



**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--March 8, 2005**

The Board met in regular session pursuant to adjournment of the March 3, 2005, meeting.

Pat Arnold South - present

David G. Young - present

C. Michael Kilburn - present

Tina Davis, Clerk – present

- 05-292      A resolution was adopted to Waive Turn-on (Delinquent Account) Charge for Stanley Donenfeld. Vote: Unanimous
- 05-293      A resolution was adopted to acknowledge receipt of February 2005 Financial Statement. Vote: Unanimous
- 05-294      A resolution was adopted to approve various Refunds. Vote: Unanimous
- 05-295      A resolution was adopted to Advertise for Bids for the FY04 Franklin Township Street Improvements CDBG Project. Vote: Unanimous
- 05-296      A resolution was adopted to authorize Emergency Procurement to repair the Sally Port Door located at 550 Justice Drive (Warren County Jail).  
Vote: Unanimous
- 05-297      A resolution was adopted to approve a Bond Release for Clearcreek Partners for completion of improvements in Sycamore Trails, Section 11 Subdivision, in

Clearcreek Township. Vote: Unanimous

- 05-298 A resolution was adopted to approve Highmount Drive, Chapel Drive and Farmview Drive in Sycamore Trails, Section 11 for public maintenance by Clearcreek Township. Vote: Unanimous
- 05-299 A resolution was adopted to Enter into a Subdivision Public Improvement Performance and Maintenance Security Agreement with Big Foot Commercial, L.L.C. to install certain water and/or sanitary sewer improvements in Big Foot Commercial situated in Hamilton Township. Vote: Unanimous
- 05-300 A resolution was adopted to enter into a Subdivision Public Improvement Performance and Maintenance Security Agreement with J.P.S. Development, LLC to install certain water and/or sanitary sewer improvements in Saddlebrook Section Two, situated in Hamilton Township. Vote: Unanimous
- 05-301 A resolution was adopted to enter into a Subdivision Public Improvement Performance and Maintenance Security Agreement with Rhein Development, LLC to install certain water and/or sanitary sewer improvements in Ashmont Phase Three situated in Deerfield Township. Vote: Unanimous
- 05-302 A resolution was adopted to enter into Sidewalk Security Agreement with Rhein Development, for installation of certain improvements in Ashmont, Phase Three situated in Deerfield Township. Vote: Unanimous
- 05-303 A resolution was adopted to enter into Street and Appurtenances Security Agreement with Rhein Development, LLC for installation of certain improvements in Ashmont, Phase Three, situated in Deerfield Township. Vote: Unanimous
- 05-304 A resolution was adopted to approve following Record Plats. Vote: Unanimous
- 05-305 A resolution was adopted to approve Appropriation Adjustment into Emergency Services / HazMat Fund #290. Vote: Unanimous
- 05-306 A resolution was adopted to approve a Cash Advance in Grandin Road-Ohio Water Development Authority Water Project Fund #456. Vote: Unanimous
- 05-307 A resolution was adopted to approve Appropriation Adjustment within Commissioners Fund #101-1110 and into Building Services Fund #101-1600. Vote: Unanimous

- 05-308 A resolution was adopted to approve Appropriation Adjustments within Child Support Fund #263-5500 and Children Services Fund #273. Vote: Unanimous
- 05-309 A resolution was adopted to Rescind Resolution #05-152 which authorized the hiring of Jennifer Lyons, Administrative Clerk within the Warren County Building Services Department. Vote: Unanimous
- 05-310 A resolution was adopted to Rescind Resolution #05-169 which authorized the hiring of Gregory Kelly, Emergency Communications Operator within the Warren County Emergency Services Department. Vote: Unanimous
- 05-311 A resolution was adopted to Set Final Hearing concerning the Vacation of a portion of Old 3 C Highway in Washington Township. Vote: Unanimous
- 05-312 A resolution was adopted to authorize payment of Bills.  
Vote: Mr. Young – yea; Mr. Kilburn – yea; Mrs. South - absent
- 05-313 A resolution was adopted to hire Erynn Hartmann to perform Clerical Duties within the Office of Management and Budget, Fiscal Division, Full-Time; Temporary. Vote: Mr. Young – yea; Mr. Kilburn – yea; Mrs. South - absent
- 05-314 A resolution was adopted to hire Jessie Brattain as Custodial Worker I within the Warren County Building Services Department.  
Vote: Mr. Young – yea; Mr. Kilburn – yea; Mrs. South - absent

#### DISCUSSIONS

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On motion, upon call of the roll, the Board entered into executive session at 9:35 a.m. to discuss personnel matters pursuant to Ohio Revised Code Section 121.22 (G)(1) and exited at 10:45 a.m.

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PUBLIC HEARING #1  
CONSIDER NECESSITY FOR THE ADOPTION OF A RESOLUTION  
TO LEVY A \$5.00 ANNUAL LICENSE TAX IN ACCORDANCE WITH OHIO REVISED  
CODE SECTION 4505.16

The public hearing to consider the necessity for the adoption of a resolution to levy a \$5.00 annual license tax in accordance with Ohio Revised Code Section 4505.16 was convened this 8<sup>th</sup> day of March 2005, in the Commissioners' Meeting Room.

Neil Tunison, County Engineer, stated that 100% of the municipal registrations that have not enacted the \$5.00 tax per section 4504.171 of the Ohio Revised Code would go to Warren County. He stated that this will not include the City of Lebanon or Waynesville as they have or are in process of enacting the additional \$5.00.

He then stated that we will receive 70% of the township registrations and the townships will receive 30% of the collections.

Mr. Tunison then stated his desire to increase the license tax to help fill the funding gap needed to proceed with necessary projects.

The Board stated their agreement with the need to increase the license tax.

Dr. Colon, Hamilton Township resident, questioned who collects the fees.

Mr. Tunison stated that the fees are collected by the Bureau of Motor Vehicles-Deputy Registrar at the time of renewal of license tags.

Upon further discussion, on motion, upon unanimous voice vote, the public hearing was closed.

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Richard Renneker, Sanitary Engineer, was present for a work session and discussed the following issues:

- Ralph Elliott's request for the Board to approve a one-time penalty waiver in the amount of \$25. Upon discussion, Mr. Kilburn moved to deny the request, being seconded by Mrs. South. Upon call of the roll, the motion failed. Mr. Young then moved to approve the one-time waiver, being seconded by Mrs. South. Upon call of the roll, the Board voted unanimously to approve the one-time penalty waiver.
- The Board discussed the unexplained water usage of two residents within the water district. Upon discussion, the Board directed the water department to re-calculate an average and approved a one-time adjustment to their bills.

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On motion, upon unanimous call of the roll, the Board entered into executive session at 2:00 p.m. to discuss pending litigation with legal counsel pursuant to Ohio Revised Code Section 121.22 (G)(3) and personnel matters pursuant to Ohio Revised Code Section 121.22 (G)(1) and exited at 4:50 p.m.

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Mrs. South exited the meeting at 4:10 p.m.

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Upon motion the meeting was adjourned.

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Pat Arnold South, President

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C. Michael Kilburn

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David G. Young

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 8, 2005, in compliance with Section 121.22 O.R.C.

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