



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

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**TOM ARISS  
PAT ARNOLD SOUTH  
DAVID G. YOUNG**

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

**MINUTES: Regular Session – April 3, 2012**

The Board met in regular session pursuant to adjournment of the March 27, 2012, meeting.

David G. Young - present

Pat Arnold South - present

Tom Ariss - present

Tina Davis, Clerk - present

Minutes of the March 27, 2012 meeting was read and approved.

- 12-0433      A resolution was adopted to approve end of 240-day Probationary Period and approve a Pay Increase for Pamela Suldovsky, Eligibility Referral Specialist, within the Department of Job and Family Services, Human Services Division.  
Vote: Unanimous
- 12-0434      A resolution was adopted to approve Leave Donation for James Hause, Control Systems Specialist within the Warren County Water and Sewer Department.  
Vote: Unanimous
- 12-0435      A resolution was adopted to Amend Classification Specification of Custodial Supervisor within the Building Services Department. Vote: Unanimous
- 12-0436      A resolution was adopted to hire William Mark Harrison as the Manager of Custodial Services for the Building Services Department of Warren County.  
Vote: Unanimous
- 12-0437      A resolution was adopted to authorize the Internal Posting of a "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

- 12-0438 A resolution was adopted to approve a Lateral Transfer of Bryan Converse to the position of Investigative Caseworker within the Department of Job and Family Services, Children Services Division. Vote: Unanimous
- 12-0439 A resolution was adopted to approve a Lateral Transfer of Amber Pleasant to the position of Protective Services Caseworker I within the Department of Job and Family Services, Children Services Division. Vote: Unanimous
- 12-0440 A resolution was adopted to hire Susan Ernst as Investigative Caseworker III, within the Warren County Department of Job and Family Services, Children Services Division. Vote: Unanimous
- 12-0441 A resolution was adopted to accept Resignation of Meridith Pizel, Emergency Communications Operator, within the Warren County Emergency Services Communications Department, effective April 3, 2012. Vote: Unanimous
- 12-0442 A resolution was adopted to declare various items within Sheriff as surplus and authorize the disposal of said items. Vote: Unanimous
- 12-0443 A resolution was adopted to declare various items within Building Services as surplus and authorize the disposal of said items. Vote: Unanimous
- 12-0444 A resolution was adopted to declare various items within Children Services as surplus and authorize the disposal of said items. Vote: Unanimous
- 12-0445 A resolution was adopted to declare various items within Workforce One as surplus and authorize the disposal of said items. Vote: Unanimous
- 12-0446 A resolution was adopted to Advertise for Bids for the 2012 Resurfacing Project. Vote: Unanimous
- 12-0447 A resolution was adopted to Advertise for Bids for the 2012 Chip Seal Project. Vote: Unanimous
- 12-0448 A resolution was adopted to Advertise for Bids for Transportation Services for the Warren County Department of Human Services. Vote: Unanimous
- 12-0449 A resolution was adopted to accept Tax Incentive Review Council Recommendations for 2011 Enterprise Zone Program. Vote: Unanimous
- 12-0450 A resolution was adopted to approve Change Order No. 1 to the Contract with GM Pipeline Inc., for the construction of Red Lion Waterline Relocation Project, Purchase Order No. 86479. Vote: Unanimous

- 12-0451 A resolution was adopted to Advertise for Bids for the Warren County 2012 Pavement Marking Project. Vote: Unanimous
- 12-0452 A resolution was adopted to approve Notice of Intent to Award Bid to Traffic Specialists, Inc. for the Warren County 2012 Raised Pavement Marker Project. Vote: Unanimous
- 12-0453 A resolution was adopted to approve and authorize the President of the Board to enter into an On-The-Job-Training Agreement on behalf of the Workforce One of Warren County. Vote: Unanimous
- 12-0454 A resolution was adopted to affirm "Then and Now" requests pursuant to Ohio Revised Code 5705.41(D) (1). Vote: Unanimous
- 12-0455 A resolution was adopted to acknowledge payment of Bills. Vote: Unanimous
- 12-0456 A resolution was adopted to approve a Street and Appurtenances Bond Release for River's Bend Land Company, Ltd. for completion of improvements for Rivers Bend Golf Club Community, Section 8, in Hamilton Township. Vote: Unanimous
- 12-0457 A resolution was adopted to approve a Sidewalk Bond Release for River's Bend Land Company, Ltd. for completion of improvements for Rivers Bend Golf Club Community, Section 8, in Hamilton Township. Vote: Unanimous
- 12-0458 A resolution was adopted to approve Deere Run Lane, Links View Drive, Piper Glen Drive and South Wind Court in the River's Bend Golf Community, Section 8 for Public Maintenance by Hamilton Township. Vote: Unanimous
- 12-0459 A resolution was adopted to approve following Record Plats. Vote: Unanimous
- 12-0460 A resolution was adopted to approve Appropriation Decreases within various Funds. Vote: Unanimous
- 12-0461 A resolution was adopted to approve Operational Transfer from County Commissioners' Fund #101-1112 into Mary Haven Youth Treatment Center Fund #270. Vote: Unanimous
- 12-0462 A resolution was adopted to approve an Operating Transfer from Sewer Revenue Fund 580 into Fund No 575, Various Sewer Revenue Projects. Vote: Unanimous
- 12-0463 A resolution was adopted to approve Supplemental Appropriation into Warren County Grants Administration Fund #298. Vote: Unanimous

- 12-0464 A resolution was adopted to approve Appropriation Adjustment from Commissioners General Fund #101-1110 into Sheriff's Fund #101-2200. Vote: Unanimous
- 12-0465 A resolution was adopted to approve Appropriation Adjustment within County Garage Fund #619-1110. Vote: Unanimous
- 12-0466 A resolution was adopted to authorize payment of Bills. Vote: Unanimous
- 12-0467 A resolution was adopted to Cancel regularly scheduled Commissioners' Meeting of Thursday, April 5, 2012. Vote: Unanimous
- 12-0468 A resolution was adopted to enter into an Agreement with Junming and Ai Lin Zang for a Contract for Sale and Purchase of Real Property as Road Right-of-Way in Connection with the Butler-Warren Road Improvements. Vote: Unanimous
- 12-0469 A resolution was adopted to declare various items within Common Pleas as surplus and authorize the disposal of said items. Vote: Unanimous
- 12-0470 A resolution was adopted to approve Change Order No. 2 to the Contract with PAE & Associates, Inc. increasing Purchase Order No. 78897 for the Lower Little Miami Wastewater Treatment Plant Expansion Project, Fund No. 574. Vote: Unanimous
- 12-0471 A resolution was adopted to approve Change Order No. 2 to the Contract with Lake Erie Electric Inc. Extending the Contract completion date relative to the Lower Little Miami Wastewater Treatment Plant Expansion Project, Fund No. 574. Vote: Unanimous
- 12-0472 A resolution was adopted to approve and authorize President to sign Ohio Public Works Project Agreement for the Township Road Repairs East Project and the Township Road Repairs-North Project. Vote: Unanimous
- 12-0473 A resolution was adopted to ratify and confirm Tentative Assessment and determining to proceed with the design of a Water Main Extension in the Bellbrook and Chenoweth Road Water Improvement Area in the Warren County Water District. Vote: Unanimous
- 12-0474 A resolution was adopted to continue Public Hearing to consider Variance and Appeal of conditions required for an Access Permit of Etta Reed, Agent for McDonald's Real Estate Company, owner of Record. Vote: Unanimous
- 12-0475 A resolution was adopted to hire Michael W. Bunner as the Director of the Emergency Services Department of Warren County. Vote: Unanimous

DISCUSSIONS

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Susan Spencer, Personnel Officer, was present to introduce the newly hired employees.

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

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The Board acknowledged receipt of the annexation petition of Richard Paolo, Agent to annex 43.6812 acres to the Village of Maineville.

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On motion, upon unanimous call of the roll, the Board entered into executive session at 9:22 a.m. to discuss matters required to be kept confidential per federal or state law pursuant to Ohio Revised Code Section 121.22 (G)(5) and exited at 9:59 a.m.

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On motion, bids were closed at 9:15 a.m. this 3<sup>rd</sup> day of April and the following bids were received, opened and read aloud for Little Muddy Pump Station Improvements Project for the Warren County Water and Sewer Department:

|   | <u>GENERAL<br/>CONTRACT A</u> | <u>ELECTRICAL<br/>CONTRACT B</u> | <u>CONTRACT<br/>A &amp; B</u> |
|---|-------------------------------|----------------------------------|-------------------------------|
| Brackney Inc<br>Brookville, Indiana         |                               |                                  | \$ 492,432.50                 |
| Danis<br>Miamisburg, Ohio                   | \$ 308,573.00                 |                                  |                               |
| Doll Layman Ltd<br>Tipp City, Ohio          | \$ 244,000.00                 |                                  |                               |
| Fields Excavating Co.<br>Kitts Hill, Ohio   |                               |                                  | \$ 541,016.03                 |
| Ford Development<br>Cincinnati, Ohio        | \$ 307,755.00                 |                                  |                               |
| Glenwood Electric<br>Walton, Kentucky       |                               | \$ 188,850.00                    |                               |
| Lake Erie Electric<br>Franklin, Ohio        |                               | \$ 182,270.00                    |                               |
| Hilvert & Pope Electric<br>Cincinnati, Ohio |                               | \$ 208,550.00                    |                               |

Chris Brausch, Sanitary Engineer, Warren County Water and Sewer Department will review bids for a recommendation at a later date.

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On motion, bids were closed at 9:30 a.m. this 3<sup>rd</sup> day of April and the following bids were received, opened and read aloud for 2.0 Million Gallon Lytle-Five points Elevated Storage Tank Protective Coating for the Warren County Water and Sewer Department:

|  | <u>BASE BID</u>  | <u>ALTERNATE "A"</u> | <u>ALTERNATE "B"</u> |
|--|------------------|----------------------|----------------------|
| American Suncraft<br>Medway, OH                | \$ 845,250.00    | \$ 1,000.00          | \$ 888,250.00        |
| Caldwell Tanks<br>Louisville, KY               | \$ 1,2267,960.00 | \$ 55,000.00         | \$ 1,334,810.00      |
| CPS<br>Navarre, OH                             | \$ 888,752.00    | \$ 50,000.00         | \$ 977,219.00        |
| George Kountoupes Painting<br>Lincoln Park, MI | \$ 936,500.00    | \$ 5,000.00          | \$ 1,006,500.00      |
| Horizon Brothers<br>Howell, MI                 | \$ 1,055,000.00  | \$ 15,000.00         | \$ 1,075,000.00      |
| MK Painting<br>Wyandotte, MI                   | \$ 800,000.00    | \$ 2,000.00          | \$ 870,000.00        |
| TMI Coating Inc.<br>St. Paul, MN               | \$ 1,187,500.00  | \$ 30,000.00         | \$ 1,267,500.00      |
| UCL Inc.<br>Cincinnati, Ohio                   | \$ 817,000.00    | \$ 14,000.00         | \$ 857,000.00        |
| Utility Services Co.<br>Perry, GA              | \$ 1,035,000.00  | \$ 50,000.00         | \$ 1,107,200.00      |
| Worldwide Industries<br>Butler, PA             | \$ 853,570.00    | \$ 19,000.00         | \$ 899,770.00        |

Chris Brausch, Sanitary Engineer, Warren County Water and Sewer Department, will review bids for a recommendation at a later date.

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Chris Brausch, Sanitary Engineer, was present to discuss the proposed waterline assessment project for Bellbrook Chenoweth Road in Wayne Township.

Mr. Brausch reviewed the current numbers of the project stating that 28% of the property owners are opposed to the project with a vote of 8 to 28. He stated that the cost of assessment if the homeowners choose not to connect to the water would be not to exceed \$11,500. If the homeowner chooses to connect, the assessment would be \$15,115.

Mr. Brausch stated that if the Board chooses to proceed with this project, he has drafted a resolution for their consideration.

Commissioner South stated she has a level of discomfort with us doing this project on behalf of Waynesville but with 64% of the property owners supporting the project and paying an equal amount to purchase water and still having no fire protection, she will support it.

Commissioner Ariss stated he is also in favor of proceeding.

Commissioner Young stated that governments provide utilities and progress happens. He stated his opinion that we live in a democracy and that is how society works. He then stated his support of proceeding with this project.

Mr. Brausch stated that there is a condition in the resolution that addresses the project requiring the ½ fee waiver from the Village of Waynesville.

Upon further discussion, the Board resolved (Resolution #12-0473) to ratify and confirm Tentative Assessment and determining to proceed with the design of a Water Main Extension in the Bellbrook and Chenoweth Road Water Improvement Area in the Warren County Water District.

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## PUBLIC HEARING

### VARIANCE AND APPEAL OF CONDITIONS OF ETTA REED, AGENT FOR MCDONALD'S REAL ESTATE IN DEERFIELD TOWNSHIP

The public hearing to consider the variance and appeal of conditions of Etta Reed, Agent for McDonald's Real Estate was reconvened this 3<sup>rd</sup> day of April 2012, in the Commissioners Meeting Room.

Commissioner Young opened the public hearing by asking the Clerk to read into the record the documents received to date.



Tina Davis, Clerk of Commissioners, stated the following:

1. Public hearing notice stating the date, time and purpose was advertised in The Western Star on February 23, 2012.
2. Notice to applicant of the date and time of the public hearing was mailed February 17, 2012.
3. Received to date:

February 10, 2012- Request for Variance and appeal of Conditions Application, copy of Access Permit denied by the County Engineer, copy of Access Permit/Driveway Culvert Permit application, map

February 26, 2012 – copy of Resolution setting public hearing on March 6, 2012, at 10:30 a.m.

February 14, 2012 – copy of legal notice for publication emailed to The Western Star and a publishing receipt

February 17, 2012 – copy of Legal notice mailed to Agent, Property owner and Deerfield Township

March 2, 2012 – copy of proof of publication from The Western Star

March 2, 2012 – email from Kurt Weber, Engineer's Office, outlining concerns with the concept plan of McDonald's

March 5, 2012 – original proof of publication from The Western Star

March 5, 2012 – email from Etta Reed, Agent, to request continuance of public hearing

March 6, 2012 – fax from Agent requesting public hearing be continued to April 3, 2012

March 6, 2012 – copy of resolution continuing public hearing to April 3, 2012, at 10:00 a.m.

Commissioner Young read the instructions and requirements of the public hearing process and swore those present desiring to give testimony at today's hearing.

Etta Reed, Agent and engineer with Bayer Becker, and Ray Risco, McDonald's Real Estate Company, along with Kurt Weber, Chief Deputy Engineer, were sworn.

Ms. Reed presented the site plan map to the Board and explained their desire for an additional access point stating the safety of the school bus passengers would be benefited if the third access was granted. She explained their plan for the busses to pull into the upper lot, unload passengers, and pull out and back in, making a circle, to park.

Mr. Weber explained that this is a county road and driveways must be 150' apart and only one driveway per parcel is permitted. He stated that they already have two driveways along with an additional on Kings Mills Road and stated his concern with traffic conflicts.

Mr. Weber stated that the Engineer's Office granted conditional approval of the two existing access points last fall stating that if and when the roadway is extended that they would be required to comply with access management regulations.

Mr. Weber then stated that if the Board determined to grant approval of this additional access, he would like to have it a conditional approval the way the Engineer's Office did last fall.

There was discussion relative to the need for this additional access.

Mr. Risco stated his desire to continue this public hearing until the end of the summer season for them to get through their busy season and determine if the additional access will be necessary and the best configuration of traffic with actual experience.

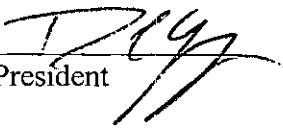
Upon further discussion, the Board resolved (Resolution #12-0474) to continue the public hearing to consider Variance and Appeal of conditions required for an Access Permit of Etta Reed, Agent for McDonald's Real Estate Company, owner of Record, to August 28, 2012, at 9:30 a.m.


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On motion, upon unanimous call of the roll, the Board entered into executive session at 10:48 a.m. to discuss matters required to be kept confidential per federal or state law pursuant to Ohio Revised Code Section 121.22 (G)(5) and exited at 11:32 a.m.

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Upon motion the meeting was adjourned.

  
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David G. Young, President

  
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Tom Ariss

  
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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 April 3, 2012, in compliance with Section 121.22 O.R.C.

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