



**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) 261-1250
(513) 925-1250
(937) 425-1250
Facsimile (513) 695-2054*

**C. MICHAEL KILBURN
PAT ARNOLD SOUTH
DAVID G. YOUNG**

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

MINUTES: Regular Session – May 24, 2007

The Board met in regular session pursuant to adjournment of the May 22, 2007, meeting.

David G. Young - present

Pat Arnold South - present

C. Michael Kilburn - absent

Tina Davis, Clerk – present

- 07-784 A resolution was adopted to declare various items within Data Processing as surplus and authorize the disposal of said items. Vote: Unanimous
- 07-785 A resolution was adopted to declare various items within Inmate Commissary as surplus and authorize the disposal of said items. Vote: Unanimous
- 07-786 A resolution was adopted to approve and authorize the President and/or Vice President of the Board of County Commissioners to enter into a Contract for the 2007 Warren County Fair to Lease Booth Space on behalf of the Warren County Solid Waste Management District. Vote: Unanimous
- 07-787 A resolution was adopted to approve and enter into an Agreement by and between the Warren County Board of Commissioners and the Village of Morrow. Vote: Unanimous
- 07-788 A resolution was adopted to approve and authorize the President of this Board to sign a Subsidy Grant Agreement on behalf of the Warren County Common Pleas Court. Vote: Unanimous

- 07-789 A resolution was adopted to appoint Jerry Haddix to the Intermodel Coordinating Committee of the Ohio-Kentucky-Indiana Regional Council of Governments. Vote: Unanimous
- 07-790 A resolution was adopted to approve and enter into a Rental Agreement with the University of Findlay for the Warren County Sheriff's Office. Vote: Unanimous
- 07-791 A resolution was adopted to approve and authorize President and/or Vice President of the Board of FY 2005 Community Development Block Grant Formula Program Extension No. 2. Vote: Unanimous
- 07-792 A resolution was adopted to Amend Resolution #07-194 adopted February 06, 2007, to accept Natalie Drive in Calloway Farms, Phase 2 for Public Maintenance by Turtlecreek Township. Vote: Unanimous
- 07-793 A resolution was adopted to enter into Engineering Services Contract with KMS & Associates, Ltd. Vote: Unanimous
- 07-794 A resolution was adopted to approve Notice of Intent to Award the Contract for the 2007 Resurfacing Project – Phase II to John R. Jurgensen Co. Vote: Unanimous
- 07-795 A resolution was adopted to approve Notice of Intent to Award the Contract for the 2007 Resurfacing – the Clarksville Road Spillway Project to Barrett Paving Materials, Inc. Vote: Unanimous
- 07-796 A resolution was adopted to approve Change Order No. 3 to the Contract with Danis Industrial Construction Co. increasing Purchase Order No. 68560 for the Deerfield Hamilton WTP and Well Field Expansion & Upgrade Project, Fund 530 (Grandin Road OWDA). Vote: Unanimous
- 07-797 A resolution was adopted to approve Change Order #2 within Henderson & Bodwell, LLP for the Bunnell Hill Road Realignment Engineering Services Contract. Vote: Unanimous
- 07-798 A resolution was adopted to enter into Contract with John R. Jurgensen Co. for the Grandin Road Public Improvements Projects – McNK Phase 2 Project, County Pavement Project and County Waterline Project. Vote: Unanimous
- 07-799 A resolution was adopted to approve various Refunds. Vote: Unanimous
- 07-800 A resolution was adopted to approve a Cash Advance from County Motor Vehicle Fund #202 and a Supplemental Appropriation into Grandin Road DOD Project Fund #455. Vote: Unanimous

- 07-801 A resolution was adopted to approve Operational Transfer from Commissioners Fund #101-1112 into Child Support Enforcement Agency Fund #263.
Vote: Unanimous
- 07-802 A resolution was adopted to approve an Appropriation Adjustment within the Water Revenue Fund No. 510. Vote: Unanimous
- 07-803 A resolution was adopted to approve an Operational Transfer from MR/DD Fund #205 into MR/DD Fund #204. Vote: Unanimous
- 07-804 A resolution was adopted to authorize payment of Bills. Vote: Unanimous
- 07-805 A resolution was adopted to continue Public Hearing for Rezoning Application of Chawla Real Estates, Inc. (Case #07-01), to Rezone 5.5 acres in Turtlecreek Township from Rural Residence "R-1" to General Business "B-2" but Amended to Request a Planned Unit Development Overlay. Vote: Unanimous

DISCUSSIONS

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

PUBLIC HEARING

CONTINUATION OF THE REZONING APPLICATION OF CHAWLA REAL ESTATE INC. TO REZONE 5.5 ACRES IN TURTLECREEK TOWNSHIP FROM RURAL RESIDENCE "R-1" TO GENERAL BUSINESS "B-2" BUT AMENDED TO REQUEST GENERAL BUSINESS "B-2" AS A PLANNED UNIT DEVELOPMENT

The continuation of the public hearing to consider the rezoning application of Chawla Real Estate Inc. to rezone 5.5 acres in Turtlecreek Township from Rural Residence "R-1" to General Business "B-2" but amended to request a planned unit development overlay was reconvened this 24th day of May 2007, in the Commissioners' Meeting Room.

Commissioner South stated that she has viewed the property and has great concern relative to the unknown future use of the property.

Mike Yetter, Zoning Inspector, stated the applicant would be limited by the RZC condition that states only a professional office, store n lock, wholesale business or veterinary hospital could go on the property without an amendment to the planned unit development.

Commissioner Young stated he also viewed the property and stated it is not a “no brainer” rezoning. He then discussed the immaculate residential property adjacent to the land in question.

Dr. Singh, property owner, presented a letter dated today requesting the Board to consider that the Rural Zoning Commission approved the land to be rezoned to General Business “B-2” as a planned unit development with a unanimous vote as well as the April 10, 2007 Turtlecreek Township Land Use Plan in which Dan Jones, President of the Turtlecreek Township Trustees, made the motion to delete this property from the residential use and move it to business/commercial use.

Robert Craig, RPC, stated that there was a series of areas that were originally shown on the land use plan as commercial and then moved to residential. He then stated that in the adopted land use plan, this property is within the commercial use area.

Dr. Singh stated that, by Mr. Jones voting to approve this property as commercial in the newly adopted land use plan, the Turtlecreek Township Trustees have reconsidered their opposition to this rezoning application.

Mr. Craig stated there is no evidence that Turtlecreek Township has changed their position in opposition to this rezoning.

The Board stated their desire for clarification from Turtlecreek Township relative to this rezoning application. They requested a letter be sent to the Township requesting clarification of their recommendation.

There was then discussion relative to Dr. Singh’s desire to present an elaborate presentation in favor of the rezoning application.

The Board requested the information in writing from all parties concerned and stated their desire to continue the public hearing in order to review the evidence submitted at today’s public hearing.

Ray Benza, adjacent property owner, stated that Dr. Singh has no plan for this property, it is not visible to the public, and will end up being just like the empty Walmart strip center in the area. He then requested the Board to deny the rezoning application.

Upon discussion, the Board resolved (Resolution #07-805) to continue the public hearing to June 7, 2007, at 5:30 p.m.

Upon motion the meeting was adjourned.

David G. Young, President

Pat Arnold South

C. Michael Kilburn

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 May 24, 2007, in compliance with Section 121.22 O.R.C.

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