

MINUTES: Regular Session--January 17, 2002

The Board met in regular session pursuant to adjournment of the January 15, 2002, meeting.

C. Michael Kilburn - present Larry Crisenbery - present

Pat Arnold South - absent Tina Davis, Clerk - present

- 02-91 A resolution was adopted to Continue Public Hearing to consider the Rezoning Application of Michael and Cindi Ash (Case #01-12) to rezone 1.087 acres in Washington Township from General Business "B-2" to One and Two Family Residence "R-2".
Vote: Mr. Crisenbery – yea; Mr. Kilburn – yea; Mrs. South - absent
- 02-92 Due to a Clerical error, this resolution number was inadvertently left out
- 02-93 A resolution was adopted to approve Notice of Intent to enter into contract with Winton Transportation Systems, Inc., DBA Universal Transportation Systems (UTS) regarding CY2002 Warren County Transit Services.
Vote: Mr. Crisenbery – yea; Mr. Kilburn – yea; Mrs. South - absent
- 02-94 A resolution was adopted for Intent to Transfer Jason Sorrell to the position of Sewer System Package Plant Operator I, within the Water and Sewer Department. Vote: Mr. Crisenbery – yea; Mr. Kilburn – yea; Mrs. South - absent
- 02-95 A resolution was adopted to authorize the Posting of the "Wastewater Treatment Plant Operator I, and II" position, within the Water and Sewer Department, in accordance with Warren County Personnel Policy Manual, Section 2.02 (A).
Vote: Mr. Crisenbery – yea; Mr. Kilburn – yea; Mrs. South - absent

- 02-96 A resolution was adopted to enter into Agreement for a Permanent Drainage Easement from Booth Commercial Properties, LLC., to correct a drainage problem on Columbia Road at Corporate Way.
Vote: Mr. Crisenbery – yea; Mr. Kilburn – yea; Mrs. South – absent
- 02-97 A resolution was adopted to Change Order #42 with ESI Electrical Contractors regarding the construction of the New Warren County Administration Building Project. Vote: Mr. Crisenbery – yea; Mr. Kilburn – yea; Mrs. South - absent
- 02-98 A resolution was adopted to approve and authorize the President of the Board to enter into a Classroom Training Agreement on behalf of the Warren County One-Stop Business and Employment Center. Vote: Unanimous
- 02-99 A resolution was adopted to approve and authorize the Submittal of Grant Application to the Ohio State Emergency Response Commission for funding from the Chemical Emergency Planning and Community Right to Know Fund and authorize the Director of Emergency Services to sign documents relative thereto. Vote: Mr. Crisenbery – yea; Mr. Kilburn – yea; Mrs. South - absent
- 02-100 A resolution was adopted to Set Hearing concerning the Petition for Annexation of 173.665 acres to the City of Lebanon.
Vote: Mr. Crisenbery – yea; Mr. Kilburn – yea; Mrs. South - absent
- 02-101 A resolution was adopted to set Hearing concerning the Petition for Annexation of 165.329 acres to the City of Mason.
Vote: Mr. Crisenbery – yea; Mr. Kilburn – yea; Mrs. South - absent
- 02-102 A resolution was adopted to approve a Bond Release for Philip Jr. & Patricia Hacker for completion of improvements in Kendrick Road Estates, Section 2, in Wayne Township.
Vote: Mr. Crisenbery – yea; Mr. Kilburn – yea; Mrs. South - absent
- 02-103 A resolution was adopted to approve Hacker Farm Lane in Kendrick Road Estates for public Maintenance by Wayne Township.
Vote: Mr. Crisenbery – yea; Mr. Kilburn – yea; Mrs. South - absent
- 02-104 A resolution was adopted to approve a Bond Release for Vancouver Homes, Inc., for completion of improvements in Bear Run Crossing, Section 2B, in Hamilton Township. Vote: Mr. Crisenbery – yea; Mr. Kilburn – yea; Mrs. South - absent
- 02-105 A resolution was adopted to approve a Bond Release for Vancouver Homes, Inc., for completion of improvements in Bear Run Crossing, Section 2A, in Hamilton Township. Vote: Mr. Crisenbery – yea; Mr. Kilburn – yea; Mrs. South - absent

- 02-106 A resolution was adopted to approve a Bond Release for Vancouver Homes, Inc., for completion of improvements in Bear Run Crossing, Section 2B, in Hamilton Township. Vote: Mr. Crisenbery – yea; Mr. Kilburn – yea; Mrs. South - absent
- 02-107 A resolution was adopted to approve Midnight Sun Drive, Misty Dawn Drive and Meadow Springs Drive in Bear Run Crossing Subdivision, Section 2B, for public maintenance by Hamilton Township.
Vote: Mr. Crisenbery – yea; Mr. Kilburn – yea; Mrs. South - absent
- 02-108 A resolution was adopted to approve Midnight Sun Drive, Misty Dawn Drive and Meadow Springs Drive in Bear Run Crossing Subdivision, Section 2A, for public maintenance by Hamilton Township.
Vote: Mr. Crisenbery – yea; Mr. Kilburn – yea; Mrs. South - absent
- 02-109 A resolution was adopted to approve various Refunds.
Vote: Mr. Crisenbery – yea; Mr. Kilburn – yea; Mrs. South - absent
- 02-110 A resolution was adopted to approve Appropriation Adjustment within Commissioners Fund #101-1110.
Vote: Mr. Crisenbery – yea; Mr. Kilburn – yea; Mrs. South - absent
- 02-111 A resolution was adopted to approve Appropriation Decrease and Supplemental Appropriation Adjustment within CCPB - TASC Grant Fund #284.
Vote: Mr. Crisenbery – yea; Mr. Kilburn – yea; Mrs. South - absent
- 02-112 A resolution was adopted to approve Appropriation Adjustment form Commissioners Fund #101-1112 into Common Pleas Capital Case Fund #101-1221. Vote: Mr. Crisenbery – yea; Mr. Kilburn – yea; Mrs. South - absent
- 02-113 A resolution was adopted to approve Operational Transfer from Commissioners Fund #101 into Human Services Fund #203.
Vote: Mr. Crisenbery – yea; Mr. Kilburn – yea; Mrs. South - absent
- 02-114 A resolution was adopted to approve Supplemental Appropriation into Fund #495 relevant to the construction of the New Administration Building.
Vote: Mr. Crisenbery – yea; Mr. Kilburn – yea; Mrs. South - absent
- 02-115 A resolution was adopted to approve Leave Donation for Connie Bledsoe, Emergency Communications Operator within the Emergency Services Department. Vote: Mr. Crisenbery – yea; Mr. Kilburn – yea; Mrs. South - absent
- 02-116 A resolution was adopted to authorize payment of Bills.
Vote: Mr. Crisenbery – yea; Mr. Kilburn – yea; Mrs. South - absent

DISCUSSIONS

On motion, upon unanimous call of the roll, the Board entered into executive session at 4:45 p.m. to discuss contract negotiations and exited at 5:45 p.m.

PUBLIC HEARING

REZONING APPLICATION OF MICHAEL AND CINDI ASH (CASE #01-12) TO REZONE
1.087 ACRES IN WASHINGTON TOWNSHIP FROM GENERAL BUSINESS "B-2"
TO ONE AND TWO FAMILY RESIDENCE "R-2".

The public hearing to consider the rezoning application of Michael and Cindi Ash (Case #01-12) to rezone 1.087 acres in Washington Township from General Business "B-2" to One and Two Family Residence "R-2" was reconvened this 17th day of January 2002, in the Commissioners' Meeting Room.

Mr. Ash, property owner, stated his desire to construct a two family on the property. He stated his desire to live in half and rent the other half as income after retirement. He also stated his desire to construct a garage on the property.

Robert Craig, Regional Planning Commission (RPC), review the area and surrounding zoning and stated the RPC Executive Committee's recommendation to modify the application to approve a Rural Residence "R-1".

Ted Priest, Chief Zoning Official, stated that the Zoning Department received notification that the Washington Township Trustees do not recommend approval. He then reviewed the events of the Rural Zoning Commission meeting and stated their approval of the rezoning application.

Commissioner Kilburn stated his concern relative to spot zoning and stated he does not want to send a message to other residents in Warren County that it is okay to change from single family to multi-family when there is not any surrounding multi-family.

Mr. Ash stated that if the Board does not allow him to construct a duplex on the property then he would have to pursue other business relative options as the property is currently zoned General Business "B-2".

Commissioner Kilburn stated his approval of a waiver of the application fee if Mr. Ash would desire to apply for a zoning variance to allow construction of a garage on the property but not his support to the zoning to multi-family.

Upon further discussion, the Board resolved (Resolution #02-91) to continue the public hearing to January 24, 2002, at 5:30 p.m.

The Union Township Trustees were present along with the County Engineer and several residents from the Shawhan Road, Dry Run Road, and Snook Road area to discuss their desire to limit the gross vehicle weight for times during moisture and thaw (freeze-thaw).

Commissioner Kilburn questioned if there are legal requirements that must be complied with prior to any legislation being enacted.

Neil Tunison, County Engineer, stated that there are no legal requirements under the "freeze/thaw" section of the law they are requesting the Board to take action on. He stated that, if enacted, it would place restrictions for a certain length of time which would restrict load limits.

Tammy Luzinger, Snook Road resident, stated her desire to eliminate the truck traffic on her road.

Fred Oeder and Tim Browning, Oeder & Sons Gravel, stated that the ban of truck traffic in South Lebanon necessitates the truck traffic in the area.

Joe Johnson, Steve Jones, Paula Lucas, Ethel Ledford, and Ross Ertel all spoke in favor of reducing the speed limit and load limit for the area.

Jamie Bailey, Shawhan Road resident, questioned how the farmers would get their grain out if they cannot haul on the roadways.

Upon further discussion, the Board continued the discussion to January 24, 2002, at 6:00 p.m.

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 January 17, 2002, in compliance with Section 121.22 O.R.C.

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