



**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--September 30, 2003

The Board met in regular session pursuant to adjournment of the September 25, 2003, meeting.

Larry Crisenbery - present

Pat Arnold South - present

C. Michael Kilburn - present

Tina Davis, Clerk – present

- 03-1423      Due to a clerical error, this resolution was inadvertently omitted.
- 03-1424      A resolution was adopted to release dog from custody of the Warren County Dog Warden to Waynette Burlison.  
Vote: Mr. Kilburn - yea; Mrs. South - yea; Mr. Crisenbery – absent
- 03-1425      A resolution was adopted to enter into Contract with C.A. Stempfley for the FY2002 City of Franklin Cedar Street CDBG Project.  
Vote: Mr. Kilburn - yea; Mrs. South - yea; Mr. Crisenbery – absent
- 03-1426      A resolution was adopted to enter into a Business Associate Agreement between the Warren County Board of Commissioners and Michael Insurance Planning.  
Vote: Mr. Kilburn - yea; Mrs. South - yea; Mr. Crisenbery - absent
- 03-1427      A resolution was adopted to enter into a Business Associate Agreement between the Warren County Board of Commissioners and Pharmacare Management Services, Inc. Vote: Mr. Kilburn - yea; Mrs. South – yea; Mr. Crisenbery - absent

- 03-1428 A resolution was adopted to approve HIPAA Memorandum of Understanding between the Warren County Board of Commissioners and the Warren County Sheriff's Office.  
Vote: Mr. Kilburn - yea; Mrs. South - yea; Mr. Crisenbery – absent
- 03-1429 A resolution was adopted to approve HIPAA Memorandum of Understanding between the Warren County Board of Commissioners and the Warren County Auditor. Vote: Mr. Kilburn - yea; Mrs. South - yea; Mr. Crisenbery - absent
- 03-1430 A resolution was adopted to approve HIPAA Memorandum of Understanding between the Warren County Board of Commissioners and the Warren County Records Center and Archives.  
Vote: Mr. Kilburn - yea; Mrs. South - yea; Mr. Crisenbery – absent
- 03-1431 A resolution was adopted to authorize the President of this Board to sign a Satisfaction of Mortgage for Jackie A. Belew.  
Vote: Mr. Kilburn - yea; Mrs. South - yea; Mr. Crisenbery – absent
- 03-1432 A resolution was adopted to approve and authorize the President of this Board to sign Change Order #1 relative to the FY 2002 Village of Waynesville Community Development Block Grant (CDBG) Project.  
Vote: Mr. Kilburn - yea; Mrs. South - yea; Mr. Crisenbery – absent
- 03-1433 A resolution was adopted to enter into Agreement to purchase Property and a Temporary Construction Easement from Marlon Kim Nixon and Susan Nixon, 2232 N Route 42, Lebanon, Ohio 45036 for the SR 42 & Utica Road & Hatfield Road Intersection Improvement Project.  
Vote: Mr. Kilburn - yea; Mrs. South - yea; Mr. Crisenbery – absent
- 03-1434 A resolution was adopted to approve various Refunds.  
Vote: Mr. Kilburn - yea; Mrs. South – yea; Mr. Crisenbery – absent
- 03-1435 A resolution was adopted to approve Release of Subdivision Public Improvement Performance and Maintenance Security Agreement with Crossman Communities of Ohio, Inc., for completion of water and/or sewer improvements in Michels Farm Section 3, situated in Hamilton Township.  
Vote: Mr. Kilburn - yea; Mrs. South - yea; Mr. Crisenbery – absent
- 03-1436 A resolution was adopted to enter into Street and Appurtenances Security Agreement with Lanes End, LLC., for installation of certain improvements in Lanes End, situated in Hamilton Township.  
Vote: Mr. Kilburn - yea; Mrs. South - yea; Mr. Crisenbery – absent
- 03-1437 A resolution was adopted to approve various Record Plats.  
Vote: Mr. Kilburn - yea; Mrs. South - yea; Mr. Crisenbery – absent

- 03-1438 A resolution was adopted to approve Appropriation Adjustment within the Telecommunications Department Fund # 101-2810.  
Vote: Mr. Kilburn - yea; Mrs. South - yea; Mr. Crisenbery – absent
- 03-1439 A resolution was adopted to approve Supplemental Appropriation into Fund #451. Vote: Mr. Kilburn - yea; Mrs. South - yea; Mr. Crisenbery - absent
- 03-1440 A resolution was adopted to authorize payment of Bills.  
Vote: Mr. Kilburn - yea; Mrs. South - yea; Mr. Crisenbery – absent
- 03-1441 A resolution was adopted to approve Amendment No. 1 to Warren County Enterprise Zone Agreement dated July 18, 2000 between Warren County, Ohio and SEI Brakes, Inc.  
Vote: Mr. Kilburn - yea; Mrs. South - yea; Mr. Crisenbery – absent
- 02-1442 A resolution was adopted to approve Amendment No. 2 to Warren county Enterprise Zone Agreement dated March 21, 1991 and Warren County Enterprise Zone Agreement Dated December 27, 1994, between Warren County, Ohio and Lucas Sumitomo Brakes, Inc.  
Vote: Mr. Kilburn - yea; Mrs. South - yea; Mr. Crisenbery – absent
- 03-1443 A resolution was adopted to Amend the Warren County Prevention Retention and Contingency Plan for the Warren County Department of Human Services.  
Vote: Mr. Kilburn - yea; Mrs. South - yea; Mr. Crisenbery – absent
- 03-1444 A resolution was adopted to approve Supplemental Appropriations into Sheriff Fund #630. Vote: Mr. Kilburn - yea; Mrs. South - yea; Mr. Crisenbery – absent
- 03-1445 A resolution was adopted to approve the Revised Preliminary Site Plan for the Warren County Airport (aka CSW Enterprise, Inc., PUD).  
Vote: Mr. Kilburn - yea; Mrs. South - yea; Mr. Crisenbery – abstain
- 03-1446 A resolution was adopted to terminate contract with PhyAmerica Correctional Healthcare, Inc., to provide Healthcare Services within the Warren County jail and Juvenile Justice Center. Vote: Unanimous
- 03-1447 A resolution was adopted to approve appointments to the Warren County Community College Board. Vote: Unanimous

#### DISCUSSIONS

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Frank Young, Emergency Services Director, was present for an update on the damages and cost of damages within Warren County due to the severe storm on September 27, 2003.

Mr. Young stated that the storm did not qualify for federal fund reimbursement and stated their concentration on repairing the Kings School District Buses so that school can resume.

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On motion, bids were closed at 10:15 a.m. this 30<sup>th</sup> day of September and the following bids were received, opened and read aloud for FY2002 Union Township Highland Park Storm Sewer Project for the Warren County Office of Grants Administration:

Larry Smith Construction Cleves, Ohio	\$ 49,979.25
Adleta Construction Cincinnati, Ohio	\$ 57,186.50
Rider Excavating Jamestown, Ohio	\$ 54,979.25
VNS Bowman Excavating Laura, Ohio	\$ 47,236.00
W.G. Stang Hamilton, Ohio	\$ 38,483.00

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

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On motion, bids were closed at 10:30 a.m. this 30<sup>th</sup> day of September and the following bids were received, opened and read aloud for FY2002 Village of Harveysburg Street Improvements Project for the Warren County Office of Grants Administration:

Shelly Company Cincinnati, Ohio	\$ 44,138.00
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Jerry Haddix, Coordinator, Warren County Office of Grants Administration, will review bids for a recommendation at a later date.

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Richard Renneker, Sanitary Engineer, was present for a work session to discuss the following issues

- Mr. Doug Rice's complaint of overspray, dust and damages to his property from the painting of the water tower on Snider Road in Deerfield Township.
- Mr. Randy Andrews' complaint of water damages due to the contractor of the water tower on Snider Road improperly placing rip rap on County property.
- Various sanitary sewer backup complaints relative to reimbursement of damages.

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Waynette Burleson, Kunker Road resident in Harlan Township, was present along with her husband, Nick, relative to a dog, which the Animal Shelter has in custody for killing her neighbor's chickens.

Mrs. Burleson stated that the stray dog came to them about three weeks prior to the incident with the chickens and her family has adopted the dog. She requested the Board to allow her to pay the damages and also license the dog and take responsibility for it.

Upon discussion, the Board directed Nathan Harper, Dog Warden, (Resolution #03-1424) to return the dog to Mr. and Mrs. Burleson contingent upon them paying for the licensing and boarding as well as damages to the neighbors.

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Karen Garrett, Economic Development Director, was present for amendments to the enterprise zone abatement agreement with SEI Brakes, Inc.

Mrs. Garrett stated that the two amendments are needed due to name changes of the company.

Upon further discussion, the Board resolved (Resolution #03-1441 and #3-1442) to approve Amendments #1 and Amendment #2 to the rural enterprise zone abatement agreement with SEI Brakes, Inc.

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Sheriff Ariss was present along with Gary Browning, Data Processing Director, to discuss his request for an appropriation adjustment for the purchase of various computer hardware and software.

Sheriff Ariss stated his request to have Data Processing take over the maintenance and upkeep of his computers within the Sheriff's Office and stated that Data Processing has requested the purchase of these various computer hardware and software to make his system run properly.

The Board debated the need to purchase this equipment.

Upon further discussion, Mr. Kilburn stated his desire to have these items requested in the 2004 budget and Mrs. South stated her desire to approve the adjustment to allow the purchase as requested.

It was determined the need for Mr. Crisenbery to make the deciding vote of the issue at a time when he is present for the meeting.

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Doris Bishop, Human Services Director, was present to explain the proposed changes to the Warren County Prevention Retention and Contingency Plan.

Mrs. Bishop explained the proposed changes and upon further discussion, the Board resolved (Resolution #03-1443) to approve the amendments to the plan.

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Robert Craig, Regional Planning Commission, was present to the continuation of the revised preliminary site plan for the Warren County Airport (AKA CSW Enterprise, Inc.) in Turtlecreek Township.

The Board discussed the proposed drainage pond, which was never constructed at the end of the runway on County property. The Board stated it was determined to be cost prohibitive and not permitted by the FAA due to the increase it may cause in waterfowl.

Hank Holden, adjacent property owner, stated his continued desire for drainage relief for the farm field, which he farms adjacent to the runway.

There was discussion relative to only approving the T-hangers at this time rather than the entire preliminary site plan.

There was much discussion with Neil Tunison, County Engineer relative to remedies to drainage concerns with adjacent development.

The Board discussed requiring a 50 – 100 year flood plain for detention/retention.

Nick Sargent, adjacent property owner, stated his concern with the “river” between his property and adjacent property. It was determined a very important issue to have all drainage improvements completed prior to any new construction being started.

Commissioner Crisenbery entered the meeting at 3:10 p.m.

Upon further discussion, the Board resolved (Resolution 303-1445) to approve the revised preliminary site plan for the Warren County Airport with the amendment of certain conditions relative to drainage improvements and the construction of a earthen berm along the west property line.

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Upon motion the meeting was adjourned.

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Larry Crisenbery, President

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C. Michael Kilburn

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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 September 30, 2003, in compliance with Section 121.22 O.R.C.

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