



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

406 Justice Drive, Lebanon, Ohio 45036

www.co.warren.oh.us

commissioners@co.warren.oh.us

Telephone (513) 695-1250

(513) 261-1250

(513) 925-1250

(937) 425-1250

Facsimile (513) 695-2054

TOM ARISS

PAT ARNOLD SOUTH

DAVID G. YOUNG

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

MINUTES: Regular Session – May 29, 2012

The Board met in regular session pursuant to adjournment of the May 22, 2012, meeting.

David G. Young - present

Pat Arnold South - present

Tom Ariss - present

Tina Davis, Clerk - present

- 12-0723 A resolution was adopted to accept Resignation of Richard E. Lundy, Custodial Worker I, within the Warren County Facilities Management Department, effective June 1, 2012. Vote: Unanimous
- 12-0724 A resolution was adopted to accept Resignation of Robert Lepley, Customer Advocate, within the Workforce One of Warren County, effective May 25, 2012. Vote: Unanimous
- 12-0725 A resolution was adopted to approve and authorize the President of the Board to enter into an On-The-Job Training Agreement on behalf of Workforce One of Warren County. Vote: Unanimous
- 12-0726 A resolution was adopted to approve and authorize President of the Board to enter into Working Agreement between this Board and the Ohio Adult Parole Authority on behalf of the Warren County Common Pleas Court. Vote: Unanimous
- 12-0727 A resolution was adopted to approve and enter into Maintenance Agreement with Millennium Business Systems. Vote: Unanimous

- 12-0728 A resolution was adopted to declare various items within Sheriff's Office and Emergency Services as surplus and authorize the disposal of said items.
Vote: Unanimous
- 12-0729 A resolution was adopted to approve Notice of Intent to Award Bid to Winton Transportation LLC DBA (U.T.S.) approve Annexation of 43.6812 acres to the Village of Maineville, Richard Paolo, Agent pursuant to Ohio Revised Code Section 709.023 [a.k.a. Expedited Type 2 Annexation] for the Transportation Services for the Warren County Department of Human Services.
Vote: Unanimous
- 12-0730 A resolution was adopted to approve various Refunds. Vote: Unanimous
- 12-0731 A resolution was adopted to affirm "Then and Now" requests pursuant to Ohio Revised Code 5705.41(D) (1). Vote: Unanimous
- 12-0732 A resolution was adopted to acknowledge payment of Bills. Vote: Unanimous
- 12-0733 A resolution was adopted to approve Appropriation Decreases within various Funds. Vote: Unanimous
- 12-0734 A resolution was adopted to approve Sub-Fund Adjustment for Warren County TASC – Fund #284. Vote: Unanimous
- 12-0735 A resolution was adopted to approve Supplemental Appropriation into Warren County Sheriff's Office Fund #285. Vote: Unanimous
- 12-0736 A resolution was adopted to approve a Supplemental Appropriation and an Appropriation Adjustment within Warren County Sheriff's Office Fund #267.
Vote: Unanimous
- 12-0737 A resolution was adopted to approve Appropriation Adjustment within Emergency Services / Emergency Services / EMA Fund #264. Vote: Unanimous
- 12-0738 A resolution was adopted to approve Appropriation Adjustments within Emergency Services / Communications Center Fund #101-2850, Emergency Services / EMA Fund #264. Vote: Unanimous
- 12-0739 A resolution was adopted to approve Appropriation Adjustment within Facilities Management Fund #101-1600. Vote: Unanimous
- 12-0740 A resolution was adopted to approve Appropriation Adjustment within OMB Fund #101-1115. Vote: Unanimous
- 12-0741 A resolution was adopted to authorize payment of Bills. Vote: Unanimous

- 12-0742 A resolution was adopted to approve a Street and Appurtenances Bond Release for Welsh Development Company, Inc. for completion of improvements in Trails of Shaker Run, Section Six situated in Turtlecreek Township. Vote: Unanimous
- 12-0743 A resolution was adopted to approve a Sidewalk Bond Release for Welsh Development Company, Inc. for completion of improvements in Trails of Shaker Run, Section Six situated in Turtlecreek Township. Vote: Unanimous
- 12-0744 A resolution was adopted to approve Lantana Drive and Goldenrod Court in Trails of Shaker Run, Section Six for public maintenance by Turtlecreek Township. Vote: Unanimous
- 12-0745 A resolution was adopted to approve Annexation of 43.6812 acres to the Village of Maineville, Richard Paolo, Agent, pursuant to Ohio Revised Code Section 709.023 [a.k.a. Expedited Type 2 Annexation]. Vote: Unanimous

DISCUSSIONS

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

On motion, Commissioner Young signed a full disclosure waiver relative to Martha Paige v. Kimberly Coyner, et al which contains attorney client privileged information.

On motion, upon unanimous call of the roll, the Board entered into executive session at 9:04 a.m. to discuss imminent litigation pursuant to Ohio Revised Code Section 121.22 (G)(3) and exited at 9:38 a.m.

On motion, bids were closed at 9:05 a.m. this 29th day of May and the following bids were received, opened and read aloud for Section St. Water Main CDBG Project Re-Bid for the Warren County Office of Grants Administration:

Ford Development Corp. Cincinnati, Ohio	\$ 93,100.00
Panetta Excavating Blanchester, Ohio	\$ 59,901.00

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

Steve Hunt, Agent along with Richard Paolo, to annex 43.6812 acres to the Village of Maineville, was present along with representatives from Hamilton Township and the County Engineer's Office to consider the annexation petition filed pursuant to Ohio Revised Code Section 709.023 [a.k.a. Expedited Type 2 Annexation].

Mr. Hunt stated that this is the 3rd annexation of a three part annexation to Maineville and he will answer any questions that the Board may have relative to the petition.

Warren Ritchie, Attorney for Hamilton Township, stated that he understands that this petition is procedures in nature. He stated that he does not like the annexation law but understands that criteria the Board must consider. He stated that the Township has no idea if procedural compliance has been met before objections are statutorily due.

Commissioner Young questioned Mr. Hunt if this annexation is due to the township impact fee.

Mr. Hunt stated affirmatively. He stated that in a major housing decline, a \$6000 + impact fee makes a huge impact on a homebuyer.

There was discussion relative to the pending decision of the Ohio Supreme Court on whether property annexed under the expedited petitions for annexation are still subject to the impact fee due to the property remaining in the Township.

Commissioner Young then confirmed with the Clerk that all procedural requirements have been met in order to approve this petition for annexation.

Upon further discussion, the Board resolved (Resolution #12-0745) to approve the annexation of 43.6812 acres to the Village of Maineville, Richard Paolo, Agent, pursuant to Ohio Revised Code Section 709.023 [a.k.a. Expedited Type 2 Annexation].

Commissioner Young informed those present that the Board has settled the lawsuit relative to the Mary Klingling Trust. He stated that this settlement has cost the taxpayers a net of \$700,000 which in his opinion is ridiculous.

Mr. Young thanks Bruce McGary, Assistant Prosecutor, for his throughout and exhaustive work he has completed relative to this matter over the past five years and commended him of the fantastic job of defending the taxpayers of Warren County.

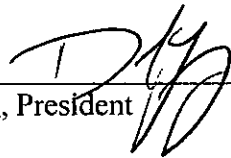
Commissioner South stated that this is a 144 year old trust that this Board of Commissioners inherited. She stated that this is a position that this matter is finally settled and no future Boards will have to deal with the matter. She then clarified that the settlement is closer to \$1 million when to take into consideration the cost to demolish the old building.

Commissioner Ariss stated his agreement with Commissioners Young and South and stated his opinion that Mary Klingling would be happy to see the \$700,000 going towards grants to non-governmental entities for the express benefit of Warren County children.

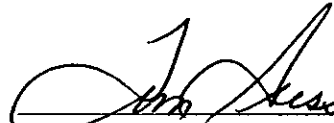
Mr. McGary clarified that the Board did receive ownership of an asset containing 53 acres at the resolution of this settlement.

On motion, upon unanimous call of the roll, the Board entered into executive session 10:10 a.m. to discuss personnel matters pursuant to Ohio Revised Code Section 121.22 (G)(1) and exited at 12:02 p.m.

Upon motion the meeting was adjourned.



David G. Young, President

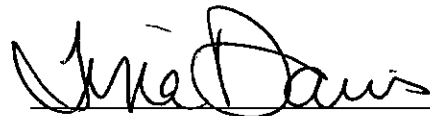


Tom Ariss



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 May 29, 2012, in compliance with Section 121.22 O.R.C.



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