



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

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**LARRY CRISENBERY
C. MICHAEL KILBURN
PAT ARNOLD SOUTH**

BOARD OF COUNTY COMMISSIONERS
WARREN COUNTY, OHIO

MINUTES: Regular Session--June 3, 2003

The Board met in regular session pursuant to adjournment of the May 29, 2003, meeting.

C. Michael Kilburn - present Larry Crisenbery - present

Pat Arnold South - present Tina Davis, Clerk - present

03-744 A resolution was adopted to Levy Final Special Assessments for Construction of Improvements to the Sanitary Sewer Extension in the Hunter Area of the Dick's Creek Sewer Improvement Area, Warren County Sewer District.
Vote: Unanimous

03-745 A resolution was adopted to Set and Advertise Public Hearing to Amend the Rules and Regulations for the Design of Storm Sewer and Stormwater Management Systems. Vote: Unanimous

03-746 A resolution was adopted to approve Payment of Voucher to Amcare/Doctor's Urgent Care. Vote: Mr. Kilburn - yea; Mrs. South - yea; Mr. Crisenbery -abstain

03-747 A resolution was adopted to Advertise for Bids for the 2003 Bridge and Spot Paving Project. Vote: Unanimous

03-748 A resolution was adopted to approve various Refunds. Vote: Unanimous

03-749 A resolution was adopted to approve Appropriation Adjustment from County

Commissioners Fund #101-1110 into Prosecutors Fund #101-1150.
Vote: Unanimous

- 03-750 A resolution was adopted to a Resolution authorizing the Issuance of Not To Exceed \$3,000,000 Adjustable Rate Demand Industrial Development Revenue Refunding Bonds, Series 2003 (The Kroger Co.) of The County of Warren, Ohio (The "Issuer"), The proceeds of which shall be loaned to the Kroger Co. to finance the refunding and retiring of the Issuer's Outstanding Industrial Development Refunding Revenue Bonds (The Kroger Co. Project), dated as of July 1, 1983; providing for the Pledge Of Revenues for the payment of such Bonds; Authorizing a Loan Agreement and Trust Indenture Appropriate for the protection and disposition of such revenues and to further secure such Bonds; Authorizing a Bond Purchase Agreement, Tax Regulatory Agreement And Offering Circular and authorizing other actions in connection with the issuance of such Bonds. Vote: Unanimous
- 03-751 A resolution was adopted to approve Appropriation Adjustments within Commissioners Fund #101-1110 and from Commissioners Fund #101-1110 into Veterans Fund #101-5210. Vote: Unanimous
- 03-752 A resolution was adopted to approve Appropriation Adjustment within Commissioners Fund #101-1110 and #101-1112. Vote: Unanimous
- 03-753 A resolution was adopted to approve an Operational Transfer from Commissioners Fund #101 into Human services Fund #203. Vote: Unanimous
- 03-754 A resolution was adopted to approve Appropriation Adjustments from County Commissioners Fund #101-1110 into Domestic Relations Court Fund #101-1230. Vote: Unanimous
- 03-755 A resolution was adopted to approve Expense Adjustments within the Workforce Investment Act Fund #258. Vote: Unanimous
- 03-756 A resolution was adopted to Set and Advertise Public Hearing #2 to designate projects Warren County intends to fund for the FY 2003 Community Development Block Grant (CDBG) Formula Program.
Vote: Mr. Kilburn - yea; Mrs. South - yea; Mr. Crisenbery - abstain
- 03-757 A resolution was adopted to approve Transfer of Dena Redman to the position of Eligibility Referral Specialist I, within the Department of Human Services.
Vote: Unanimous
- 03-758 A resolution was adopted to approve Engineering Agreement with Henderson and Bodwell, LLP., for Shaker Road / Dicks Creek Water Line Extension.

Vote: Unanimous

03-759 A resolution was adopted to authorize payment of Bills. Vote: Unanimous

03-760 A resolution was adopted to continue Public Hearing to Consider Text Amendments to Chapter 3 (Definitions), Chapter 6 (Rural Residence R-1 Zone) and Chapter 18, (Planned Unit Development "PUD" Regulations) of The Warren County Rural Zoning Code, also adding Chapter 6.5 (Single Family Residence R-1a Zone Regulations). Vote: Unanimous

DISCUSSIONS

On motion, upon unanimous call of the roll, the Board entered into executive session to discuss personnel matters pursuant to Ohio Revised Code Section 121.22 (G) (1) at 9:30 a.m. and exited at 10:57 a.m.

PUBLIC HEARING

KROGER COMPANY INDUSTRIAL REVENUE BOND REFUNDING

The public hearing to consider the refunding of the Kroger Company industrial development revenue bonds was convened this 3rd day of June 2003, in the Commissioners' Meeting Room.

Brad Ruwe, Peck, Shaffer & Williams, explained the proposed legislation which needs adopted in order for the existing bonds to be refinanced.

Upon discussion, the public hearing was closed and the Board resolved (Resolution #03-750) to approved legislation necessary for the Kroger Company to refund their existing bonds.

PUBLIC HEARING

CONTINUATION OF THE PUBLIC HEARING TO CONSIDER AMENDMENTS TO THE
WARREN COUNTY RURAL ZONING CODE TO AMEND CHAPTER 3, CHAPTER 6,
CHAPTER 18, AND ADD CHAPTER 6.5 (R-1A REGULATIONS)

The public hearing to consider amendments to the Warren County Rural Zoning code relative to Chapter 3, Chapter 6, Chapter 18 and proposing to add Chapter 6.5 (R-1A Regulations) relative to an increase in lot sizes.

Commissioner South read a statement to clarify a misconception that she should excuse herself from voting on this issue. She read statements in support of her voting in this matter and stated that she has not made any determination on what her vote will be as she has not heard all of the evidence.

Bruce McGary, Assistant Prosecutor, discussed his legal opinion relative to round robin meetings and his opinion as to whether Mrs. South is legally obligated to excuse herself from voting. He stated that, to his knowledge, there is no legislation, which would prevent Mrs. South from voting on the proposed text amendment.

Jerry Spurling, Director of Building and Zoning Department, stated he met with representatives from the Township and summarized comments and concerns from the Townships. He then reviewed the proposed amendments submitted by Rural Zoning Commission and reminded the Board of their comments and suggestions from the previous public hearing.

Mrs. Alexander Reynolds, Lebanon resident, stated that the amendments proposed by this text amendments will be one of the most important things this Board will be. She then suggested the Board give this much consideration prior to making any decisions.

Lee Spiedel, Deerfield Township resident, stated his encouragement that the Board has taken the initiative to increase lot sizes. He then stated his opinion that too many issues are being address in the proposed legislation.

Steve Hunt, Attorney for Homebuilders, stated the Board to have prepared a comprehensive plan prior to initiating a text amendment.

Robert Craig, Regional Planning Commission, stated that the Board is not required by the Ohio Revised Code to have a comprehensive plan. However, Warren County has a land use plan which serves as a master plan.

James Noyes, Classic Properties, stated his desire for cluster housing to remain in place as recommended by the Rural Zoning Commission within the proposed amendments.

There was much discussion between the Homebuilders, the attorneys and the Board of Commissioners relative to cluster housing.

Upon further discussion, the Board resolved (Resolution #03-760) to continue the public hearing to June 12, 2003, at 5:00 p.m.

Upon motion the meeting was adjourned.

Larry Crisenbery, President

C. Michael Kilburn

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 June 3, 2003, in compliance with Section 121.22 O.R.C.

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