



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

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

MINUTES: Regular Session – January 26, 2016

The Board met in regular session pursuant to adjournment of the January 12, 2016, meeting.

David G. Young – present

Pat Arnold South – present

Tom Grossmann – present

Tina Osborne, Clerk – present

Minutes of the January 5, 2016 and January 11, 2016, and January 12, 2016, meetings were read and approved.

- 16-0054 A resolution was adopted to approve Lump Sum Merit Payments relative to Commissioners Employees. Vote: Unanimous
- 16-0055 A resolution was adopted to accept Resignation of Natalie Bookbinder, Eligibility Referral Specialist II, within the Warren County Job and Family Services Department, Human Services Division, effective January 29, 2016.
Vote: Unanimous
- 16-0056 A resolution was adopted to authorize the posting of a “Case Aide” position, within the Department of Job and Family Services, Children Services Division, in accordance with the Warren County Personnel Policy Manual, Section 2.02(a).
Vote: Unanimous
- 16-0057 A resolution was adopted to authorize the posting of the “Foster Care/Adoption Caseworker I” position, within the Department of Job and Family Services, Children Services Division, in accordance with Warren County Personnel Policy Manual, Section 2.02(a). Vote: Unanimous

- 16-0058 A resolution was adopted to authorize the posting of the "Protective Services Supervisor" position, within the Department of Job and Family Services, Children Services Division, in accordance with Warren County Personnel Policy Manual, Section 2.02(a). Vote: Unanimous
- 16-0059 A resolution was adopted to authorize the posting of the "Protective Services Caseworker I or II" position, within the Department of Job and Family Services, Children Services Division, in accordance with Warren County Personnel Policy Manual, Section 2.02(a). Vote: Unanimous
- 16-0060 A resolution was adopted to authorize the posting of the "Cashier/Receptionist" position within the Building and Zoning Department, in accordance with Warren County Personnel Policy Manual, Section 2.02 (a). Vote: Unanimous
- 16-0061 A resolution was adopted to approve Reappointments of various members to the Warren County Emergency Communications Board. Vote: Unanimous
- 16-0062 A resolution was adopted to approve Appointments to the Southwest Ohio Regional Child Abuse and Neglect Prevention Council. Vote: Unanimous
- 16-0063 A resolution was adopted to Set Public Hearing to consider Text Amendments to the Warren County Rural Zoning Code to Amend Article 3, Chapter 3 Parking and Loading, Article 3 Chapter 4 Landscaping and Article 4 Definitions. Vote: Unanimous
- 16-0064 A resolution was adopted to approve Amendments #11 (Service Agreement) and #18 (Monitoring Agreement) to the current Home Incarceration Agreement with BI Incorporated for Electronic Monitoring Service on behalf of Warren County Common Pleas Court Services, Community Corrections Division. Vote: Unanimous
- 16-0065 A resolution was adopted to approve and authorize the President of this Board to sign a Housing Revolving Loan Fund Administration Agreement between Warren County and the State of Ohio. Vote: Unanimous
- 16-0066 A resolution was adopted to approve Annual Equitable Sharing Agreement and Certification Report with the US Department of Justice for the Warren County Sheriff's Office. Vote: Unanimous
- 16-0067 A resolution was adopted to approve Addendum to Agreement for Police Protection with South Lebanon, on behalf of the Warren County Sheriff's Office. Vote: Unanimous
- 16-0068 A resolution was adopted to authorize Board to sign the County Highway System

Mileage Certification. Vote: Unanimous

- 16-0069 A resolution was adopted to approve Emergency Repair to the Digester Blower Motor at the Lower Little Miami Waste Water Treatment Plant. Vote: Unanimous
- 16-0070 A resolution was adopted to approve Amendment to Agreement between the Warren County Commissioners, on behalf of the Warren County Juvenile Court Mary Haven Youth Center Division, and Preble County Department of Job and Family Services, Children Services Division. Vote: Unanimous
- 16-0071 A resolution was adopted to approve and authorize the President of the Board to enter into a Non-Profit Booth Agreement on behalf of OhioMeansJobs Warren County. Vote: Unanimous
- 16-0072 A resolution was adopted to Reduce Load Limit on Bridge #282-0.97 from the current Load Limit. Vote: Unanimous
- 16-0073 A resolution was adopted to approve an Amendment to the Engineering Services Contract with Strand Associates, Inc. Vote: Unanimous
- 16-0074 A resolution was adopted to enter into an Exclusive and Permanent Storm Easement and a Temporary Construction Easement with Kathy A. Burnette, unmarried and Roger C. Gibson, unmarried for the Fields Ertel Road and Columbia Road/Lebanon Road Intersection Roundabout Improvement Project. Vote: Unanimous
- 16-0075 A resolution was adopted to authorize the President and/or Vice President of this Board to sign a Satisfaction of Mortgage for Lara Rowley. Vote: Unanimous
- 16-0076 A resolution was adopted to approve and authorize the President and/or Vice President of this Board to sign a SubGrant Award Agreement on behalf of the Greater Warren County Drug Task Force. Vote: Unanimous
- 16-0077 A resolution was adopted to approve Notice of Intent to Award Bid to UCL, Inc. for the Otterbein and Zoar Elevated Storage Tanks Painting Project. Vote: Unanimous
- 16-0078 A resolution was adopted to acknowledge receipt of December 2015 Financial Statement. Vote: Unanimous
- 16-0079 A resolution was adopted to approve various Refunds. Vote: Unanimous
- 16-0080 A resolution was adopted to acknowledge Payment of Bills. Vote: Unanimous
- 16-0081 A resolution was adopted to Affirm "Then and Now" requests pursuant to Ohio Revised Code 5705.41(D) (1). Vote: Unanimous

- 16-0082 A resolution was adopted to approve Bond Release for M/I Homes of Cincinnati, LLC for completion of improvements in Creekside at Rivers Bend situated in Hamilton Township. Vote: Unanimous
- 16-0083 A resolution was adopted to approve Bond Release for M/I Homes of Cincinnati, LLC for completion of improvements in Estates at Hawthorne Manor, Section 4 situated in Hamilton Township. Vote: Unanimous
- 16-0084 A resolution was adopted to approve Bond Release for Deerfield Township Development, LLC for completion of improvements in Deerfield Crossing, Section 9 situated in Deerfield Township. Vote: Unanimous
- 16-0085 A resolution was adopted to approve Bond Reduction for M/I Homes of Cincinnati, LLC for completion of improvements in Rivercrest, Section 1 situated in Hamilton Township. Vote: Unanimous
- 16-0086 A resolution was adopted to approve Bond Reduction for Hopewell Valley Development, LLC for Completion of improvements in the Villages of Hopewell Valley, Section 3 situated in Hamilton Township. Vote: Unanimous
- 16-0087 A resolution was adopted to approve Bond Reduction for M/I Homes of Cincinnati, LLC for completion of improvements in Robert's Park situated in Deerfield Township. Vote: Unanimous
- 16-0088 A resolution was adopted to approve Bond Reduction for M/I Homes of Cincinnati, LLC for completion of improvements in Robert's Park Section 1B situated in Deerfield Township. Vote: Unanimous
- 16-0089 A resolution was adopted to approve a Street and Appurtenances (including sidewalks) Bond Reduction for M/I Homes of Cincinnati, LLC for completion of improvements in Rivercrest, Section One situated in Hamilton Township. Vote: Unanimous
- 16-0090 A resolution was adopted to approve a Street and Appurtenances Bond Reduction for Keever Creek, LLC for completion of improvements for the Estates of Keever Creek, Section 2 situated in Turtlecreek Township. Vote: Unanimous
- 16-0091 A resolution was adopted to enter into a Subdivision Public Improvement Performance and Maintenance Security Agreement with M/I Homes of Cincinnati, LLC for installation of certain improvements in Roberts Park Subdivision, Section 2 Block "B" situated in Deerfield Township. Vote: Unanimous

- 16-0092 A resolution was adopted to enter into Street and Appurtenances (including sidewalks) Security Agreement with M/I Homes of Cincinnati, LLC for installation of certain improvements in Roberts Park, Section 2, Block "B" situated in Hamilton Township. Vote: Unanimous
- 16-0093 A resolution was adopted to enter into Street and Appurtenances Security Agreement with Hopewell Valley Development, LLC for installation of certain improvements in Villages of Hopewell Valley, Section Three situated in Hamilton Township. Vote: Unanimous
- 16-0094 A resolution was adopted to enter into Sidewalk Security Agreement with Hopewell Valley Development, LLC for installation of certain improvements in Villages of Hopewell Valley, Section Three situated in Hamilton Township. Vote: Unanimous
- 16-0095 A resolution was adopted to enter into a Subdivision Public Improvement Performance and Maintenance Security Agreement with Hopewell Valley Development, LLC for installation of certain improvements in Villages of Hopewell Valley Subdivision, Section 3 situated in Hamilton Township. Vote: Unanimous
- 16-0096 A resolution was adopted to approve the following Record Plats. Vote: Unanimous
- 16-0097 A resolution was adopted to Rescind Resolution #16-0037 approving Appropriation Decreases within various Funds. Vote: Unanimous
- 16-0098 A resolution was adopted to approve Appropriation Decreases within various Funds. Vote: Unanimous
- 16-0099 A resolution was adopted to approve Repayment of Cash Advance from Fund #245 into General Fund #101. Vote: Unanimous
- 16-0100 A resolution was adopted to approve a Cash Advance and Operational Transfer from General Fund #101 into Fund #479 Airport Construction and Supplemental Appropriation into Fund #479 Airport Construction. Vote: Unanimous
- 16-0101 A resolution was adopted to approve Operating Transfers from Water Revenue Fund #510-3219 (Surplus) into Fund #583 Water Revenue Projects. Vote: Unanimous
- 16-0102 A resolution was adopted to approve an Operational Transfer from Juvenile Probation Fund #101-2500 into Juvenile Grant Fund #243 and a Supplemental Appropriation into Juvenile Grant #243. Vote: Unanimous

- 16-0103 A resolution was adopted to approve Supplemental Appropriations and Residual Equity Fund Transfers in Bond Retirement Special Assessment Fund #327 to close out Retired Debt Accounts with remaining balances to the General, Motor Vehicle, Water and Sewer Funds. Vote: Unanimous
- 16-0104 A resolution was adopted to approve Supplemental Appropriation in the Auditor's Real Estate Fund #237. Vote: Unanimous
- 16-0105 A resolution was adopted to approve Supplemental Appropriation into Sheriff's Office Fund #291. Vote: Unanimous
- 16-0106 A resolution was adopted to approve Supplemental Appropriations into Sheriff's Office Fund #630. Vote: Unanimous
- 16-0107 A resolution was adopted to approve a Supplemental Appropriation into Engineer's Office Fund #493 (Redevelopment Tax Equivalent Fund (Bunnell Hill)). Vote: Unanimous
- 16-0108 A resolution was adopted to approve Supplemental Appropriation into Property and Casualty Insurance Fund #637. Vote: Unanimous
- 16-0109 A resolution was adopted to approve Appropriation Adjustment from Commissioners General Fund #101-1110 into Board of Elections Fund #101-1300. Vote: Unanimous
- 16-0110 A resolution was adopted to approve Appropriation Adjustment from Commissioners General Fund #101-1110 into Data Processing - GIS Fund #101-1401. Vote: Unanimous
- 16-0111 A resolution was adopted to approve Appropriation Adjustment from Commissioners General Fund #101-1110 into Detention - Sheriff's Fund #101-2210. Vote: Unanimous
- 16-0112 A resolution was adopted to approve Appropriation Adjustments within Prosecutor Funds #101-1150 and #271. Vote: Unanimous
- 16-0113 A resolution was adopted to approve Appropriation Adjustments within Children Services Fund #273. Vote: Unanimous
- 16-0114 A resolution was adopted to approve Appropriation Adjustments within Common Pleas Court Funds #228 and #289. Vote: Unanimous
- 16-0115 A resolution was adopted to approve an Appropriation Adjustment within Grants Administration Fund #299. Vote: Unanimous

- 16-0116 A resolution was adopted to approve Appropriation Adjustment within the Clerk of Courts Certificate of Title Administration Fund #250. Vote: Unanimous
- 16-0117 A resolution was adopted to approve Appropriation Adjustment within Emergency Services / EMA Fund #264. Vote: Unanimous
- 16-0118 A resolution was adopted to approve Appropriation Adjustment within Treasurer's Office Fund #249. Vote: Unanimous
- 16-0119 A resolution was adopted to authorize payment of Bills. Vote: Unanimous
- 16-0120 A resolution was adopted to establish Policy within the Warren County Building and Zoning Department relative to the Waiving of Fees for Political Subdivisions within Warren County. Vote: Unanimous
- 16-0121 A resolution was adopted to Determine to Proceed with submitting the Question of a Renewal of a Tax Levy for Senior Citizens Services. Vote: Unanimous
- 16-0122 A resolution was adopted to approve Supplemental Appropriation into Fairgrounds Construction Project Fund #498. Vote: Unanimous
- 16-0123 A resolution was adopted to approve a modification to a text amendment to the Warren County Rural Zoning Code to Amend Article 3, Chapter 6 Sign Standards and Requirements and Article 4 Definitions. Vote: Unanimous
- 16-0124 A resolution was adopted to Cancel regularly scheduled Commissioners' Meeting of Thursday, January 28, 2016. Vote: Unanimous

DISCUSSIONS

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

Tim Abbott, Duke Energy, was present to provide an update on the finalized project to replace 1200 miles of gas lines within the Southwest Ohio Region and presented a clock to the Board with sections of the pipeline material as a token of appreciation for the help and cooperation during the project.

PUBLIC HEARING

CONTINUATION OF THE PUBLIC HEARING TO CONSIDER
A TEXT AMENDMENT TO THE WARREN COUNTY RURAL ZONING CODE TO AMEND
ARTICLE 3, CHAPTER 6 SIGN STANDARDS AND REQUIREMENTS AND
ARTICLE 4 DEFINITIONS

The Board reconvened the public hearing to consider text amendments to the Warren County Rural Zoning Code to amend Article 3, Chapter 6 Sign Standards and Requirement and Article 4 Definitions this 26th day of January 2016, in the Commissioners' Meeting Room.

Daniel Geroni, Regional Planning Commission, reviewed the four major proposed policy changes within the text amendment as follows:

1. The government exemption for signs that exists within the current zoning code will be eliminated except for signs enforcing regulations.
2. Signs that emit any flames, smoke, fumes, vapor, or any similar substance would be prohibited.
3. Arch signs over driveways would be permitted
4. Dimming LED signs would be required to meet the current lighting standards within the code.

Commissioner South clarified that all governments are currently exempt from signage regulations.

Mr. Geroni confirmed that Commissioner South's statement is correct.

Commissioner Young stated he does not like the removal of the exemption for government.

There was discussion relative to if there was a problem with a government that instigated this amendment to the zoning code.

Mr. Yetter stated that there was not a problem. He stated that the Franklin Township Fire Department installed a very bright LED sign. He stated that they worked with him to meet the required setbacks and upon complaints of adjacent property owners relative to the brightness, they adjusted the intensity of the LED lighting.

Commissioner South stated she is not comfortable with the change to the government exemption portion of the text amendment.

Commissioner Grossmann stated he concurs on the opposition to the removal of the government exemption from the zoning code.

Upon further discussion, the Board resolved (Resolution #16-0123) to approve a modification to the text amendment to the Warren County Rural Zoning Code to amend Article 3, Chapter 6 Sign Standards and Requirement and Article 4.

On motion, upon unanimous call of the roll, the Board entered into executive session at 9:58 a.m. to discuss union negotiations pursuant to Ohio Revised Code Section 121.22 (G)(4) and exited at 10:11 a.m.

Mark Glassmeyer, Keller Williams Associate Partners, was present along with Kevin Hildebrandt, Bruce McGary, Assistant Prosecutor, Chris Brausch, Sanitary Engineer, Neil Tunison, County Engineer, and representatives from the Warren County Regional Planning Commission, to continue the discussion relative to Mr. Glassmeyer's request to utilize property owned by this Board for access to their landlocked property located behind Striker Road in Hamilton Township.

Mr. McGary reviewed the 1997 survey that Warren County completed relative to the acquisition of the property. He then reviewed the following results from a title search he had completed relative to the request:

1. The government (Kings Mills Military Reserve Center property owner) reserved a right to the Glassmeyer/Hildebrandt property to utilize our driveway subject to conditions that can be dictated at the discretion of the Army Reserve.
2. The government did not grant any utility easements to said property.
3. There has never been a separate maintenance agreement relative to Parcel A (the County owned driveway parcel).
4. Glassmeyer/Hildebrandt would have to have Hamilton Township determine if easement access qualifies for road frontage relative to the zoning code.

There was discussion relative to utility access to the property.

Mr. Brausch stated that this Board recently granted a sanitary sewer easement to the Military Reserve property through our property and we could grant them the same, if the Board desires.

Mr. Tunison stated that the pavement base on the driveway in question is up to current standards but not the width. An estimate was created a few years ago to determine the cost to bring the

roadway up to current road standards for width which was approximately \$100,000, making the driveway 21' wide with ditches.

Commissioner Grossmann questioned if they are only constructing four homes, if the driveway would even need to be brought up to standards.

There was discussion relative to roadway maintenance and costs associated with use.

Mr. McGary stated he would not recommend access without a maintenance agreement.

Mr. Glassmeyer stated that he has not reached out to the Kings Mills Military Reserve but now that they have the information from Mr. McGary's research, they would like to discuss with them what they will require as well as a need for a discussion with Hamilton Township relative to zoning.

There was discussion relative to needed easements for public water.

The Board directed Mr. Glassmeyer to work with Chris Brausch relative to easement requests.

Upon further discussion, Mr. Glassmeyer stated he will work with Mr. Brausch, the Kings Mills Military Reserve and Hamilton Township and schedule an additional work session at a later date.

Ben Yoder, Warren County Park Board member, was present along with other Park Board Members and staff for a work session to discuss the possibility of financing major projects for the Park Board through the Warren County Port Authority in lieu of the annual contribution towards special projects.

The Boards discussed the proposed project list, staffing requests and capital purchase list as well as the debt service payments that would be required to accommodate the proposed list. There was also a discussion relative to a phased borrowing, as the list of projects would be phased over time.

Mr. Yoder discussed his desire to establish a construction schedule but stated his concern of being limited to the projects proposed should a "good deal" come along.


The Board stated they would not want to prevent the Park Board from coming forward for approval for a change in the project schedule due to a new opportunity.

There was discussion relative to the best business model for the Warren County Park Board. It was determined that Mr. Yoder and Commissioner Grossmann would meet to tour the current park inventory in order to help understand the differences/needs of city government parks vs. county parks.

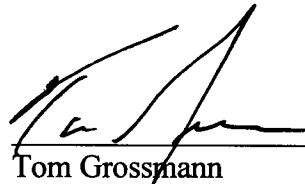
Upon further discussion, the Board requested the Park Board work with Tiffany Zindel, Deputy County Administrator, and Martin Russell, Warren County Port Authority, on the proposed financing and follow up for an additional work session at a later date.

On motion, upon unanimous call of the roll, the Board entered into executive session to discuss pending litigation with David Fornshell, Warren County Prosecutor, (State of Ohio, et al v. United States of America) pursuant to Ohio Revised Code Section 121.22 (G)(1) and exited at 12:06 p.m.

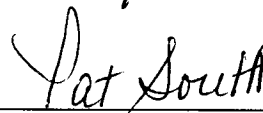
Upon motion the meeting was adjourned.



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 January 26, 2016, in compliance with Section 121.22 O.R.C.



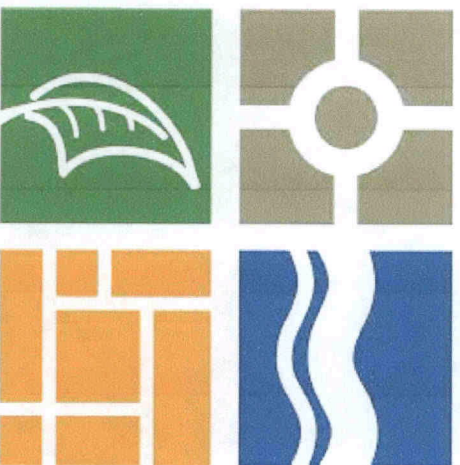
Tina Osborne, Clerk
Board of County Commissioners
Warren County, Ohio

Proposed Signage Regulation Text Amendments

ART. 3 CH. 6 “SIGNAGE STANDARDS AND REQUIREMENTS”
& ART. 4 CH. 1 “DEFINITIONS”

BOARD OF COUNTY COMMISSIONERS

Jan 25, 2016

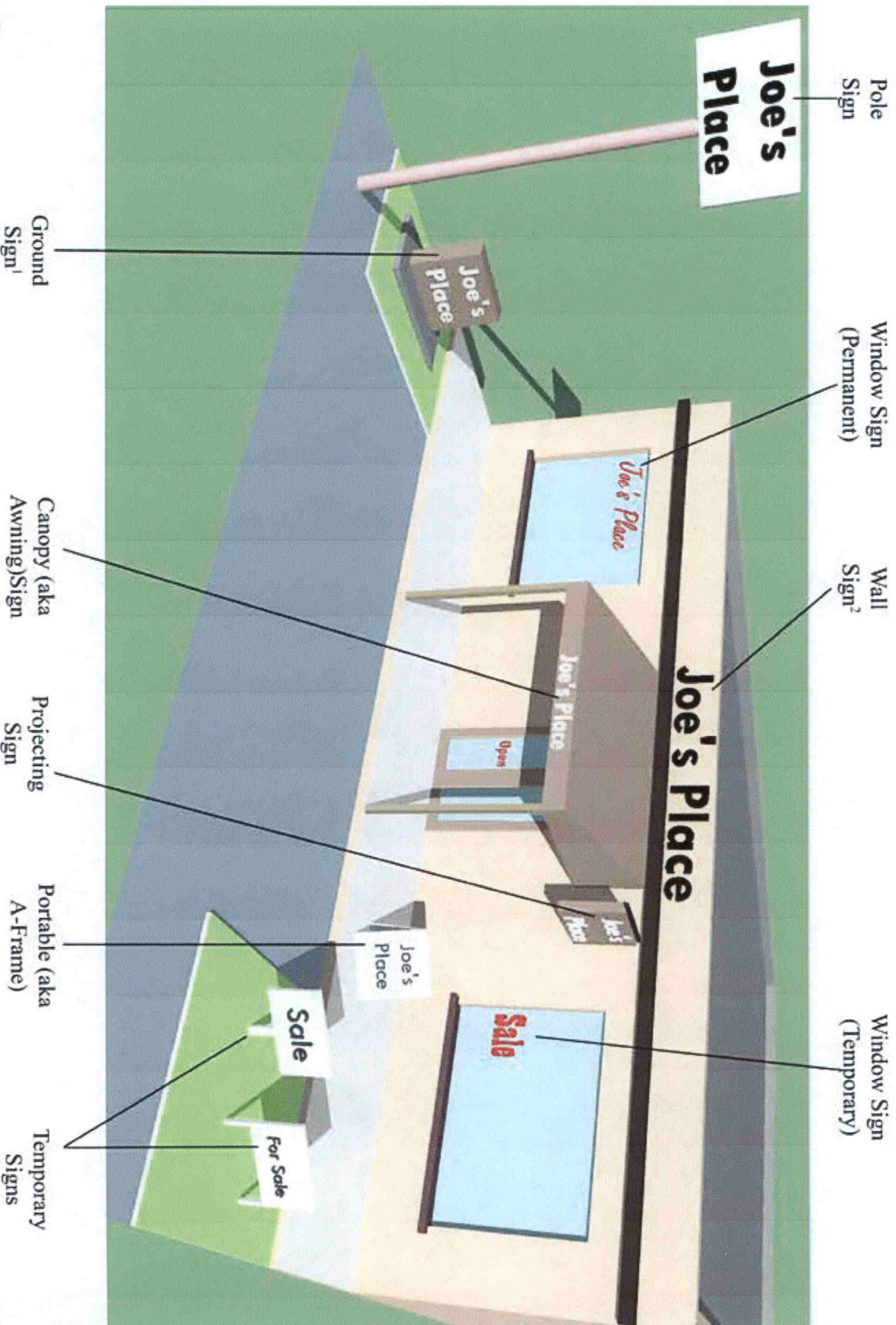


W C R P C

Amendment Process

1. RPC Staff propose text amendments for a more efficient code
2. Reviewed by a Zoning Commission subcommittee
3. Initiated by the Zoning Commission
4. Presented to RPC for action (approval, deny, modify)
5. Presented to RZC for action (approval, deny, modify)
6. Presented to the BOCC for action (approval, deny, modify)

Adding Graphics



Exempting Government Buildings

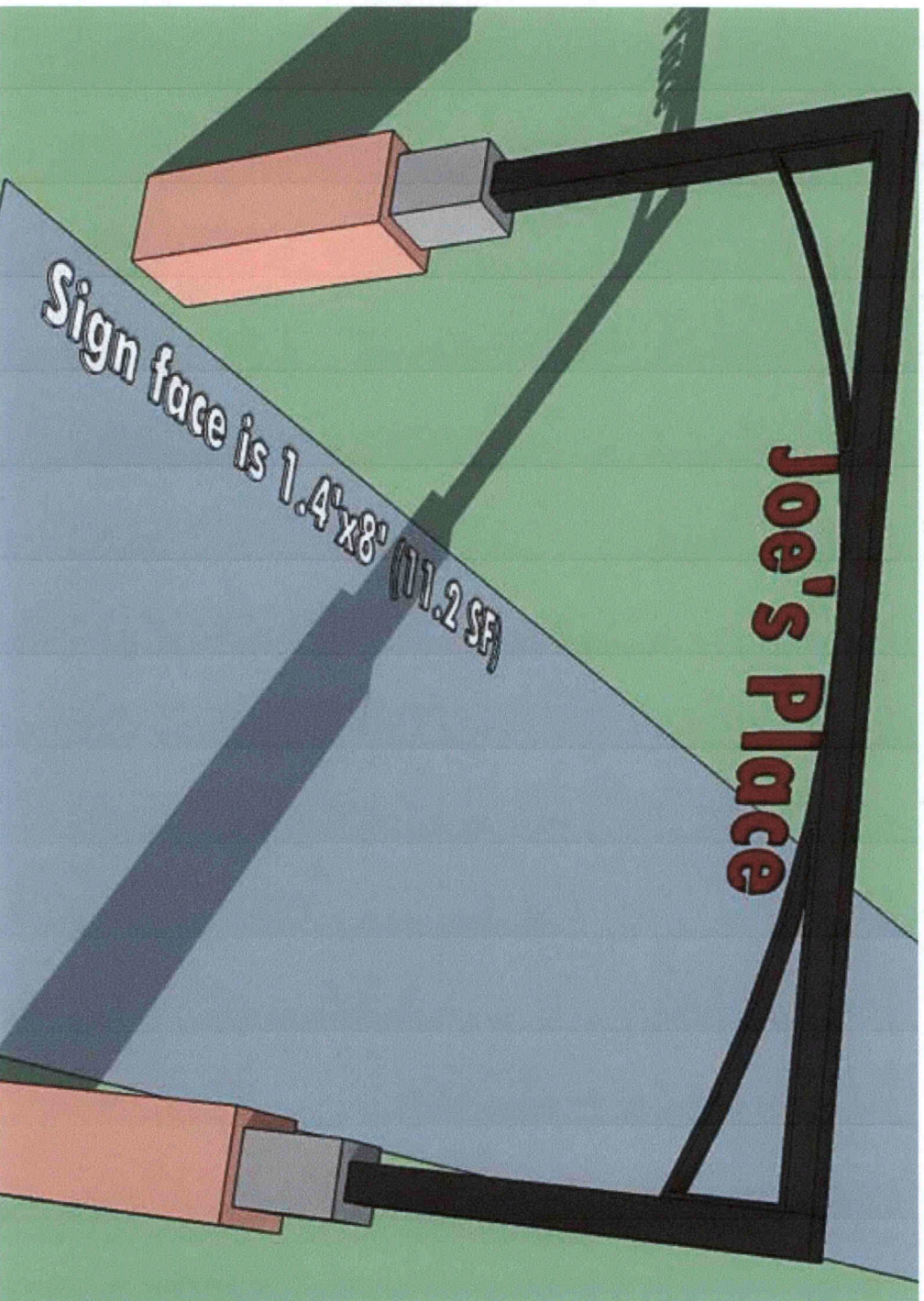
- Government signs enforcing regulations, rather than all government signs, are exempt from zoning.
- Signs erected and maintained to enforce governmental regulations pursuant to a government's function, ordinances, ~~or regulation~~ shall be excluded from the regulations of this section (pg 3).

Additional Prohibited Signs

- Adds the following to the list of prohibited signs:
- “Signs that emit any flames, smoke, fumes, vapor, or any similar substance” (pg 6).

Additional Permitted Sign

Allows arch signs over driveways (pg 9).



Dimming LED Signs

- Requires LED signs to follow the same limits on off-site light pollution as outdoor lighting.
- “The luminosity of the LED board shall be dimmed between dusk and dawn when the LED sign is adjacent to a residential district. The sign shall emit no more than 0.2 foot-candles at the property line” (pg 11).

Recommendation

Amend the Article 3 Chapter 6 “Signage Standards and Requirements” and Article 4 Chapter 1 “Definitions” as recommended by the RZC and RPC.

Regulating Type and Quantity

(A) Quantity:

	<u>Wall Signs</u>	<u>Pole, Arch, & Ground (including LED) Signs¹</u>	<u>Canopy/ Awning Signs¹</u>	<u>Projecting Signs</u>	<u>Signature Wall Signs</u>
<u>Single Building with One User</u>	One (1) per exterior building wall, including side walls.	One (1) per street frontage	One (1) per building	One (1) per building frontage	One (1) per building greater than 45' in height on one wall that fronts an interstate.
<u>Multi-Tenant Building or Multiple Buildings on one Parcel</u>	One (1) per business for multi-tenant buildings, or one (1) per exterior building wall for buildings with one user	One (1) per street frontage per multi-tenant building, or one (1) per street frontage per multi-tenant parcel; or one (1) per street frontage per comprehensively developed collection of buildings.	One (1) per business on ground level	One (1) per business on ground level	None

¹A building may have a pole sign OR an arch sign OR a ground sign as stated in the table above: it may not have some combination of the three types.

Arch Sign Standards

- (C) Arch Signs: An arch sign shall be subject to the following standards:
- (1) Maximum height for signage, including any structural elements: 25 ft. A height in excess of 25 ft. may be approved subject to site plan review.
 - (2) Minimum clearance: 14 ft., 4 in.
 - (3) Maximum width: The maximum width of the signage and any structural elements shall equal the width of the paved driveway or roadway that passes under the sign, plus 5 ft (2.5 ft. on both sides).
 - (4) Maximum area of sign face: 2 ft. multiplied by the width of the span of the arch.
 - (5) Maximum number of sign faces: 2
 - (6) Maximum number of poles (structural supports): 2; one on either side of the driveway/roadway.
 - (7) Minimum setback from right-of-way: 10 ft.
 - (8) Permitted materials: see Sec. 3.606 (A)
 - (9) Prohibited materials: See Sec. 3.606 (I)