



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

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***TOM GROSSMANN
SHANNON JONES
DAVID G. YOUNG***

BOARD OF COUNTY COMMISSIONERS
WARREN COUNTY, OHIO

MINUTES: Regular Session – March 6, 2018

The Board met in regular session pursuant to adjournment of the February 27, 2018, meeting.

Tom Grossmann – absent

Shannon Jones – present

David G. Young – present

Tina Osborne, Clerk – present

Minutes of the February 27, 2018, meeting were read and approved.

- 18-0304 A resolution was adopted to authorize the posting of the “Administrative Support” position, within the Warren County Office of Management and Budget in accordance with Warren County Personnel Policy Manual, Section 2.02(A).
Vote: Unanimous
- 18-0305 A resolution was adopted to authorize the posting of the “Administrative Assistant” position within the Warren County Office of Management and Budget in accordance with Warren County Personnel Policy Manual, Section 2.02(A).
Vote: Unanimous
- 18-0306 A resolution was adopted to accept resignation of Rachel Pyle, Emergency Communications Operator, within the Warren County Emergency Services Department, effective March 16, 2018. Vote: Unanimous
- 18-0307 A resolution was adopted to designate Family and Medical Leave of Absence to Lauren Cavanaugh, Director, within the Warren County Job and Family Services Department, Human Services Division. Vote: Unanimous
- 18-0308 A resolution was adopted to hire Julie Arrowood as an Eligibility Referral Specialist II, within the Warren County Department of Job and Family Services, Human Services Division. Vote: Unanimous

- 18-0309 A resolution was adopted to hire Rebecca Coldiron as an Eligibility Referral Specialist II, within the Warren County Department of Job and Family Services, Human Services Division. Vote: Unanimous
- 18-0310 A resolution was adopted to hire Shannon Oxley as a Unit Support Worker II, within the Warren County Department of Job and Family Services, Human Services Division. Vote: Unanimous
- 18-0311 A resolution was adopted to approve reappointments to Ohio Public Works Commission District 10 Integrating Committee. Vote: Unanimous
- 18-0312 A resolution was adopted to enter into a temporary entrance and work agreement with Rippe Investments II, LLC for the Butterworth Road Embankment Stabilization Project. Vote: Unanimous
- 18-0313 A resolution was adopted to authorize County Engineer to execute LPA (Local Public Agency) Federal Local- Let Project Agreement with Ohio Department of Transportation (ODOT) for the King Avenue Bridge #282-0.97 over Little Miami River Improvements Project (PID # 106724). Vote: Unanimous
- 18-0314 A resolution was adopted to advertise bids for the State Route 741 Road Improvements along the Estates of Keever Creek subdivision frontage in Turtlecreek Township. Vote: Unanimous
- 18-0315 A resolution was adopted to approve Notice of Intent to award bid to R.B. Jergens Contractors, Inc. for the Tylersville Road Improvement Project. Vote: Unanimous
- 18-0316 A resolution was adopted to approve addendum to agreement with Police Protection with South Lebanon, on behalf of the Warren County Sheriff's Office. Vote: Unanimous
- 18-0317 A resolution was adopted to approve and enter into adoption assistance agreements with [REDACTED] on behalf of Ohio Department of Job and Family Services Children Services Division. Vote: Unanimous
- 18-0318 A resolution was adopted to approve and authorize the Vice President of the Board to enter into a Memorandum of Understanding on behalf of OhioMeansJobs Warren County. Vote: Unanimous
- 18-0319 A resolution was adopted to authorize Vice President of the Board to sign permit application from the Ohio Department of Commerce, Division of Liquor Control for an event at the Warren County Fairgrounds. Vote: Unanimous

- 18-0320 A resolution was adopted to authorize Vice President of the Board to sign permit application from the Ohio Department of Commerce, Division of Liquor Control, for a fundraising event at the Warren County Fairgrounds. Vote: Unanimous
- 18-0321 A resolution was adopted to enter into Master Equipment Purchase Agreement with Curvature Inc. on behalf of Warren County Telecommunications. Vote: Unanimous
- 18-0322 A resolution was adopted to establish the Lower Springboro Road Water Improvement Area, Warren County Water District. Vote: Unanimous
- 18-0323 A resolution was adopted to approve revised general plans for waterworks facilities in the Warren County Water District, to include water main extension for the Lower Springboro Road Water Improvement Project. Vote: Unanimous
- 18-0324 A resolution was adopted to declare official intent with respect to reimbursement of temporary advances made for capital expenditures to be made from subsequent borrowings for the Lower Springboro Road Water Improvement Area. Vote: Unanimous
- 18-0325 A resolution was adopted to determine necessity for the Lower Springboro Road Water Improvement Area for public use. Vote: Unanimous
- 18-0326 A resolution was adopted to acknowledge receipt of February 2018 Financial Statement. Vote: Unanimous
- 18-0327 A resolution was adopted to affirm “Then and Now” requests pursuant to Ohio Revised Code 5705.41 (D) (1). Vote: Unanimous
- 18-0328 A resolution was adopted to approve various refunds. Vote: Unanimous
- 18-0329 A resolution was adopted to acknowledge payment of bills. Vote: Unanimous
- 18-0330 A resolution was adopted to enter into Erosion Control Bond Agreement for Soraya Farms LLC for completion of improvements in Soraya Farms Section 5 situated in Clearcreek Township. Vote: Unanimous
- 18-0331 A resolution was adopted to approve a subdivision improvement performance and maintenance security agreement release with VWC Holdings, LTD for the Villages of Winding Creek the Meadows at Winding Creek- Section Two in Clearcreek Township. Vote: Unanimous
- 18-0332 A resolution was adopted to approve appropriation decreases within various funds. Vote: Unanimous

- 18-0333 A resolution was adopted to approve an operational transfer from Motor Vehicle Fund #202 into State OPWC Loan Fund #360. Vote: Unanimous
- 18-0334 A resolution was adopted to approve supplemental appropriation into Auditor's Real Estate Fund #237. Vote: Unanimous
- 18-0335 A resolution was adopted to approve supplemental appropriations into Municipal Victim Witness Fund #255. Vote: Unanimous
- 18-0336 A resolution was adopted to approve supplemental appropriation into Jail Construction and Rehab Fund #497. Vote: Unanimous
- 18-0337 A resolution was adopted to approve supplemental appropriation into Fairgrounds Construction Project Fund #498. Vote: Unanimous
- 18-0338 A resolution was adopted to approve appropriation adjustment from Commissioners' General Fund #101-1110 into Court of Common Pleas Pretrial Services Fund #101-1222. Vote: Unanimous
- 18-0339 A resolution was adopted to approve appropriation adjustment within Coroner's Fund #101-2100. Vote: Unanimous
- 18-0340 A resolution was adopted to approve appropriation adjustment within Dog and Kennel Fund #206. Vote: Unanimous
- 18-0341 A resolution was adopted to approve appropriation adjustment within the OhioMeansJobs Warren County Fund #258. Vote: Unanimous
- 18-0342 A resolution was adopted to authorize payment of bills. Vote: Unanimous
- 18-0343 A resolution was adopted to grant an access management appeal, subject to conditions, for the Warren County Port Authority relative to the Warren County Sports Complex. Vote: Unanimous
- 18-0344 A resolution was adopted to cancel regularly scheduled Commissioners' Meeting of Thursday, March 8, 2018. Vote: Unanimous

DISCUSSIONS

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

The Board acknowledged receipt of a type 2 annexation petition to annex 3.089 acres to the City of Middletown, Timothy Rudd, agent for petitioners.

ADMINISTRATIVE HEARING

CONSIDER A REQUEST FOR A VARIANCE OR AN APPEAL OF CONDITIONS
REQUIRED FOR AN ACCESS PERMIT
FILED BY THE WARREN COUNTY PORT AUTHORITY

The Board met this 6th day of March 2018, in the Commissioners' Meeting Room to consider a request for a variance or an appeal of conditions required for an access permit filed by the Warren County Port Authority relative to the Warren County Sports Complex.

Commissioner Young administered the oath to all those desiring to give testimony during today's hearing.

Kurt Weber, Chief Deputy County Engineer, reviewed the proposed site plan along with the three access points proposed along Greentree Road in Turtlecreek Township.

Mr. Weber presented the Engineer's Report relative to the appeal and testified an access Permit had been denied because Section 401.8.2-d of the Access Management Regulations requires 495 feet of spacing between the proposed driveways on Greentree Road, which functions as a Collector Street and the intersection of New England Way, as it relates to Access No. 1 and Access No. 2 (proposed full new street access requires 660 of spacing between the proposed new street on Greentree Road and the intersection of New England Way. He then submitted for admission into the evidence: i) the County Engineer's Report; and drawing C400 and C404.

Mr. Weber then stated that the Engineer's Office is in receipt of a Traffic Impact Study which supports/confirms the proposed access location as it relates to safety and traffic operations of the public road. He then reviewed the answers to the six questions relative to approval of the appeal and stated the Engineer's support to approve the requested appeal. He then testified that the owner should be required, as a condition of approval, to dedicate right of way along Greentree Road to accommodate the right turn lane and any future left turn lane determined to be needed in association with the development of Union Village.

Commissioner Young explained to those in attendance that the County Engineer must deny any access permit that does not meet the Warren County Access Management Regulations but it is

standard practice of the Engineer's office to recommend approval if a traffic impact study shows it to be safe.

Commissioner Young opened the floor to testimony for anyone desiring to speak in opposition to this access permit being approved.

Upon further discussion, the hearing was closed and the Board resolved (Resolution #18-0343) to grant the variance thereby allowing the County Engineer to grant a Permit for the access points as shown on Drawing Sheets C400 and C404 (attached) subject to the dedication of road right of way along Greentree Road to accommodate the right turn lane and any future left turn lane determined to be needed in association with the development of Union Village.

Phil Smith, Executive Director of the Warren County Convention and Visitor's Bureau, presented an update on the Warren County Sports Complex.

Neil Tunison, County Engineer, was present for a work session to discuss the property acquired relative to the Duke Boulevard widening project at Irwin Simpson Road.

Mr. Tunison, County Engineer, explained that the TID is acquiring land needed for the relocation of the P&G entrance due to the Duke Boulevard widening. He explained that after the improvements are completed, a .53 acre parcel of land that was acquired from CloPay for the project will remain.

Mr. Tunison explained that neither CloPay nor P&G desire the property and questioned if the Board of Commissioners is willing to accept this parcel with the County Engineer's Office providing any required maintenance. He then stated that they are looking into some type of low maintenance landscaping.

Upon discussion, the Board stated they have no problem with accepting the parcel.

Bruce McGary, Assistant Prosecutor, stated his desire for a title commitment prior to purchase as this property could be subject to a global homeowners association fee.

Tiffany Zindel, County Administrator, discussed the Board's performance bond surety requirements as it pertains to the Warren County Sports Complex.

There was discussion relative to the desire to waive the surety requirements as this Board would hold the funds for the surety as well as the funds that are being used to construct the project.

Commissioner Young stated his desire to waive the requirement due to this being a public project that is ultimately being paid for through lodgings tax collections.

Bruce McGary, Assistant Prosecutor, stated that the waiving of the requirement is not inconsistent with the regular practice of waiving taxpayer funded fees.

Matt Schnipke, Economic Development, stated that the contractor will still be required to meet all of the required regulations and the general contractor has a performance bond being held by the Warren County Port Authority to ensure all improvements are completed as required.

Chris Brausch, Sanitary Engineer, was present to provide an update relative to sanitary sewer access for 21.7 acres being developed by John Candle Homes, LLC in Deerfield Township.

Mr. Brausch reviewed the proposed plan approved by the Board to construct 36 single family homes with a low pressure sewer system with private grinder pumps being discharged into the Butler County sanitary sewers due to the adjacent property owner not being willing to grant an easement for gravity sewer service to Warren County.

Mr. Brausch discussed the request of the Board to communicate with the adjacent property owner relative to acquiring the needed easement in order to provide gravity sewer service. He stated that all efforts have been made and the adjacent property owner is not willing to provide the necessary easement.

Upon discussion, Mr. Brausch stated that an amendment to the Butler County Sewer Agreement is needed in order to finalize the proposed development plan.

Commissioner Young stated that this approval was granted by a majority of the Board with his dissent and Mr. Brausch would need to defer to the full Board for any needed action.

Chris Brausch, Sanitary Engineer, was present to discuss the Glenmore Park Subdivision in Turtlecreek Township.

Mr. Brausch stated that the Board approved this site plan on August 30, 2016, to develop 141 acres with 186 single family homes and 37.6 acres for future development (either commercial or multi-family).

Commissioner Young stated his dislike of apartments and stated that if he had realized that mixed use meant single family and multi-family, he would not have voted for approval.

Mr. Brausch stated that at this time, the developer has not determined how the 37 acres will be developed.

Mr. Brausch discussed that the sanitary sewers will not gravity flow to Warren County and would require pumping. He reviewed that this area is Warren County sanitary sewers that are treated by Butler County. He then stated that the agreement with Butler County would need to be amended in order to add this property to the service area.

Mr. Brausch then stated that one of the conditions of approval by the Board was that Warren County will not own or maintain any pump station.

Mr. Brausch then reviewed the following recommendations:

1. Amend the Butler County wholesale sewer agreement to change the boundary to include the Glenmore Park Subdivision.
2. Remove the 1600 gpm maximum flow language
3. The annual wholesale rate increases will be less than or equal to CPI and must be below or at our retail rate
4. Increase the connection fees from \$400 to \$1500 in order to recoup the cost from improvements within the area.

Commissioner Jones stated her concern relative to a large increase and requested for Mr. Brausch to provide a spreadsheet on the calculations for the increase.

5. Warren County provides water service to this development—needed in order to loop our system.

Mr. Brausch cautioned the Board on any approvals that require future expansions to the sewer improvement area. He then stated the purpose of this work session is to obtain feedback on the above conditions prior to discussing with the developer.

Commissioner Young stated his concerns with tripling the connection fees.

There was then discussion relative to the MXU-N zoning classification and what is an allowable use.

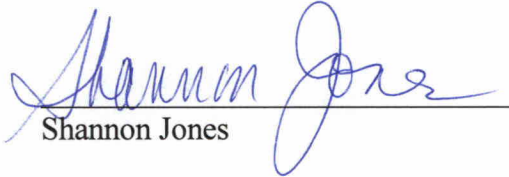
On motion, upon unanimous call of the roll, the Board entered into executive session at 10:35 a.m. to discuss imminent litigation pursuant to Ohio Revised Code Section 121.22(G)(3) and exited at 11:39 a.m.

Upon motion the meeting was adjourned.



Tom Grossmann, President

David G. Young

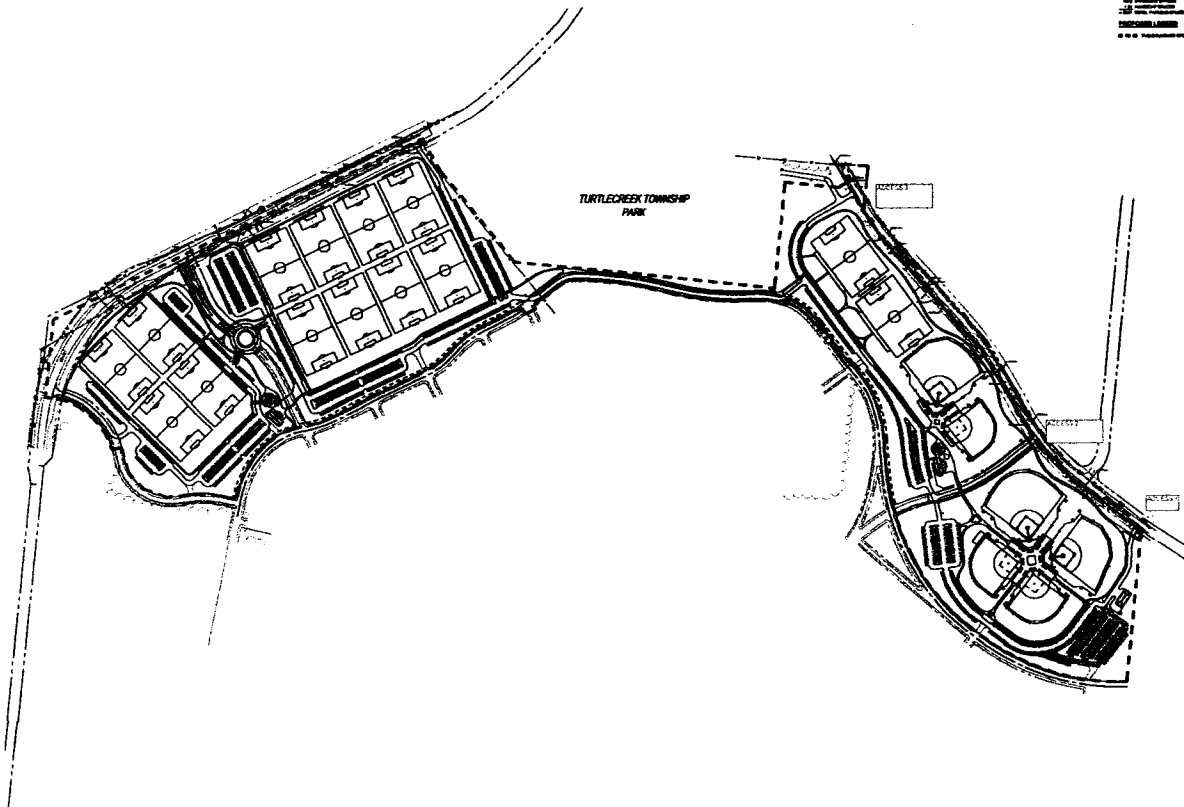


Shannon Jones

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 6, 2018, in compliance with Section 121.22 O.R.C.



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



- LEGEND:**
- 1. ALL BUILDINGS AND STRUCTURES TO BE CONSTRUCTED
 - 2. ALL EXISTING BUILDINGS AND STRUCTURES TO BE DEMOLISHED
 - 3. ALL EXISTING UTILITIES TO BE MAINTAINED
 - 4. ALL EXISTING UTILITIES TO BE ABANDONED
 - 5. ALL EXISTING UTILITIES TO BE RELOCATED
 - 6. ALL EXISTING UTILITIES TO BE RECONSTRUCTED
 - 7. ALL EXISTING UTILITIES TO BE REPLACED
 - 8. ALL EXISTING UTILITIES TO BE REPAIRED
 - 9. ALL EXISTING UTILITIES TO BE RESTORED
 - 10. ALL EXISTING UTILITIES TO BE REMOVED



**warren county
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**WARREN COUNTY SPORTS
PARK AT UNION VILLAGE**

WARREN COUNTY
 Lebanon, Ohio

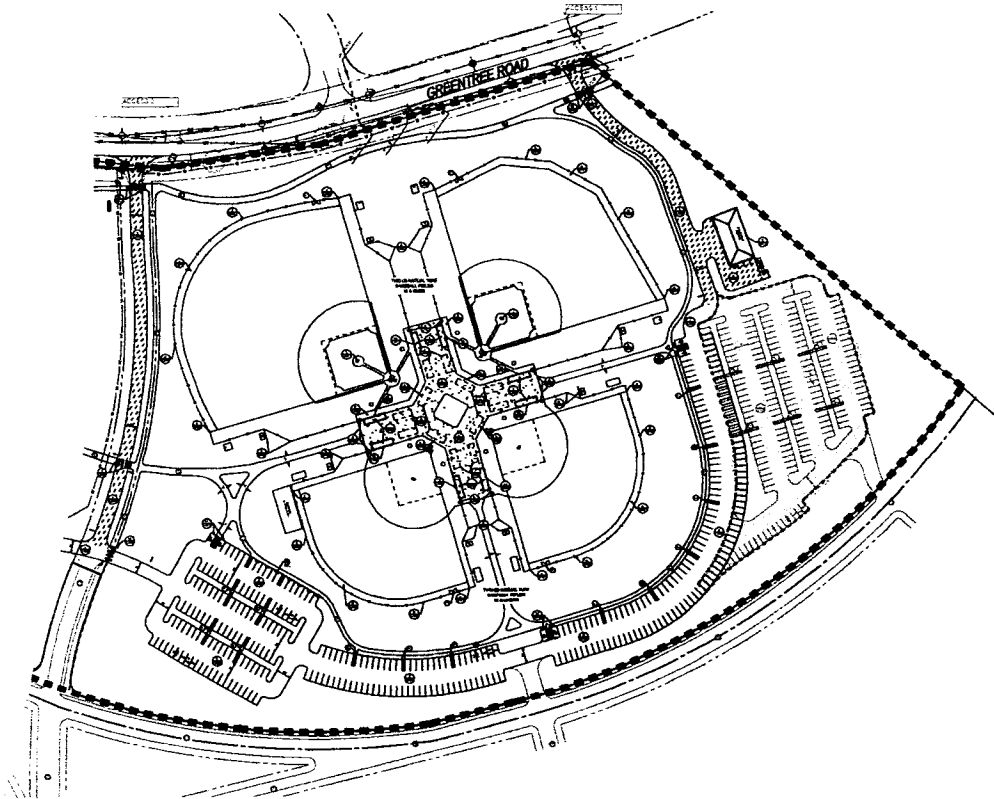
DATE: 05.28.17
PROJECT NO.: 14824-000
CHECKED BY: CAY
DRAWN BY:
SCALE: 1" = 100'

DRAWING TITLE:
**OVERALL SITE
PLAN**

SHEET NO.:
C400

THE INFORMATION CONTAINED HEREIN IS THE PROPERTY OF THE ENGINEER AND ARCHITECT AND IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN. ANY REUSE OR MODIFICATION OF THIS INFORMATION WITHOUT THE WRITTEN CONSENT OF THE ENGINEER AND ARCHITECT IS PROHIBITED.





- LEGEND**
- 1. Proposed building footprint
 - 2. Existing building footprint
 - 3. Proposed parking spaces
 - 4. Existing parking spaces
 - 5. Proposed trees
 - 6. Existing trees
 - 7. Proposed site boundaries
 - 8. Existing site boundaries
 - 9. Proposed utility lines
 - 10. Existing utility lines
 - 11. Proposed road
 - 12. Existing road
 - 13. Proposed sidewalk
 - 14. Existing sidewalk
 - 15. Proposed fence
 - 16. Existing fence
 - 17. Proposed lighting poles
 - 18. Existing lighting poles
 - 19. Proposed sign
 - 20. Existing sign
 - 21. Proposed utility vault
 - 22. Existing utility vault
 - 23. Proposed utility manhole
 - 24. Existing utility manhole
 - 25. Proposed utility structure
 - 26. Existing utility structure
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 - 49. Proposed utility structure
 - 50. Existing utility structure

WARREN COUNTY SPORTS
 PARK AT UNION VILLAGE
 WARREN COUNTY
 Lebanon, Ohio

warren county SPORTS

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WARREN COUNTY SPORTS PARK AT UNION VILLAGE

WARREN COUNTY
 Lebanon, Ohio

Sheet No.: **C404**

Date: 02.21.17
 Project No.: LB204200
 Checked By: CWT
 Drawn By: [Signature]

LOCATION PLAN