



**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 – January 22, 2019

The Board met in regular session pursuant to adjournment of the January 15, 2019, meeting.

Shannon Jones – present

Tom Grossmann – present

David G. Young – absent

Tina Osborne, Clerk – present

- 19-0063 A resolution was adopted to accept resignation of Brittney Justice, Custodial Worker I, within the Warren County Facilities Management Department effective January 10, 2019. Vote: Unanimous
- 19-0064 A resolution was adopted to authorize the posting of the “EMA Emergency Planning Intern” position within the Emergency Services Department, in accordance with Warren County Personnel Policy Manual, Section 2.02 (A). Vote: Unanimous
- 19-0065 A resolution was adopted to rescind Resolution #19-0010 which accepted the resignation of Melodi Chasteen, Fiscal Coordinator, within Warren County OhioMeansJobs. Vote: Unanimous
- 19-0066 A resolution was adopted to rescind Resolution #19-0011 which authorized the posting of the “Fiscal Coordinator” within Warren County OhioMeansJobs. Vote: Unanimous
- 19-0067 A resolution was adopted to temporarily reclassify Lisa Shutts to the position of Business Manager within the Department of Water and Sewer. Vote: Unanimous
- 19-0068 A resolution was adopted to hire Jeffery Stilgenbauer, as Administrative Assistant within the Warren County Office of Management and Budget. Vote: Unanimous

- 19-0069 A resolution was adopted to approve pay increase for Connor Davis, Sewer Maintenance Foreman, within the Water and Sewer Department. Vote: Unanimous
- 19-0070 A resolution was adopted to approve lateral transfer of Olivia Elter from the position of Protective Services Caseworker I to Investigative Caseworker I, within the Warren County Department of Job and Family Services, Children Services Division. Vote: Unanimous
- 19-0071 A resolution was adopted to accept resignation of Darlene Labarowski, Cashier Receptionist, within the Warren County Water and Sewer Department, effective February 6, 2019. Vote: Unanimous
- 19-0072 A resolution was adopted to authorize the posting of the "Cashier/Receptionist" position within the Water and Sewer Department, in accordance with Warren County Personnel Policy Manual, Section 2.02 (A). Vote: Unanimous
- 19-0073 A resolution was adopted to approve appointment to the Mental Health Recovery Services of Warren and Clinton Counties Board of Directors. Vote: Unanimous
- 19-0074 A resolution was adopted to approve and enter into contract with Fishel Downey Albrecht & Riepenhoff LLP on behalf of Warren County Emergency Services and the Warren County Sheriff's Office. Vote: Unanimous
- 19-0075 A resolution was adopted to approve emergency repair of the No. 1 VFD Drive at the Foster's Lift Station and approve purchase order. Vote: Unanimous
- 19-0076 A resolution was adopted to approve and authorize the President of the Board to sign Local Support Agency Memorandum of Understanding with Lebanon Correctional Institution. Vote: Unanimous
- 19-0077 A resolution was adopted to approve Notice of Intent to award bid to Layne Christensen Company for RAR Water Treatment Plant Filter Rehabilitation Project. Vote: Unanimous
- 19-0078 A resolution was adopted to enter into annual renewal maintenance agreement with Gencore Candeo, LTD on behalf of Warren County Telecommunications. Vote: Unanimous
- 19-0079 A resolution was adopted to approve cooperative agreement to authorize the County Engineer to cooperate with Deerfield Township on a joint bridge replacement project. Vote: Unanimous
- 19-0080 A resolution was adopted to authorize County Engineer to execute CEAO-LPA Bridge Load Rating Project Agreement with the Ohio Department of Transportation (ODOT) for the load rating of Butterworth Road Bridge #156-1.0 and Cones Road Bridge #255-0.62 Project (PID #108424). Vote: Unanimous

- 19-0081 A resolution was adopted to approve replacement of Bridge WA 47-2.25 on Corwin Road under force account. Vote: Unanimous
- 19-0082 A resolution was adopted to approve and authorize the President of the Board to enter into a Non-Profit Booth Agreement on behalf of OhioMeansJobs Warren County. Vote: Unanimous
- 19-0083 A resolution was adopted to approve and authorize the President of the Board to enter into a Non-Profit Booth Agreement on behalf of OhioMeansJobs Warren County. Vote: Unanimous
- 19-0084 A resolution was adopted to approve and enter into a lease agreement with the Warren County Soil & Water. Vote: Unanimous
- 19-0085 A resolution was adopted to approve and enter into Adoption Assistance Agreements [REDACTED] on behalf of Ohio Department of Job and Family Services Children Services Division. Vote: Unanimous
- 19-0086 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
- 19-0087 A resolution was adopted to cancel regularly scheduled Commissioners' Meeting of Thursday, January 24, 2019. Vote: Unanimous
- 19-0088 A resolution was adopted to set public hearing to consider text amendments to the Warren County Rural Zoning Code to amend various sections initiated by the Board of County Commissioners. Vote: Unanimous
- 19-0089 A resolution was adopted to approve a street and appurtenances (including sidewalks) bond release for M/I Homes of Cincinnati, LLC for completion of improvements in Creekside at River's Bend situated in Hamilton Township. Vote: Unanimous
- 19-0090 A resolution was adopted to approve Whispering Creek Court and Crooked River Court in Creekside at River's Bend for public maintenance by Hamilton Township. Vote: Unanimous
- 19-0091 A resolution was adopted to approve a subdivision public improvement performance and maintenance security release with Fischer Development Company for Providence, Section Four situated in Hamilton Township. Vote: Unanimous
- 19-0092 A resolution was adopted to approve a street and appurtenances bond release for M/I Homes of Cincinnati, LLC for completion of improvements in Regency Park, Section 9, Block 'B' situated in Hamilton Township. Vote: Unanimous

- 19-0093 A resolution was adopted to approve a sidewalk bond release for M/I Homes of Cincinnati, LLC for completion of improvements in Regency Park, Section 9, Block 'B' situated in Hamilton Township. Vote: Unanimous
- 19-0094 A resolution was adopted to approve Huntington Drive and Haybrooke Drive in the Regency Park, Section 9, Block 'B' for public maintenance by Hamilton Township. Vote: Unanimous
- 19-0095 A resolution was adopted to approve a street and appurtenances (including sidewalks) bond release for M/I Homes of Cincinnati, LLC, for completion of improvements in Regency Park, Section 11A situated in Hamilton Township. Vote: Unanimous
- 19-0096 A resolution was adopted to approve Habbin Drive, Haybrooke Drive, and Healy Drive in the Regency Park, Section 11A for public maintenance by Hamilton Township. Vote: Unanimous
- 19-0097 A resolution was adopted to approve a subdivision public improvement performance and maintenance security release with Fischer Development Company for Miami Bluffs, Section Seventeen situated in Hamilton Township. Vote: Unanimous
- 19-0098 A resolution was adopted to approve various record plats. Vote: Unanimous
- 19-0099 A resolution was adopted to accept an amended certificate and approve a supplemental appropriation for Grants Administration Fund #2251. Vote: Unanimous
- 19-0100 A resolution was adopted to approve supplemental appropriation into General Fund #1101 and approve an operational transfer from General Fund #1101 into County Construction Project Fund #4467 and approve an amended certificate for County Construction Project Fund #4467. Vote: Unanimous
- 19-0101 A resolution was adopted to approve operating transfer from Water Revenue Fund 5510 into Water Revenue Project Fund No. 5583 for various water projects. Vote: Unanimous
- 19-0102 A resolution was adopted to approve a supplemental appropriation into Solid Waste Management District Revenue Fund 2256. Vote: Unanimous
- 19-0103 A resolution was adopted to approve supplemental appropriation within Jail Sales Tax Fund #4495. Vote: Unanimous
- 19-0104 A resolution was adopted to approve appropriation adjustment from Commissioners General Fund #11011110 into Records Center Fund #11011500. Vote: Unanimous

- 19-0105 A resolution was adopted to approve appropriation adjustment from Commissioners General Fund #11011110 into Common Pleas Court Services Fund #11011223. Vote: Unanimous
- 19-0106 A resolution was adopted to approve appropriation adjustments within Prosecutor's Office Fund 1101-1150 and 2271-1150. Vote: Unanimous
- 19-0107 A resolution was adopted to approve and authorize the submission of a 2019 Market Development Grant to the Ohio Environmental Protection Agency Division of Environmental and Financial Assistance on behalf of the Warren County Solid Waste Management District. Vote: Unanimous
- 19-0108 A resolution was adopted to continue public hearing #2 to consider the adoption of Warren County Erosion and Sediment Control Regulations. Vote: Unanimous
- 19-0109 A resolution was adopted to approve rezoning application of William David Schmerge to rezone approximately 45.3509 acres from Agriculture Zone "A1" to Single Family Residential "R1" in Turtlecreek Township. Vote: Unanimous
- 19-0110 A resolution was adopted to continue public hearing #2 to consider the adoption of Warren County Rules and Regulations for the design of storm sewer and storm water management systems. Vote: Unanimous
- 19-0111 A resolution was adopted to close public hearing concerning the vacation of a portion of Pinnacle Lane in Deerfield Township and render decision January 29, 2019, at 9:00 A.M. Vote: Unanimous

DISCUSSIONS

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

Susanne Mason, Solid Waste Management Program Manager, was present to discuss the request of Maulser Packaging, a company located within the City of Mason that manufactures steel drums, for Warren County to "sponsor" a grant application to Ohio Department of Natural Resources for a recycling grant that would grant a 50% match for the purchase of a cardboard bailer to allow them to recycle boxes.

Mrs. Mason stated that if the Board agreed, Warren County would act as the conduit for the funds, with no expense to the county. She then stated that the total cost of the bailing machine is \$12,580.

Upon further discussion, the Board resolved (Resolution #19-0107) to approve and authorize the submission of a 2019 Market Development Grant to the Ohio Environmental Protection Agency Division of Environmental and Financial Assistance on behalf of the Warren County Solid Waste Management District.

Martin Russell, Deputy County Administrator, discussed the request of the City of Lebanon relative to easements adjacent to the Warren County Fairgrounds relative to utilities as well as a bike path connection.

The Board authorized Mr. Russell to work with the City to negotiate an agreement relative to the easement request.

PUBLIC HEARING #2

CONSIDER THE ADOPTION OF WARREN COUNTY EROSION AND SEDIMENT CONTROL REGULATIONS

The Board met this 22nd day of January 2019, in the Commissioners' Meeting Room, to consider the adoption of new Warren County Erosion and Sediment Control Regulations.

Jeff Thomas, Soil and Water Conservation District Director, reviewed the history of the process relative to the creation of the regulations. He then stated that the majority of revisions under consideration today are the result of a mandate from the EPA.

There was discussion relative to the changes in the performance bond requirements that have not yet been vetted by the development community.

Bruce McGary, Assistant Prosecutor, requested the Board to continue this public hearing until such time as staff has met with developers relative to the new bonding requirements/procedures.

Upon further discussion, the Board resolved (Resolution #19-0108) to continue this public hearing to February 5, 2019, at 10:45 a.m.

PUBLIC HEARING

REZONING APPLICATION OF WILLIAM DAVID SCHMERGE TO REZONE
APPROXIMATELY 45.3509 ACRES FROM AGRICULTURE ZONE "A1" TO
SINGLE FAMILY RESIDENTIAL "R1" IN TURTLECREEK TOWNSHIP

The Board met this 22nd day of January 2019, in the Commissioners' Meeting Room, to consider the rezoning application of William David Schmerge, owner of record (Case #2018-02), to rezone approximately 45.3509 (Parcel Numbers 1204100032) located at 1460 Glosser Road in Turtlecreek Township from Agricultural Zone "A1" to Single Family Residential "R1".

Michael Yetter, Zoning Supervisor, presented the attached PowerPoint presentation reviewing the following:

- Application including owner of property, location, size, current zoning, future land use map, existing land use, requested zone and matter for consideration
- Process
- Aerial Mat
- Vicinity Map
- Zoning Map
- Flood Map
- Stream Protection Overlay Area
- Comprehensive Land Use Element
- Surrounding land uses
- Notification Map

Mr. Yetter stated that the Regional Planning Commission Executive Committee recommended approval of the rezoning application and the Rural Zoning Commission voted for approval as well. He then stated that Turtlecreek Township had no comment relative to the application.

Mr. Seeger, realtor for property owner, stated he was present to answer any questions.

There being no one present to speak in favor of or in opposition to said application, on motion, the Board closed the public hearing and resolved (Resolution #19-0109) to approve the rezoning application.

PUBLIC HEARING #2

CONTINUATION OF THE PUBLIC HEARING TO CONSIDER THE ADOPTION OF
WARREN COUNTY RULES AND REGULATIONS FOR THE DESIGN OF STORM SEWER
AND STORMWATER MANAGEMENT SYSTEMS

The Board met this 22nd day of January 2019, for the continuation of the public hearing to consider the adoption of Stormwater Regulations in Warren County in accordance with Ohio Revised Code Section 307.37.

Bruce McGary, Assistant Prosecutor, requested the Board to continue this public hearing in order for these new rules to become effective simultaneously with the Amendments to the Erosion and Sediment Control Regulations.

Upon further discussion, the Board resolved (Resolution #19-0110) to continue this public hearing to February 5, 2019, at 11:00 a.m.

CONTINUATION TO CONSIDER THE VACATION OF A PORTION OF
PINNACLE LANE IN DEERFIELD TOWNSHIP

The Board met this 22nd day of January 2019, in the Commissioners' Meeting Room, to consider the vacation of a portion of Pinnacle Lane in Deerfield Township initiated by the Deerfield Township Trustees.

Kurt Weber, Chief Deputy Engineer, reviewed the events from the previous hearing relative to sidewalk/pathway discussion. He stated that at the request of the Board, he reviewed the responsibility of the homeowners' to maintain a pathway, should the Board require it as a condition of the vacation. He then stated that there is no legal contract that would require this pathway to be constructed and/or maintained by the homeowner.

Commissioner Grossmann stated his desire to maintain the easement in the event that Deerfield Township desires the sidewalk/path and allow them to require it or construct and maintain it. He stated his desire for the interested parties to determine the need, not this Board.

Jerry Dixon, Crooked Tree Homeowners' Association President, clarified that the proposed pathway has always been a verbal discussion and no contract exists that requires it. He then stated he has been in discussion with area homeowners' associations and as long as the right of way remains in place, they can continue to work together for any future improvement.

Commissioner Grossmann then stated his desire to follow the law to vacate and maintain the easements.

Ben McNeary, Fairways of Crooked Tree Homeowners' Association, stated that four different homeowners' associations can enter into an agreement to access the pathway in the event that the Board maintains the easement.

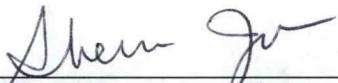
Scott Stemply, Pinnacle Lane Lot 3 owner, discussed the top priority of safety as well as cul de sac improvements. He then questioned the responsibility of the developer to construct the cul de sac as approved in the final plat.

Bruce McGary, Assistant Prosecutor, confirmed with the County Engineer that the performance bond has been released and the Deerfield Township Trustees have accepted the street for public maintenance.

There was discussion relative to the need for Mr. McGary to clarify easement language in the final resolution relative to Warren County's access to the pump station.

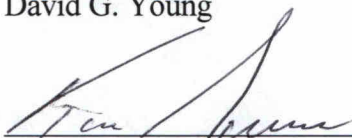
Upon further discussion, the Board resolved (Resolution #19-0111) to close the public hearing and render a decision on January 29, 2019 at 9:00 a.m.

Upon motion the meeting was adjourned.




Shannon Jones, President

David G. Young



Tom Grossmann

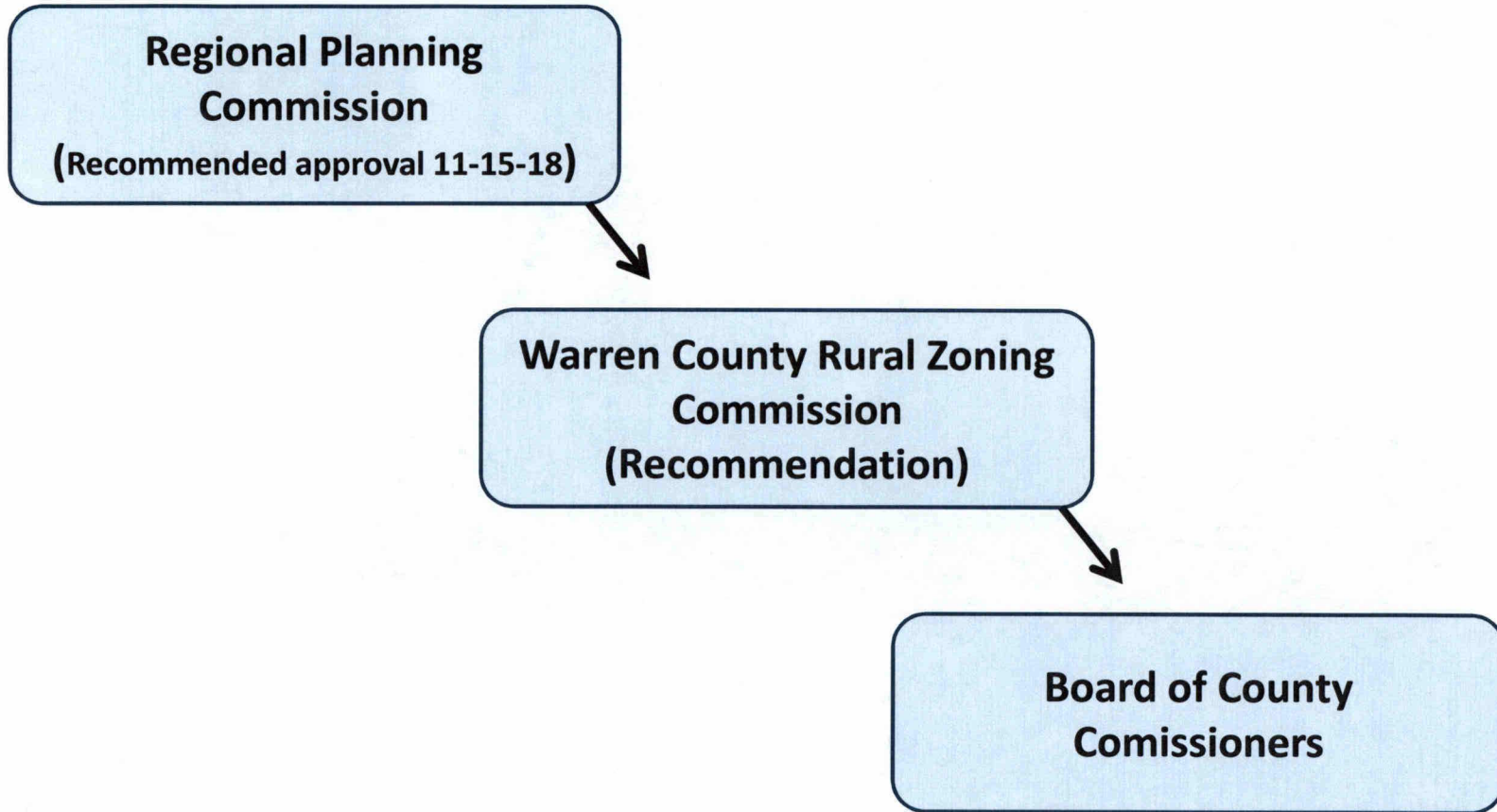
I hereby certify that the foregoing is a true and correct copy of the minutes of the meeting of the Board of County Commissioners held on January 22, 2019, in compliance with Section 121.22 O.R.C.



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

CASE #	2018-02	
APPLICANT/OWNER/AGENT	WILLIAM DAVID SCHMERGE	
TOWNSHIP	TURTLECREEK	
PROPERTY LOCATION	ADDRESS	1460 GLOSSER ROAD
	PIN	12-04-100-032-0
PROPERTY SIZE	45.3509 ACRES 862.5 FEET OF ROAD FRONTAGE	
CURRENT ZONING DISTRICT	"A1" AGRICULTURAL ZONE	
FUTURE LAND USE MAP (FLUM) DESIGNATION	SINGLE FAMILY RESIDENTIAL	
EXISTING LAND USE	RESIDENTIAL/AGRICULTURAL	
ZONING REQUESTED	"R-1" SINGLE FAMILY RESIDENTIAL (2-ACRE DENSITY)	
ISSUE FOR CONSIDERATION	REZONE FROM "A1" AGRICULTURAL TO "R1" SINGLE FAMILY RESIDENTIAL (2-ACRE DENSITY)	

Rezoning Process



Aerial Map

2018-02



Vicinity Map

2018-02



Zoning Map

2018-02



Flood Map

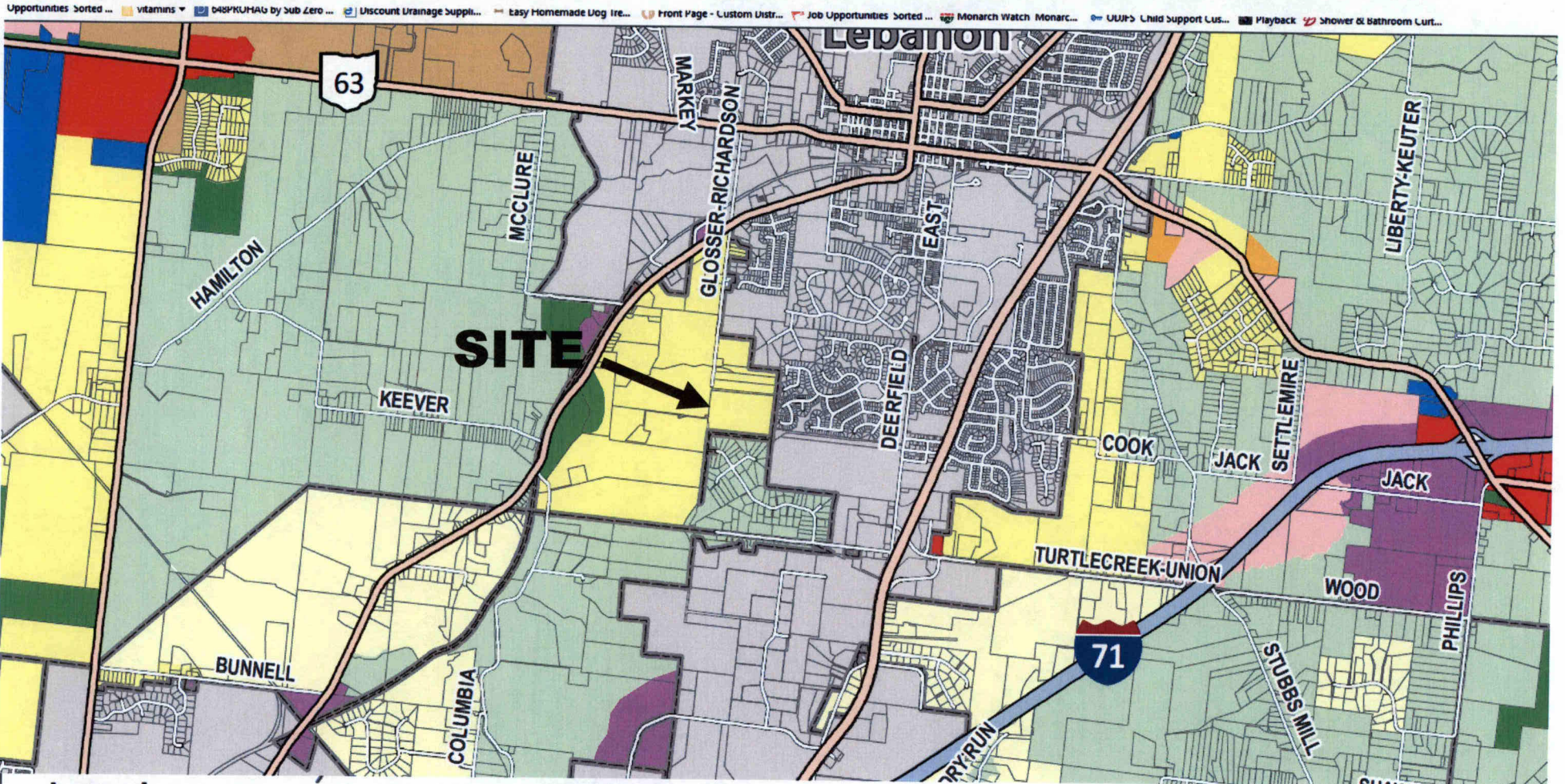
2018-02



STREAM PROTECTION OVERLAY 2018-02



Comprehensive Plan-Land Use Element



Legend

- | | | | | |
|------------------------|--------------------------|---|--|---------------------------------------|
| County Boundaries | Future Land Uses | Public-Semi-Public | Office Park | Salem Township Additional Uses |
| Political Subdivisions | Commercial | Parks and Recreational-Open Space | Regional Highway Commercial | Mixed Use Light Industrial/Office |
| Parcels | Industrial | Single Family Residential | Town Center Mixed Use | Mixed Use |
| Lakes and Rivers | Mixed-Use Neighborhood | Deerfield Township Character Areas | Clearcreek Township Additional Uses | Union Township Additional Uses |
| Municipalities | Multi-Family Residential | Low Density Rural Neighborhoods | Township Residential | Low Density Residential |
| | Office | Medium Density Rural Neighborhoods | Hamilton Township Additional Uses | Wayne Township Additional Uses |
| | Protection Area | Neighborhood Mixed Use | Rural Residential | Mixed Use Commercial/Industrial |
| | | Neighborhoods | Single Family Residential | Mixed Use Residential |

PROPOSED M

COMPATIBILITY WITH SURROUNDING USES

North	Large lot residential properties
South	Calloway Farms Subd. (R1-B) & Countryside Trail
East	Countryside Subdivision (City of Lebanon)
West	Vacant Land (R1)

Standard	A1 (Existing Zoning)	R1 (Proposed Zoning)
Front Yard Setback	75 ft	50 ft
Rear Yard	75 ft	50 ft
Side Yard	30 ft	Total 50 ft, 20 ft minimum side
Lot Frontage	200 ft	100 ft
Density	1 unit per 41 acres	1 unit per 2 acres

Number of units allowed	1	22
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Notification Map

2018-02

