



**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

TOM ARISS

PAT ARNOLD SOUTH

DAVID G. YOUNG

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

MINUTES: Regular Session – October 18, 2012

The Board met in regular session pursuant to adjournment of the October 16, 2012, meeting.

David G. Young - present

Pat Arnold South - present

Tom Ariss - present

Tina Davis, Clerk - present

Minutes of the October 9, 2012 and October 16, 2012 meetings were read and approved.

- 12-1418 A resolution was adopted to designate Family and Medical Leave of Absence to James Mulford, Custodial Worker II, within the Department of Facilities Management. Vote: Unanimous
- 12-1419 A resolution was adopted to approve Samuel Roberts for the Co-op position within the Warren County Facilities Management Department. Vote: Unanimous
- 12-1420 A resolution was adopted to set Public Hearing to consider Text Amendments to the Warren County Rural Zoning Code to add Section 2.603 Interstate 71 & State Route 123 Joint Economic Development District (JEDD) Overlay. Vote: Unanimous
- 12-1421 A resolution was adopted to set Public Hearing to consider Map Amendments to the Official Warren County Zoning Map pursuant to Ohio Revised Code Section 303.12. Vote: Unanimous
- 12-1422 A resolution was adopted to authorize Release of Retainage in the Lake Erie Electric Inc. Escrow Account for the Lower Little Miami Wastewater (LLMWWTP) Treatment Plant Phase III Upgrade. Vote: Unanimous

- 12-1423 A resolution was adopted to approve and enter into a Lease Agreement with the Warren County Combined Health District. Vote: Unanimous
- 12-1424 A resolution was adopted to approve Change Order No. 2 to the Contract with Lake Erie Electric, Inc., for the Construction of Little Muddy Pump Station Improvements Project, Contract B, Purchase Order No. 88471. Vote: Unanimous
- 12-1425 A resolution was adopted to approve Various Refunds. Vote: Unanimous
- 12-1426 A resolution was adopted to enter into Street and Appurtenances (including sidewalks) Security Agreement with VWC Holdings, Ltd, for installation of certain improvements in the Villages of Winding Creek, the Boulevards at Winding Creek, Section One situated in Clearcreek Township. Vote: Unanimous
- 12-1427 A resolution was adopted to enter into a Subdivision Public Improvement Performance and Maintenance Security Agreement with VWC Holdings, Ltd for installation of certain improvements in the Villages of Winding Creek, the Boulevards at Winding Creek, Section One situated in Clearcreek Township. Vote: Unanimous
- 12-1428 A resolution was adopted to approve the following Record Plats. Vote: Unanimous
- 12-1429 A resolution was adopted to approve an Operational Transfer from Commissioners Fund #101 into Human Services Fund #203. Vote: Unanimous
- 12-1430 A resolution was adopted to approve Supplemental Appropriations into Coroner's Office Fund #101-2100. Vote: Unanimous
- 12-1431 A resolution was adopted to approve a Supplemental Appropriation into Domestic Relations Court Fund #281 and Appropriation Adjustments within Domestic Relations Fund #101-1230. Vote: Unanimous
- 12-1432 A resolution was adopted to approve Appropriation Adjustment from Commissioners General Fund #101-1110 into Sheriff's Fund #101-2200. Vote: Unanimous
- 12-1433 A resolution was adopted to approve Appropriation Adjustment within Commissioners Grants Fund #101-1112. Vote: Unanimous
- 12-1434 A resolution was adopted to approve Appropriation Adjustment within TASC Fund #284-(2013)-2910. Vote: Unanimous

- 12-1435 A resolution was adopted to approve Appropriation Adjustments within Emergency Services / EMA Fund #264. Vote: Unanimous
- 12-1436 A resolution was adopted to approve Appropriation Adjustments within Children Services Fund #273. Vote: Unanimous
- 12-1437 A resolution was adopted to authorize payment of Bills. Vote: Unanimous
- 12-1438 A resolution was adopted to acknowledge payment of Bills.
Vote: Mr. Young – yea; Mr. Ariss – yea; Mrs. South – abstain
- 12-1439 A resolution was adopted to approve a Modification to OKI's Regional Water Quality Management Plan to Transfer Facility Planning Area in Turtlecreek Township to the Lebanon/ South Lebanon Facility Planning Area.
Vote: Unanimous
- 12-1440 A resolution was adopted to approve and enter into Sanitary Sewer & Appurtenance Easement Agreements for the Relocation of Sewer Lines at 4794 Fields-Ertel Road. Vote: Unanimous
- 12-1441 A resolution was adopted to Waive Excess Sewer Charges over 14,800 gallons for 8940 Galecrest Drive in Maineville, Ohio. Vote: Unanimous
- 12-1442 A resolution was adopted to Waive Excess Sewer Charges over 360,450 gallons for Landen Offices on Corporate Way and Columbia Road in Mason, Ohio.
Vote: Unanimous
- 12-1443 A resolution was adopted to Waive Water/Sewer/Stormwater Penalty Waiver for Rudy Kays. Vote: Unanimous

DISCUSSIONS

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

Tom Hunter and Brian Kratz, homeowners within the Creekwoods Subdivision, were present to request the Board's consideration to help obstruct the view of the newly expanded Lower Little Miami Wastewater Treatment Plant from their subdivision.

Mr. Hunter thanked the Board for allowing them to meet and also thanked the Water and Sanitary Sewer staff for their help in resolving the concerns which they had the ability, including the reduction of noise and some reduction in lighting.

Mr. Hunter then explained the following concerns that staff is not able to resolve:

1. Lose of use of their back yard due to the eyesore of the commercial buildings and the "hot spots" of commercial lighting that is visible.
2. Loss of value to their property due to the visibility of the site.

Mr. Hunter then presented a proposal (attached) explain the issues and requesting the Board consider a request to have trees planted by the homeowner's association landscape company at a cost of \$18,260.

The Board explained that the law provides they are within their legal rights to expand the sanitary sewer plant and that no screening is required. There was then discussion relative to their desire to be a good neighbor to the adjacent property owners.

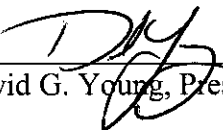
Upon further discussion, the Board unanimously determined to pay \$15,000 towards the cost of the trees.

Chris Brausch, Sanitary Engineer, was present for a work session and discussed the following matters:

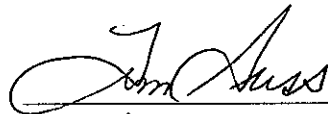
1. SR 123/I-71 Joint Economic Development District (JEDD)—Mr. Brausch was present along with representatives from the City of Lebanon and Turtlecreek Township to request the Board's consideration to release the property within the sanitary sewer drainage area that includes the property within the proposed JEDD to the City of Lebanon for sanitary sewer service. He explained that it is necessary for the Board to approve a modification to OKI's Regional Water Management Plan to transfer the facility planning area of this portion of Turtlecreek Township to the Lebanon/South Lebanon Facility Planning Area. Upon discussion, the Board resolved (Resolution #12-1239) to approve a modification to OKI's Regional Water Management Plan to transfer the facility planning area of this portion of Turtlecreek Township to the Lebanon/South Lebanon Facility Planning Area.

2. Easement and Easement Vacation—Mr. Brausch explained the need to relocate the sewer line along Fields-Ertel Road due to the new H H Gregg Store. Upon discussion, the Board resolved (Resolution #12-1440) to enter into Easement Agreements with SSC Kings Mall, LLC for permanent easements, located at 4794 Fields-Ertel Road in Deerfield Township.
3. Penalty Fee Waiver Requests—Mr. Brausch presented three requests for penalty waivers and explained to the Board the circumstances surrounding the request. Upon discussion, the Board approved the requests.
4. Waynesville Sewer Agreement Update—Mr. Brausch explained the desire to create a regional sanitary sewer system between the Village of Waynesville and Warren County. There was discussion relative to financial responsibility to Warren County. Upon discussion, the Board stated their desire to have a work session with the legal counsel to provide answers to their many questions.

Upon motion the meeting was adjourned.



David G. Young, President

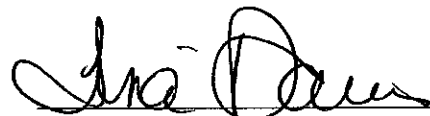


Tom Ariss



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 October 18, 2012, in compliance with Section 121.22 O.R.C.



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

Lower Little Miami WWTP
Construction Impact on
Creekwoods Subdivision

Presented by
Bryan Kratz and Tom Hunter
October 18, 2012

Agenda

- Introductions
- WWTP Construction Effects
- County Mitigation Actions to Date
- Issues Remaining
- Proposed Solution and Benefits
- Approval and Implementation
- Next Steps