



**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 – August 4, 2009**

The Board met in regular session pursuant to adjournment of the July 30, 2009, meeting.

C. Michael Kilburn - present

David G. Young - present

Pat Arnold South - present

Tina Davis, Clerk – present

- 09-1034      A resolution was adopted to Advertise for Bids for the FY2008 Village of Morrow Street Improvements Project Re-Bid. Vote: Unanimous
- 09-1035      A resolution was adopted to approve Notice of Intent to Award Welsh Excavation Co., Inc. for Robinson - Vail/Shaker Water Main Improvements Contract I Project. Vote: Unanimous
- 09-1036      A resolution was adopted to approve various Refunds. Vote: Unanimous
- 09-1037      A resolution was adopted to approve and authorize the President and/or Vice President of this Board to sign an Agreement by and between the Federal Aviation Administration and the Warren County Board of Commissioners relative to the FAA Airport Improvement Program. Vote: Unanimous
- 09-1038      A resolution was adopted to approve an Operational Transfer from Commissioners Fund #101 into Human Services Fund #203. Vote: Unanimous
- 09-1039      A resolution was adopted to approve Operational Transfer from Commissioners Fund #101 into Human Services Fund #203. Vote: Unanimous

- 09-1040 A resolution was adopted to accept an Amended Certificate and approve a Supplemental Appropriation within Robinson-Vail/Shaker Road Water Main Extension Project Fund No. 583. Vote: Unanimous
- 09-1041 A resolution was adopted to approve Supplemental Appropriations into the Workforce Investment Act Fund #258. Vote: Unanimous
- 09-1042 A resolution was adopted to approve Appropriation Adjustments within Workforce One Fund #258. Vote: Unanimous
- 09-1043 A resolution was adopted to approve Appropriation Adjustments within the Water Revenue Fund No. 510. Vote: Unanimous
- 09-1044 A resolution was adopted to authorize payment of Bills. Vote: Unanimous
- 09-1045 A resolution was adopted to approve the Site Plan Review Application of Blanchester Church of the Nazarene, Harlan Township. Vote: Unanimous
- 09-1046 A resolution was adopted to approve Appropriation Adjustments within TASC Fund #284. Vote: Unanimous
- 09-1047 A resolution was adopted to promote Sylvia Outland from the position of Eligibility Referral Specialist I to the position of Eligibility Referral Specialist II within the Department of Job and Family Services, Human Services Division. Vote: Unanimous
- 09-1048 A resolution was adopted to promote Jennifer Yeazel from the position of Eligibility Referral Specialist I to the position of Eligibility Referral Specialist II within the Department of Job and Family Services, Human Services Division. Vote: Unanimous
- 09-1049 A resolution was adopted to promote Kiley Center from the position of Eligibility Referral Specialist I to the position of Eligibility Referral Specialist II within the Department of Job and Family Services, Human Services Division. Vote: Unanimous
- 09-1050 A resolution was adopted to promote Emily Hittinger from the position of Eligibility Referral Specialist I to the position of Eligibility Referral Specialist II within the Department of Job and Family Services, Human Services Division. Vote: Unanimous
- 09-1051 A resolution was adopted to enter into Agreement with Proware for the purchase of a Court, Probation and Detention Case Management System. Vote: Mrs. South - yea; Mr. Young - yea; Mr. Kilburn - absent

- 09-1052      A resolution was adopted to approve appropriation Adjustments within Probate / Juvenile Fund #270.  
Vote: Mrs. South - yea; Mr. Young - yea; Mr. Kilburn - absent
- 09-1053      A resolution was adopted to approve and authorize the President of this Board to execute Subgrant Agreement Amendment #1 with the State of Ohio Department of Youth Services on behalf of the Warren County Juvenile Court.  
Vote: Mrs. South - yea; Mr. Young - yea; Mr. Kilburn - absent
- 09-1054      A resolution was adopted to create Rates and Charges for the County Storm Water Management District No. 1 in accordance with Section 6117 of Ohio Revised Code. Vote: Mrs. South - yea; Mr. Young - yea; Mr. Kilburn - absent
- 09-1055      A resolution was adopted to approve and adopt an Identity Theft Prevention Program for the Office of Grants Administration, Emergency Services, Telecommunications, Human Services and Building & Zoning.  
Vote: Mrs. South - yea; Mr. Young - yea; Mr. Kilburn - absent
- 09-1056      A resolution was adopted to Cancel regularly scheduled Commissioners' Meeting of Thursday, August 6, 2009.  
Vote: Mrs. South - yea; Mr. Young - yea; Mr. Kilburn - absent

#### DISCUSSIONS

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On motion, upon unanimous call of the roll, the Board entered into executive session at 9:02 a.m. to discuss personnel matters relative to hiring and promotions within Human Services and Building Services pursuant to Ohio Revised Code Section 121.22 (G)(1) and exited at 10:38 a.m.

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

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Mike Yetter, Zoning Supervisor, was present for the site plan review application of Blanchester Church of the Nazarene in Harlan Township.

Mr. Yetter stated the church's desire to construct a 50' x 72' modular unit to conduct Sunday School classes. He reviewed the comments from departments and officials concerned and stated a philosophical difference between his interpretation of the zoning code and the Planning Commission interpretation. He stated that he considers this structure to be an accessory building to the main building (the church) and the Planning Commissioner feels this should be a stand along building.

Upon discussion, the Board agreed with Mr. Yetter's interpretation and stated the proposed building is an accessory building.

Mr. Yetter then stated the recommendation to approve the site plan review application subject to four conditions.

Commission Young read the four conditions to the applicant.

Upon discussion, the Board resolved (Resolution #09-1045) to approve the site plan review application subject to four conditions.

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Mike Yetter, Zoning Supervisor, was present along with Rick Treat, Treat Carpentry, to discuss the problems he is encountering relative to the issuance of a deck permit in the Highland Park Subdivision in Union Township.

Mr. Yetter explained that Mr. Treat filed an application for a deck permit. He stated that in order to comply with zoning regulations, the property owner needs to complete a lot combination, have an approved zone change due to the property being zoned business, as well as an approved variance due to setback regulations.

The Board stated their desire to comply with zoning regulations and requested staff to walk the property owner through the procedures that need to be completed in order to legally construct the deck. They also stated their desire to waive all fees relative to zoning matters.

Dave Gully, County Administrator, suggested the Board consider creating a zoning within the zoning code especially for this subdivision relative to the small lots and non-conforming uses.

Commissioner Kilburn stated his opinion of that being problematic due to the ballot requirement.

The Board then stated their desire to allow the property owner to construct the deck and have staff help them through the zoning procedures in the easiest and cheapest way possible and again agreed to waive any zoning related application fees.

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Tony Brigano, Court Administrator within Probate-Juvenile Court, was present along with Laura Sutherland and Kevin Kincer to explain the request for the purchase of a case management computer system within the Court.

Mr. Brigano explained that the current program requires various staff providing data entry several times prior to any final document being able to be given to the requestor. He stated that, with this program, the Judge with input the decision into the computer at the time they are made and that information will be utilized to produce the final documents.

Mrs. Sutherland explained that the majority of the process being utilized without this system is done by hand.

Commissioner Kilburn stated his opinion that unless the purchase of this software means they can eliminate a position within the court, it is not worth the expense.

Commissioner Kilburn exited the meeting at 11:12 a.m.

Mrs. Sutherland then stated that the court has not had a computer upgrade since 1992. She then stated that there are in receipt of grant funds from the State of Ohio for the purchase of this much needed software. She explained that they have had the funds for several years now but have not rushed to buy the first program that came along. She stated that they have been researching and determined that this software best fits the needs of the court.

Commissioner South stated that she understand the need for technology upgrades and efficiency within the Court.

Commissioner Young stated his opinion that, during normal economic times, this purchase would have been a cursory overview. He then stated that hand written notes are problematic and inefficient and stated his agreement for the purchase of the equipment.

Upon further discussion, the Board resolved (Resolution #09-1051) to enter into agreement with Proware for the purchase of a Court, Probation and Detention Case Management System.

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Upon motion the meeting was adjourned.

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C. Michael Kilburn, President

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David G. Young

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Pat Arnold South

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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 30 2009, in compliance with Section 121.22 O.R.C.

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