



**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) 420-4250*

*(513) 925-1250*

*(513) 783-4993*

*(937) 425-1250*

*Facsimile (513) 695-2999*

***C. MICHAEL KILBURN***

***PAT ARNOLD SOUTH***

***DAVID G. YOUNG***

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

**MINUTES: Regular Session--March 15, 2005**

The Board met in regular session pursuant to adjournment of the March 10, 2005, meeting.

Pat Arnold South - present                      David G. Young - present

C. Michael Kilburn - present                      Tina Davis, Clerk – present

Minutes of the March 10, 2005, meeting were read and approved.

05-340                      A resolution was adopted to designate Family and Medical Leave of Absence to Dan Arnold, Director of Human Resources, within the Department of Human Resources. Vote: Unanimous

05-341                      A resolution was adopted to Advertise for Bids for the FY2003 City of Springboro East Street Improvements CDBG Project. Vote: Unanimous

05-342                      A resolution was adopted to appoint Members to the Warren County Rehab, Inc. Board of Trustees. Vote: Unanimous

05-343                      A resolution was adopted to enter into Erosion Control Bond Agreement with Sunrise Group, LLC., for improvements in Sunrise Ridge Subdivision, Block A, situated in Hamilton Township. Vote: Unanimous

05-344                      A resolution was adopted to approve Release of Subdivision Public Improvement Performance and Maintenance Security Agreement with J.P.S. Development, LLC., for completion of certain water and/or sanitary sewer improvements Saddlebrook, Section Two, situated in Hamilton Township. Vote: Unanimous

- 05-345 A resolution was adopted to approve Release of Subdivision Public Improvement Performance and Maintenance Security Agreement with Big Foot Land Company for completion of certain water and/or sanitary sewer improvements in Big Foot Commercial situated in Hamilton Township. Vote: Unanimous
- 05-346 A resolution was adopted to reimburse U.S. Army Corps of Engineers for a portion of State Route 73 Water Main. Vote: Unanimous
- 05-347 A resolution was adopted to declare various items within Engineers Office as surplus and authorize the disposal of said items. Vote: Unanimous
- 05-348 A resolution was adopted to approve various Refunds. Vote: Unanimous
- 05-349 A resolution was adopted to approve and enter into Dentist Independent Contractor Agreement with Edward S. Amos, DDS, on behalf of the Warren County Sheriff's Office. Vote: Unanimous
- 05-350 A resolution was adopted to approve Appropriation Adjustment within Commissioners Fund #101-1110. Vote: Unanimous
- 05-351 A resolution was adopted to approve Appropriation Adjustment within the Telecommunications Department Fund #101 in order to cover "Tower Microwave Upgrade" charges. Vote: Unanimous
- 05-352 A resolution was adopted to approve Supplemental Appropriation into Construction Fund #467. Vote: Unanimous
- 05-353 A resolution was adopted to approve Appropriation Adjustment into Emergency Services / Communications Center Fund #101-2850. Vote: Unanimous
- 05-354 A resolution was adopted to accept Amended Certificate into Pass Through Grants Fund #261 and approve Supplemental Appropriation Adjustment into Fund #261. Vote: Unanimous
- 05-355 A resolution was adopted Establishing, Amending and Increasing Fees for Warren County Building and Zoning Department. Vote: Unanimous
- 05-356 A resolution was adopted to approve Fee Increases within the Erosion and Sediment Control Regulations. Vote: Unanimous
- 05-357 A resolution was adopted to authorize payment of Bills. Vote: Unanimous

DISCUSSIONS

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On motion, bids were closed at 10:15 a.m. this 15<sup>th</sup> day of March and the following bids were received, opened and read aloud for Renovations for a New Habilitation Center for the Warren County MR/DD:

Cranion		
Moraine, Ohio	\$ 54,084.00	Labor
	\$ 83,067.00	Material
	\$ 137,151.00	Total
	\$ 5,330.00	Add Alt.

A-1 Sprinkler		
Miamisburg, Ohio	\$ 63,500.00	Labor
	\$ 79,500.00	Material
	\$ 143,000.00	Total
	\$ 5,000.00	Add Alt.

Preferred Fire Protection		
Fairfield, Ohio	\$ 94,000.00	Labor
	\$ 75,800.00	Material
	\$ 169,800.00	Total
	\$ 10,000.00	Add Alt.

Mike Virelli, Warren County MR/DD will review bids for a recommendation at a later date.

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PUBLIC HEARING #2  
PROPOSED INCREASE IN THE ANNUAL LICENSE TAX

The second public hearing was convened this 15<sup>th</sup> day of March 2005, in the Commissioners' Meeting Room, to consider the proposed increase in the annual license tax.

Neil Tunison, County Engineer, stated that most cities have enacted the legislation, which will allow them to collect the \$5 license fee on behalf of the municipalities so that the County cannot claim their share of the fee.

There was discussion relative to the money that is collected, to be utilized for needed projects and the Board then reviewed the map of completed as well as future projects throughout Warren County.

The Board discussed the possibilities of using the additional revenue to finance the debt associated with borrowing money to complete future improvements in a timely manner.

Odus Rudd, Franklin Township resident, spoke his opposition to the increase in the annual license tax stating that the poverty levels in Warren County are increasing due to the elderly population on fixed incomes.

Mr. Lane, Pennyroyal Road resident, spoke in opposition to the County Engineer's office receiving additional funds when, in his opinion, they did not correctly complete the roadway problems in his area.

Commissioner South stated her opinion that she would rather collect the tax on the license fees from people utilizing the roads rather than utilize property taxes to fund road improvements.

Mr. Tunison requested the Board to not take any action today in order to give other municipalities time to enact their legislation if they desire. He then stated his desire for the Board to declare an emergency when they take action so that no referendum can be filed on the additional tax.

Mr. Kilburn stated his opposition to declaring an emergency due to taking the ability of a referendum from the people.

On motion, upon unanimous call of the roll, the public hearing was closed and the Board set April 19, 2005, at 10:30 a.m. as the time and date to render a decision on this matter.

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PUBLIC HEARING #2

CONSIDER INCREASES IN THE FEES WITHIN THE WARREN COUNTY BUILDING  
AND ZONING DEPARTMENT

The second public hearing to consider an increase in the fees within the Warren County Building and Zoning Department was convened this 15<sup>th</sup> day of March 2005, in the Commissioners' Meeting Room.

Jerry Spurling, Chief Building Official, reviewed the changes being recommending and stated that the Board has not increased fees since 1988.

He then stated his desire to increase the commercial extra inspection fee from the proposed \$50 fee to \$150 fee.

Commissioner Kilburn stated his support of the building industry paying their own way.

Upon further discussion, the Board resolved (Resolution #05-355) to establishing, amending and increasing fees for Warren County Building and Zoning Department.

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PUBLIC HEARING #2

CONSIDER AMENDMENT TO FEE SCHEDULE WITHIN THE EROSION AND  
SEDIMENT CONTROL REGULATIONS

The second public hearing to consider amendments to the fee schedule within the erosion and sediment control regulations was convened this 15<sup>th</sup> day of March 2005 in the Commissioners' Meeting Room.

Commissioner Kilburn stated his concern that the proposed \$40 per lot fee is not adequate to cover the cost to provide the service.

David McElroy, Soil and Water Conservation District, stated his feeling that the \$40 fee is justified and covers all expenses. He then stated that the fees have not been increased since their establishment in 1990.

Commissioner Kilburn stated he would not vote for a fee less than \$50 per lot for residential subdivisions.

Commissioner Young stated his concurrence with a fee of \$50 per lot for residential subdivisions.

Mr. McElroy stated the need for a \$25,000 supplemental appropriation in anticipation of the fee increases, which are needed for the operation of this program prior to the end of the year.

Commissioner South stated she has no problem with their request and Commissioner Kilburn stated he would consider it.

Upon further discussion, the public hearing was closed and the Board resolved (Resolution #05-356) to approve a fee increase within the Erosion and Sediment Control Regulations.

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Larry Brigham, Hamilton Township resident, questioned the Board on the progress of the amendments to the Warren County Subdivision Regulations.

The Board stated they are making progress but will not be ready to proceed at the March 24, 2005, public hearing.

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Richard Elliott and Frank Young were present to discuss policy, procedure and by-laws for the Emergency Communications Board.

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Mike Guygan, Hope Bone, and Karen Haeberlin, Warren County Humane Association representatives were present along with Commissioners' representatives on the Animal Shelter work group to discuss possible ways for the Humane Association to increase funding.

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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 15, 2005, in compliance with Section 121.22 O.R.C.

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