



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

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TOM GROSSMANN

PAT ARNOLD SOUTH

DAVID G. YOUNG

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

MINUTES: Regular Session – March 3, 2015

The Board met in regular session pursuant to adjournment of the March 2, 2015, meeting.

David G. Young – present

Pat Arnold South – present

Tom Grossmann – present

Tina Osborne, Clerk – present

Minutes of the February 24, 2015, February 26, 2015 and March 2, 2015 meetings were read and approved.

- 15-0304 A resolution was adopted to approve and authorize the President of this Board to sign a Grant Award and Acceptance form for Fiscal Year 2015 VOCA and SVAA funds on behalf of the Warren County Prosecutor's Office. Vote: Unanimous
- 15-0305 A resolution was adopted to approve and authorize the President of the Board to enter into Memorandum of Understanding with various entities relative to MARCS in Schools Emergency Radio Program. Vote: Unanimous
- 15-0306 A resolution was adopted authorizing County Administrator to represent Board and execute closing documents for the acquisition of 1.3120 acres from Dennis M. Schnurr, Archbishop of Cincinnati, Trustee for the members of the Congregation of St. Philip the Apostle Roman Catholic Church, Morrow, Warren County, Ohio. Vote: Unanimous
- 15-0307 A resolution was adopted to authorize President of the Board to enter into Engagement Letter with Ohio Auditor of State relative to 2014 Audit. Vote: Unanimous

- 15-0308 A resolution was adopted to enter into an exclusive and permanent Highway Easement agreement with Rose Ella Freibert AKA Rose E. Freibert, unmarried, (Grantor) for the Irwin-Simpson Road Improvement Project. Vote: Unanimous
- 15-0309 A resolution was adopted to enter into an exclusive and permanent Highway Easement agreement Tom Gish, unmarried, (Grantor) for the Irwin-Simpson Road Improvement Project. Vote: Unanimous
- 15-0310 A resolution was adopted to enter into an exclusive and permanent Highway Easement agreement with Dannie K. Bultman and Cynthia A. Bultman, husband and wife, (Grantors) for the Irwin-Simpson Road Improvement Project. Vote: Unanimous
- 15-0311 A resolution was adopted to enter into an exclusive and permanent Highway Easement agreement with Ronald R. Rein and Linda J. Rein, husband and wife, (Grantors) for the Irwin-Simpson Road Improvement Project. Vote: Unanimous
- 15-0312 A resolution was adopted to enter into an exclusive and permanent Highway Easement agreement with Errol J. Sumrall and B. Carol Sumrall, husband and wife, (Grantors) for the Irwin-Simpson Road Improvement Project. Vote: Unanimous
- 15-0313 A resolution was adopted to enter into an exclusive and permanent Highway Easement agreement with Stephen J. Stone and Linda Stone, husband and wife, (Grantors) for the Irwin-Simpson Road Improvement Project. Vote: Unanimous
- 15-0314 A resolution was adopted to enter into an exclusive and permanent Highway Easement agreement with Carole J. Caprioni and Michael Caprioni, husband and wife, (Grantors) for the Irwin-Simpson Road Improvement Project. Vote: Unanimous
- 15-0315 A resolution was adopted to enter into an exclusive and permanent Highway Easement agreement with Michael Herman Wright Sr. and Sherry June Wright, husband and wife, (Grantors) for the Irwin-Simpson Road Improvement Project. Vote: Unanimous
- 15-0316 A resolution was adopted to enter into an exclusive and permanent Highway Easement agreement with Joseph E. Doner and Sarah A. Doner, husband and wife, (Grantors) for the Irwin-Simpson Road Improvement Project. Vote: Unanimous
- 15-0317 A resolution was adopted to enter into an exclusive and permanent Highway Easement agreement with Richard H. Bene and Patricia A. Bene, husband and wife, (Grantors) for the Irwin-Simpson Road Improvement Project. Vote: Unanimous

- 15-0318 A resolution was adopted to enter into an exclusive and permanent Highway Easement agreement with Bill Spears AKA Billy Spears and Sandra J Spears AKA Sandra Jean Spears, husband and wife, (Grantors) for the Irwin-Simpson Road Improvement Project. Vote: Unanimous
- 15-0319 A resolution was adopted to approve and authorize the President and/or Vice President of this Board to enter into a Cooperation Agreement with the Interfaith Hospitality Network of Warren County relative to the FY 2014 Community Development Block Grant Entitlement Program. Vote: Unanimous
- 15-0320 A resolution was adopted to approve and authorize the President and/or Vice President of this Board to enter into a Cooperation Agreement with the Abuse and Rape Crisis Shelter of Warren County relative to the FY 2014 Community Development Block Grant Entitlement Program. Vote: Unanimous
- 15-0321 A resolution was adopted to approve and authorize the President of the Board to enter into a Classroom Training Agreement on behalf of OhioMeansJobs Warren County. Vote: Unanimous
- 15-0322 A resolution was adopted to approve Agreement with the Marsh Foundation as attached hereto and made a part hereof child placement and related service provider for the Warren County Board of County Commissioners on behalf of Warren County Children Services. Vote: Unanimous
- 15-0323 A resolution was adopted to approve various Refunds. Vote: Unanimous
- 15-0324 A resolution was adopted to approve Appropriation Decreases within various funds. Vote: Unanimous
- 15-0325 A resolution was adopted to approve Appropriation Adjustment with Emergency Services/Communications Center fund #101-2850. Vote: Unanimous
- 15-0326 A resolution was adopted to authorize payment of bills. Vote: Unanimous
- 15-0327 A resolution was adopted to approve the Road Name Change of Cedar Drive to Cedar Creek Drive in Villages of Winding Creek Subdivision located in Clearcreek Township. Vote: Unanimous
- 15-0328 A resolution was adopted to authorize the President of the Board to enter into an agreement with Cincinnati Bell for Telephone Service to the Lower Little Miami Wastewater Treatment Plant (LLMWWTP). Vote: Unanimous
- 15-0329 A resolution was adopted to approve modification to a portion of the Text Amendments to the Warren County Rural Zoning Code to amend portions of Article 1, Article 2, Article 3 and Article 4. Vote: Unanimous

DISCUSSIONS

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

Michael Bunner, Emergency Services Director, was present to introduce members of the United States Army Special Operations Command 95th Civil Affairs Bidgade (Airborne) Civil Affairs Team 161.

Team Leader, Michelle Miller, introduced members of her team and reviewed the goals and objectives from for their mission in Warren County.

PUBLIC HEARING

CONSIDER ROAD NAME CHANGE OF CEDAR DRIVE TO CEDAR CREEK DRIVE IN
CLEARCREEK TOWNSHIP

The public hearing to consider the road name change requested by the County Engineer was convened this 3rd day of March 2015, in the Commissioners' Meeting Room.

Tina Osborne, Clerk of Commissioners, stated that when the developer developed a section of Villages of Winding Creek Subdivision, a small stub street was created to connect to the next section and dedicated on the plan as Cedar Drive. She stated that when the next section was developed, the name of the street that connected to the previous section was named Cedar Creek Drive.

Mrs. Osborne stated that the County Engineer is requesting to rename the small stub from the first section of the subdivision to Cedar Creek Drive to be consistent with the newer section.

Upon discussion, the Board resolved (Resolution #15-0327) to approve the road name change of Cedar Drive to Cedar Creek Drive in Villages of Winding Creek Subdivision located in Clearcreek Township.

Chris Brausch, Sanitary Engineer, was present for a work session and discussed the following matter:

1. Waynesville Wastewater Treatment Plant—Mr. Brausch stated that staff has been meeting two times a month with Waynesville representatives working towards an agreement for Warren County to assume owners of all property, assets and liabilities associated with the Waynesville Wastewater Treatment Plant.

Mr. Brausch stated reviewed the discussion with the Board from a previous work session where the Board questioned if they could utilize a different rate structure for the Village vs. the existing Warren County customers.

Mr. Brausch informed the Board that Bruce McGary, Assistant Prosecutor, has researched the matter and determined that the Board could create a separate sanitary sewer district for the customers of this wastewater treatment plant but existing Warren County customers whose wastewater is treated by this plant would be included in the new district and would see an increase in sanitary sewer rates.

Patti Solinski, Business Manager, reviewed the outstanding loan balances totaling \$1.3 million and that \$1.2 million of the total included a 2.5% interest loan from the Ohio Department of Development which all interest must be paid even if paid early. She then reviewed the actual cash balance of \$1.5 million.

There was discussion relative to enough assets being in the bank to cover the principle of the debt but not enough to cover the major improvements that will be required in the near future.

Mr. Brausch stated his plan to make minor improvements up front and in 2020 when the debt is paid, he would recommend a major improvement/expansion to the plant in order to accommodate future growth.

Commissioner Grossmann questioned the infrastructure outside of the wastewater treatment plan.

Mr. Brausch stated there is a lot of inflow and infiltration in the system that would need to be addressed but luckily they only have one pump station that we would redesign to eliminate in the future.

Commissioner Young confirmed with Mr. Brausch that Warren County taking over the ownership and operation of this wastewater treatment plant will not cause an economic disaster for Warren County.

Mr. Brausch confirmed that Warren County has the resources and staff available to support this system and recommended proceeding with this project.

Upon discussion, the Board directed Mr. Brausch to proceed with the contract negotiations.

PUBLIC HEARING

CONTINUATION OF THE PUBLIC HEARING TO CONSIDER AMENDMENTS TO
ARTICLE 1, 2, 3 AND 4 OF THE WARREN COUNTY RURAL ZONING CODE

The Board reconvened the public hearing to consider amendments to the Warren County Rural Zoning Code to further consider the proposed amendments to Article 2.205 (Composting Facility).

Commissioner Young reviewed the events of the previous public hearing and requested Bruce McGary, Assistant Prosecutor, to provide an update on the legality of limiting the location of the higher intensity composting uses to the Solid Waste "SD" and/or Solid Waste Transition "ST" Zone.

Mr. McGary reviewed the memorandum of findings from a legal case review stated that in his opinion, as long as the [legislative] zoning regulation is debatably sound on substantive due process grounds, in that there is a compelling government interest in protecting the public health, safety (and because this involves an industrial use) convenience, comfort and general welfare, he is of the opinion that limiting composting facilities to just the ST zone may withstand scrutiny.

Commissioner Grossmann questioned if it would be Mr. McGary's recommendation to proceed with the text amendments relative to the limited locations.

Mr. McGary stated that would be more of a policy decision rather than a legal recommendation.

Commissioner Young stated that it is in zoning matters such as these that this Board needs to make a stand and regulate these types of uses (not the agriculture use) for the health and safety of our citizens.

Commissioner Grossmann stated his agreement with the proposed amendment relative to composting.


The Board reviewed the table of uses as amended and made the appropriate changes.

Upon further discussion, the Board resolved (Resolution #15-0329) to approve modification to a portion of the Text Amendments to the Warren County Rural Zoning Code to amend portions of Article 1, Article 2, Article 3 and Article 4 relative to Article 2.205 (Composting Facility).

Upon motion the meeting was adjourned.



David G. Young, President

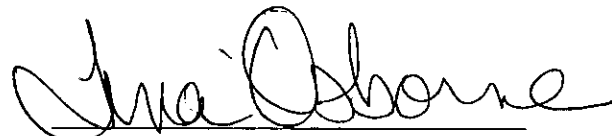


Tom Grossmann



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 March 3, 2015, in compliance with Section 121.22 O.R.C.



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