



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

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**C. MICHAEL KILBURN
PAT ARNOLD SOUTH
DAVID G. YOUNG**

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

MINUTES: Regular Session – July 29, 2008

The Board met in regular session pursuant to adjournment of the July 17, 2008, meeting.

Pat Arnold South - present

C. Michael Kilburn - present

David G. Young - present

Tina Davis, Clerk – present

- 08-1098 A resolution was adopted to approve and authorize a Grant Application for Victims Assistance Funds on behalf of the Warren County Prosecutor’s Office. Vote: Unanimous
- 08-1099 A resolution was adopted to set Public Hearing for Rezoning Application of Michael Ash (Case #08-04), to rezone 1.087 acres in Washington Township from General Business “B-2” to Rural Residence “R-1”. Vote: Unanimous
- 08-1100 A resolution was adopted to authorize the Board to adopt the attached Public Safety System Policy Manual Update. Vote: Unanimous
- 08-1101 A resolution was adopted to approve and authorize the President and/or Vice President of this Board to sign a Grant Application on behalf of the Warren County Sheriff’s Office. Vote: Unanimous
- 08-1102 A resolution was adopted to enter into Contract with Smith Construction for the Schlottman Road Bridge Replacement Project. Vote: Unanimous
- 08-1103 A resolution was adopted to approve Change Order #1 with James M. Hendrickson for the Hendrickson & Union Intersection Improvement Project. Vote: Unanimous
- 08-1104 A resolution was adopted to declare various items within Garage, Children Services and Water & Sewer as surplus and authorize the disposal of said items.

Vote: Unanimous

- 08-1105 A resolution was adopted to acknowledge Payment of Bills. Vote: Unanimous
- 08-1106 A resolution was adopted to approve various Refunds. Vote: Unanimous
- 08-1107 A resolution was adopted to approve County Motor Vehicle Tax (CVT-299) for the Village of Morrow in the amount of \$24,728.23. Vote: Unanimous
- 08-1108 A resolution was adopted to approve a Sidewalk Bond Reduction for Long Cove, LLC for completion of improvements in Long Cove, Phase 5, in Deerfield Township. Vote: Unanimous
- 08-1109 A resolution was adopted to approve a Street and Appurtenances Bond Release for Dixon Byington Development, LLC for completion of improvements in The Greens at Crooked Tree, Section 1, situated in Deerfield Township. Vote: Unanimous
- 08-1110 A resolution was adopted to approve a Sidewalk Bond Release for Dixon Byington Development, LLC, for completion of improvements in The Greens at Crooked Tree, Section 1, situated in Deerfield Township. Vote: Unanimous
- 08-1111 A resolution was adopted to approve Crooked Tree Drive, Pinnacle Lane, Cobra Court, Lynx Court and Top Flite Lane in The Greens at Crooked Tree, Section 1 for public maintenance by Deerfield Township. Vote: Unanimous
- 08-1112 A resolution was adopted to approve a Street and Appurtenances Bond Release for Dixon Byington Development, LLC for completion of improvements in The Greens at Crooked Tree, Section 2, situated in Deerfield Township. Vote: Unanimous
- 08-1113 A resolution was adopted to approve a Sidewalk Bond Release for Dixon Byington Development, LLC for completion of improvements in The Greens at Crooked Tree
- 08-1114 A resolution was adopted to approve Top Flite Lane, Maxfli Lane, Taylor Made Lane, and Strata Court in The Greens at Crooked Tree, Section 2 for public maintenance by Deerfield Township. Vote: Unanimous
- 08-1115 A resolution was adopted to approve a Street and Appurtenances Bond Release for Dixon Byington Development, LLC for completion of improvements in The Greens at Crooked Tree, Section 3, situated in Deerfield Township. Vote: Unanimous
- 08-1116 A resolution was adopted to approve a Sidewalk Bond Release for Dixon Byington Development, LLC, for completion of improvements in The Greens at Crooked Tree, Section 3, situated in Deerfield Township. Vote: Unanimous

- 08-1117 A resolution was adopted to approve Maxfli Lane, Ultra Court, Armour Court and Pinnacle Lane in The Greens at Crooked Tree, Section 3 for public maintenance by Deerfield Township. Vote: Unanimous
- 08-1118 A resolution was adopted to approve a Street and Appurtenances Bond Release for Dixon Byington Development, LLC for completion of improvements in The Greens at Crooked Tree, Section 4, situated in Deerfield Township. Vote: Unanimous
- 08-1119 A resolution was adopted to approve a Sidewalk Bond Release for Dixon Byington Development, LLC for completion of improvements in The Greens at Crooked Tree, Section 4, situated in Deerfield Township. Vote: Unanimous
- 08-1120 A resolution was adopted to approve Ultra Court and Armour Court in The Greens at Crooked Tree, Section 4 for public maintenance by Deerfield Township. Vote: Unanimous
- 08-1121 A resolution was adopted to approve a Street and Appurtenances Bond Release for J.A. Development, P.L.L. for completion of improvements in Country Walk, Section Three, situated in Franklin Township. Vote: Unanimous
- 08-1122 A resolution was adopted to approve a Sidewalk Bond Release for J.A. Development, P.L.L., for completion of improvements in Country Walk, Section Three, situated in Franklin Township. Vote: Unanimous
- 08-1123 A resolution was adopted to approve Country Walk Drive, Plum Creek Court and Windsong Court in Country Walk, Section Three for public maintenance by Franklin Township. Vote: Unanimous
- 08-1124 A resolution was adopted to approve a Street and Appurtenances Bond Release for Greens of Bunnell Hill, LLC for completion of improvements in The Greens of Bunnell Hill, Section 1, situated in Clearcreek Township. Vote: Unanimous
- 08-1125 A resolution was adopted to approve a Sidewalk Bond Reduction for Riverview of Landen, LLC for completion of improvements in Riverview of Landen Subdivision, in Deerfield Township. Vote: Unanimous
- 08-1126 A resolution was adopted to Amend Resolution #08-1049 to approve a Subdivision Public Improvement Performance and Maintenance Security Agreement Release with Dixon Eagle's Pointe, LLC for Eagle's Pointe, Section 1 in Hamilton Township. Vote: Unanimous
- 08-1127 A resolution was adopted to approve a Sidewalk Bond Release for Twenty Mile Green, LLC, for completion of improvements to Twenty Mile Green, in Deerfield Township. Vote: Unanimous
- 08-1128 A resolution was adopted to approve a Sidewalk Bond Release for Twenty Mile Green, LLC, for completion of improvements Being a Replat of Part of Lot 3,

- Twenty Mile Green, in Deerfield Township. Vote: Unanimous
- 08-1129 A resolution was adopted to approve following Record Plats. Vote: Unanimous
- 08-1130 A resolution was adopted to accept Amended Certificates, approve Supplemental Appropriations and Create New Funds 426 Mason-Montgomery Rd. Widening, 427 Columbia at Mason-Morrow-Millgrove Bridge Replacement and 428 Drake Road at Old 122 Intersection. Vote: Unanimous
- 08-1131 A resolution was adopted to approve Operational Transfer from Commissioners fund #101 into Human Services fund #203. Vote: Unanimous
- 08-1132 A resolution was adopted to approve an Operational Transfer from Commissioners fund #101 into Human Services fund #203. Vote: Unanimous
- 08-1133 A resolution was adopted to approve Appropriation Adjustment from Commissioners fund #101-1110 into Board of Elections fund #101-1300. Vote: Unanimous
- 08-1134 A resolution was adopted to approve Appropriation Adjustments within Coroner's Office fund #101-2100 and Children Services fund #273-5100. Vote: Unanimous
- 08-1135 A resolution was adopted to approve Appropriation Adjustment within the Auditor and Data Processing funds below in order to Purchase Magnetic Ink Printers for the Auditor. Vote: Unanimous
- 08-1136 A resolution was adopted to approve Supplemental Appropriation into Sheriff's Office fund #285. Vote: Unanimous
- 08-1137 A resolution was adopted to authorize payment of Bills. Vote: Unanimous
- 08-1138 A resolution was adopted to approve Annexation of 42.5495 Acres to the Village of Maineville, Stephen Hunt, Agent, pursuant to Ohio Revised Code Section 709.023 [A.K.A. Expedited Type 2 Annexation]. Vote: Unanimous
- 08-1139 A resolution was adopted to transfer 2001 Ford LTD Crown Victoria being utilized by the Warren County Sheriff to the Village of Maineville. Vote: Unanimous
- 08-1140 A resolution was adopted to determine the necessity to Design, Construct, Maintain and Operate a Water Main Extension in the Old State Route 122 & Utica Road Water Improvement Area, Warren County Water District, and direct the preparation of Tentative Assessments upon Benefited Properties. Vote: Unanimous
- 08-1141 A resolution was adopted to accept Amended Petition, Statement and Waiver of the Warren County Career Center. Vote: Unanimous

- 08-1142 A resolution was adopted to designate Family and Medical Leave of Absence to Courtney Wilson, Eligibility Referral Specialist I, within the Department of Job and Family Services, Human Services Division. Vote: Unanimous
- 08-1143 A resolution was adopted to designate Family and Medical Leave of Absence to Darrell Helton, Sewer System Maintenance Package Plant Operator III, within the Water and Sewer Department. Vote: Unanimous
- 08-1144 A resolution was adopted to approve Rules and Compensation Plan for the Hotline Program for Warren County Job and Family Services, Children Services Division. Vote: Unanimous
- 08-1145 A resolution was adopted to approve Pay Increase for Shawna Barger, Protective Services Supervisor, within the Warren Job and Family Services, Children Services Division. Vote: Unanimous
- 08-1146 A resolution was adopted to approve a Lateral Transfer of Kevin Rawlings to the position of Investigative Caseworker within the Department of Job and Family Services, Children Services Division. Vote: Unanimous
- 08-1147 A resolution was adopted to administer Disciplinary Action against Rob Allen, Water & Sewer Inspector within the Water & Sewer Department. Vote: Unanimous
- 08-1148 A resolution was adopted to approve the Promotion of Robert Butcher from Water and Wastewater Sample Collector I to the position of Water and Wastewater Sample Collector II within the Warren County Water and Sewer Department. Vote: Unanimous
- 08-1149 A resolution was adopted to temporarily Reclassify Jon Collins to the position of Lab Supervisor within the Department of Water and Sewer. Vote: Unanimous
- 08-1150 A resolution was adopted to approve end of 365-day Probationary Period and Approve a Pay Increase for Jesse Madden within the Warren County Department of Emergency Services. Vote: Unanimous
- 08-1151 A resolution was adopted to Hire Lauren Sumner Mills as Emergency Communications Operator, within the Warren County Emergency Services Department. Vote: Unanimous

DISCUSSIONS

On motion, upon unanimous call of the roll, the Board entered into executive session at 9:30 a.m. to discuss personnel matters relative to disciplinary action within the Water and Sewer

Department, hiring within Children Services Department, Building Services Department and Human Services Department and the proposed reorganization of the Emergency Services Department pursuant to Ohio Revised Code Section 121.22 (G)(1) and exited at 10:46 a.m.

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

Stephen Hunt, Agent for the Type 2 annexation petition to annex 42.5495 acres to the Village of Maineville, was present for the Board to consider said annexation.

Commissioner Kilburn stated that, pursuant to the annexation law provided in the Ohio Revised Code, this Board would waste an hour of time if the annexation law states the Board “shall” approve the annexation.

Bruce McGary, Chief Deputy Prosecutor, stated that the law says if the petition meets the conditions stated in the Ohio Revised Code then the Board “shall” approve the annexation. He then stated that this petition meets all conditions. He stated that Warren Ritchie, attorney for Hamilton Township, had filed an objection on behalf of the Township; however, he now concedes that all requirements under the law have been met.

Mr. Ritchie stated that the Hamilton Township Trustees meeting was prior to the Village adopting service resolutions. He then stated his desire to state on the record the Township’s position that this property will remain within Hamilton Township and therefore, will be subject to the adopted impact fees within the Township.

James Marconet, Village Administrator, stated the Village’s position that this property will not be subject to the Township’s impact fees once the annexation process is complete.

Upon further discussion, the Board resolved (Resolution #08-1138) to approve the annexation petition.

On motion, upon unanimous call of the roll, the Board entered into executive session at 11:02 a.m. to discuss imminent litigation relative to a developer within Deerfield Township pursuant to Ohio Revised Code Section 121-22(G)(3) and exited at 11:29 a.m.

Jim Aumann, Warren County Treasurer, was present for a meeting of the Investment Advisory Board and presented the following information as of June 30, 2008:

Total Agency Securities	\$ 80,359,240
Bank CD's	\$ 43,000,000
LCNB Asset Management	\$ 16,765,403
5/3 Bank Asset Management	\$ 30,539,754
S.T.A.R. Ohio	\$ 9,739,128
Various Purpose Special Assessment GO Bonds	\$ 258,854
Total Accounts	\$180,662,378
Year to Date Interest to General Fund	\$ 4,085,694

Chief Deputy Sims, Sheriff's Office, was present to request approval from the Board the ability, upon discretion of the Sheriff's Office, to increase the starting salary for entry level deputies designated as "lateral transfers" from other police agencies. He stated that, if approved, those designated by the Sheriff as "lateral transfers" would begin at a yearly salary of \$46,592 vs. \$43,076.80.

Commissioner Kilburn stated his concern that it will increase salaries within the department but stated that the decision is up to the Sheriff as he is the Elected Official which determines those matters.

Commissioner Young questioned if this increase in beginning salary would be within the Sheriff's budget.

Chief Deputy Sims explained that this change in policy would not be utilized unless the individual meets the criteria of a "lateral transfer". He stated that a majority of the time, it will not be an issue. He then explained that it would give the department a better ability to hire seasoned officers rather than have them decline the position as it would be too great of a pay decrease. He then stated that this change in policy would require an amendment to the union agreement which would require approval by the Board of Commissioners.

Upon explanation, the Board stated their agreement to the "lateral hiring" beginning increase.

Chief Deputy Sims then stated the Sheriff's Office is in receipt of a request from the Village of Maineville requesting the transfer of a 2001 police cruiser no longer being utilized by the Sheriff's Office.

Chief Deputy Sims stated the Sheriff's Office is in favor of the transfer.

Upon discussion, the Board resolved (Resolution #08-1139) to transfer the 2001 Ford Crown Victoria no longer being utilized by the Warren County Sheriff's Office to the Village of Maineville Police Department.

Richard Renneker, Sanitary Engineer, was present along with Chris Brausch, Deputy Sanitary Engineer, and discussed the following matters:

1. Water project for Old State Route 122/Utica Road—Several residents were present and stated their desire for the water project to proceed.

Jerry Russell, property owner on Old State Route 122, stated his opinion that the majority of the property owners on Utica Road do not want the project or didn't care enough to show up at the public hearing. He requested the Board to continue with the project for Old State Route 122.

Commissioner Kilburn stated his concern relative to the \$12,000 proposed assessment with the project is not supported 100%. He then stated his desire for the County to contribute additional funds to the project to allow for an assessment that does not exceed \$8000.

Commissioner South stated her desire for additional information on what the exact cost of the project would be to the residents with additional participation from the County.

Mr. Renneker requested the Board to proceed with legislation to determine the necessity of the project and proceed to tentative special assessments and allow addition time for the Water Department to calculate the cost and present to the Board at the August 5, 2008, Board meeting.

Upon further discussion, the Board resolved (Resolution #08-1140) to determine the necessity to design, construct, maintain and operate a water main extension in the Old State Route 122 & Utica Road Water Improvement Area, Warren County Water District, and direct the preparation of tentative assessments upon benefited properties.

2. Warren County Career Center Sewer Project—Mr. Brausch stated that we are in receipt of a revised petition, statement and waiver from the Warren County Career Center due to the new construction numbers being estimated at a higher cost than when the project began.

Upon discussion, the Board resolved (Resolution #08-1141) to accept the amended petition, statement and waiver of the Warren County Career Center.

Upon motion the meeting was adjourned.

Pat Arnold South, President

C. Michael Kilburn

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 July 29, 2008, in compliance with Section 121.22 O.R.C.

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