



**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 – May 5, 2020

The Board met in regular session pursuant to adjournment of the April 28, 2020 meeting.

David G. Young – present

Shannon Jones – present

Tom Grossmann – present

Tina Osborne, Clerk – present

Minutes of the April 14, 2020 and April 28, 2020 meeting were read and approved.

- 20-0624 A resolution was adopted to authorize the posting of “Fiscal Coordinator” position within OhioMeansJobs Warren County, in accordance with Warren County Personnel Policy Manual, Section 2.02(a). Vote: Unanimous
- 20-0625 A resolution was adopted to authorize the filing of applications with the Ohio Department of Transportation for FY2021 Transportation Assistance Grants and authorize County Administrator to sign related documents. These grants may include the Ohio Elderly and Disabled Transit Fare Assistance Program and the Urban Transit Program. Vote: Unanimous
- 20-0626 A resolution was adopted to approve and authorize County Administrator to enter into contract with Fedewa, Inc. for the Snider Road 3.0 Million Gallon Elevated Storage Tank Painting Project. Vote: Unanimous
- 20-0627 A resolution was adopted to approve engineering agreement with Dixon Engineering, Inc for inspection services of the 3.0 Million Gallon Snider Elevated Tank. Vote: Unanimous
- 20-0628 A resolution was adopted to approve and enter into an easement & agreement for waterline appurtenances with Ronald Runyon Jr. and Pamela L. Runyon. Vote: Unanimous

- 20-0629 A resolution was adopted to approve emergency repair to the generator at Dicks Creek. Vote: Unanimous
- 20-0630 A resolution was adopted to acknowledge payment of bills. Vote: Unanimous
- 20-0631 A resolution was adopted to approve a sidewalk bond release for Dixon Eagle's Pointe, LLC and Fischer Development Co., II, Inc. (Successor) for completion of improvements in Eagle's Pointe, Section 1 situated in Hamilton Township. Vote: Unanimous
- 20-0632 A resolution was adopted to approve a street and appurtenances bond release for Dixon Eagle's Pointe, LLC and Fischer Development Co., II, Inc. (Successor) for completion of improvements in Eagle's Pointe, Section 1 situated in Hamilton Township. Vote: Unanimous
- 20-0633 A resolution was adopted to approve Talon Court in Eagle's Pointe, Section 1 for public maintenance by Hamilton Township. Vote: Unanimous
- 20-0634 A resolution was adopted to approve a sidewalk bond release for Dixon Eagle's Pointe, LLC and Fischer Development Co., II, Inc. (Successor) for completion of improvements in Eagle's Pointe, Section 2, Phase A situated in Hamilton Township. Vote: Unanimous
- 20-0635 A resolution was adopted to approve a street and appurtenances bond release for Dixon Eagle's Pointe, LLC and Fischer Development Co., II, Inc. (Successor) for completion of improvements in Eagle's Pointe, Section 2, Phase A situated in Hamilton Township. Vote: Unanimous
- 20-0636 A resolution was adopted to approve Eagle Boulevard, Eagle Court, and Soaring Way in Eagle's Pointe, Section 2, Phase A for public maintenance by Hamilton Township. Vote: Unanimous
- 20-0637 A resolution was adopted to approve a street and appurtenances bond release for Hopewell Valley Development, LLC for completion of improvements in the Villages of Hopewell Valley, Section Three situated in Hamilton Township. Vote: Unanimous
- 20-0638 A resolution was adopted to approve a sidewalk bond release for Hopewell Valley Development, LLC for completion of improvements in the Villages of Hopewell Valley, Section Three situated in Hamilton Township. Vote: Unanimous
- 20-0639 A resolution was adopted to approve Artisan Way in the Villages of Hopewell Valley, Section Three for public maintenance by Hamilton Township. Vote: Unanimous

- 20-0640 A resolution was adopted to approve various record plats. Vote: Unanimous
- 20-0641 A resolution was adopted to approve supplemental appropriation within Common Pleas Special Projects #2224. Vote: Unanimous
- 20-0642 A resolution was adopted to approve supplemental appropriation into OhioMeansJobs fund #2254. Vote: Unanimous
- 20-0643 A resolution was adopted to approve supplemental appropriations into Common Pleas Court Community Based Corrections #2289. Vote: Unanimous
- 20-0644 A resolution was adopted to approve supplemental appropriation within Jail Sales Tax fund #4495. Vote: Unanimous
- 20-0645 A resolution was adopted to approve appropriation adjustment within Board of Elections fund #11011300. Vote: Unanimous
- 20-0646 A resolution was adopted to approve appropriation adjustment within Juvenile Probation fund #11012500. Vote: Unanimous
- 20-0647 A resolution was adopted to approve appropriation adjustment within Area 12 Workforce Investment Board fund #2238. Vote: Unanimous
- 20-0648 A resolution was adopted to approve appropriation adjustment within Juvenile Court Reclaim Grant fund #2247. Vote: Unanimous
- 20-0649 A resolution was adopted to amend Resolution #20-0508, approving the hiring of John Manfreda as Protective Services Caseworker 1, within Warren County Job and Family Services, Children Services Division. Vote: Unanimous
- 20-0650 A resolution was adopted to approve requisitions and authorize County Administrator to sign documents relative thereto. Vote: Unanimous
- 20-0651 A resolution was adopted to approve amendment to Approved Stage 1 "PUD" Map and Text Amendment to the Aberlin Springs PUD (Pendragon Development Company, LLC) (Case #2020-01) in Union Township subject to conditions. Vote: Unanimous
- 20-0652 A resolution was adopted to amend Resolution number 20-0432, in part, by rescinding the requirement that any public hearing or quasi-judicial proceeding be continued in progress. Vote: Unanimous

DISCUSSIONS

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

Tiffany Zindel, County Administrator, stated that the Airport Authority is requesting consideration of funding from the CARES Act in the amount of \$30,000. She explained that the funding would be used to reduce the 2021 general fund contribution.

Commissioner Jones stated her opinion that the request is due to concerns relative to general fund impact concerns rather than an airport loss of funding.

Commissioner Young stated that it has been deemed in the nation's interest to have a network of small airports. He then stated his opinion that for the FAA to contact these small airports with the offer of funding, it is their attempt to ensure the airports are ok. He then stated his agreement to apply for the funding.

Upon further discussion, the Board stated their agreement to apply for funding on behalf of the Airport Authority.

PUBLIC HEARING

CONSIDER AMENDMENT TO APPROVED STAGE 1 "PUD" MAP AND TEXT FOR THE ABERLIN SPRINGS PUD (PENDRAGON DEVELOPMENT COMPANY, LLC) CASE #2020-01 IN UNION TOWNSHIP

The Board met this 5th day of May 2020, via video conference and in person, to consider an amendment to the approved Stage 1 "PUD" Planned Unit Development map and text for the Aberlin Springs PUD (Pendragon Development Company, LLC, owner of record) (Case #2020-01) located at 3472 Snook Road in Union Township.

Michelle Tegtmeier, Chief Zoning Official, presented the attached presentation reviewing the location, size, current zoning and land use, requested zoning and the issue for consideration. She stated that the proposed amendment includes greenhouses added to the non-residential uses, a required buffer area reduced from 40 feet to 10 feet for Lot 84 and changed to the private drive

standards. She then stated that the Regional Planning Commission and the Rural Zoning Commission recommended approval with three conditions:

- The applicant shall amend The Aberlin Springs PUD Stage 1 Plan to show the typical cross section for a private driveway that will serve more than five (5) single family detached dwelling units. The cross section is subject to review by the Union Township Fire Department and the Warren County Engineer's Office prior to PUD Stage 2.
- The applicant shall define Private Driveway Standards in addition to Private Street Standards.
- Comply with the previously approved PUD Stage 1 standards (Resolution Number 16-0331), except where amended by this resolution.

Kirk Ridder, Bayer Becker Engineers, stated he is present to answer any questions the Board may have.

Maureen McDermott, developer, provided an update on the subdivision stating phase 1 is complete and they have a few lots remaining in phase 2. She stated that upon completion there will be a total of 138 lots with completion projected to be in 2022.

There being no one present to speak in favor of or in opposition to said map and text amendment, the Board closed the public hearing and resolved (Resolution #20-0651) to approve the text and map amendment subject to three conditions.

Bruce McGary, Assistant Prosecutor, was present to discuss Resolution #20-0462 as it relates to the compliance with the Executive Order of the Public Health Orders relative to public hearings and administrative hearings. He explained that the resolution stated that said hearings would be opened and continued in progress. He stated that with the implementation of virtual hearings, there are two upcoming zoning related hearings and they are included to proceed.

Mr. McGary stated that in order to proceed with conducting the hearing, the Board needs to amend Resolution #20-0462 to rescind the portion that states hearings will be continued in progress and also maintain the requirement to be in compliance with all Public Health Orders including the prohibition of ten (10) or more persons per room. He then clarified that the Commissioners' Meeting Room consists of two rooms (128 A & B).

Commissioner Young stated he would like to see a hybrid with individuals making the decision to be present in person or via video. He also stated his agreement to remain in compliance with the Public Health Orders.

Commissioner Jones stated her agreement to all the public body to accommodate those who do not have technology available to desire to be present in person.

Mr. McGary stated the need for direction on how the Board desires to proceed with amending the resolution to accommodate hearings to proceed.

Commissioner Grossmann stated his desire to amend the resolution and allow each public body to choose how to proceed with their hearings.

Upon further discussion, the Board resolved (Resolution #20-0652) to amend Resolution #20-0462, in part, by rescinding the requirement that any public hearing or quasi-judicial proceed be continued in progress.

Martin Russell, Deputy County Administrator, was present requesting guidance relative to the ability to apply for CARES funding for Warren County Transit.

Mr. Russell explained that if the Board desires, they could make application while at the same time working with the business community to devise a new way to enhance the Transit program to meet the needs of business.

There was discussion relative to one of the hindrances in employment being a lack of dependable transportation.

Commissioner Jones stated her opinion that it seems reasonable to leverage resources for the business community.

There was discussion relative to the types of transit programs, mass transit with fixed routes and point to point (on demand).

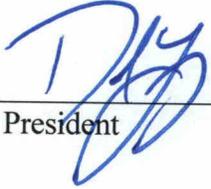
Mr. Russell stated they are looking to develop a hybrid "Uber-type" program to begin the application and if the Board does not like the final plan, they could simply not draw down the funds and allow other entities to utilize the funds.

Commissioner Young discussed the need for staffing, stating the tremendous problem with finding employees on the lower end of the pay schedule. He discussed his concern relative to the national debt and the devastation to our economy. He then stated he is very leery of the borrowed money that would be used to support this proposed program.

Commissioner Grossmann stated that in his opinion there is a small number of people utilizing this highly subsidized program. He stated that with the exception of the handicapped, he feels it is a responsibility of the individual person. He then stated he would rather see the proposed program developed prior to any application for money.

Upon further discussion, it was determined that the Board would not apply for the \$2.4 million transit funds.

Upon motion the meeting was adjourned.

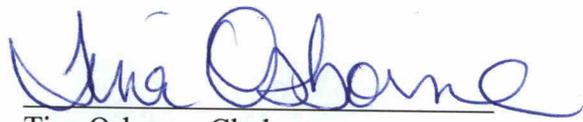


David G. Young, President

Tom Grossmann

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 May 5, 2020, in compliance with Section 121.22 O.R.C.



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

REZONING

CASE # 2020-01

APPLICANT/OWNER/AGENT

Aberlin Springs, Leslie Aberlin
Bayer Becker, Kirk Ridder

TOWNSHIP

Union Township

PROPERTY LOCATION

ADDRESS

3472 Snook Road,
Morrow, Ohio 45152

PIN

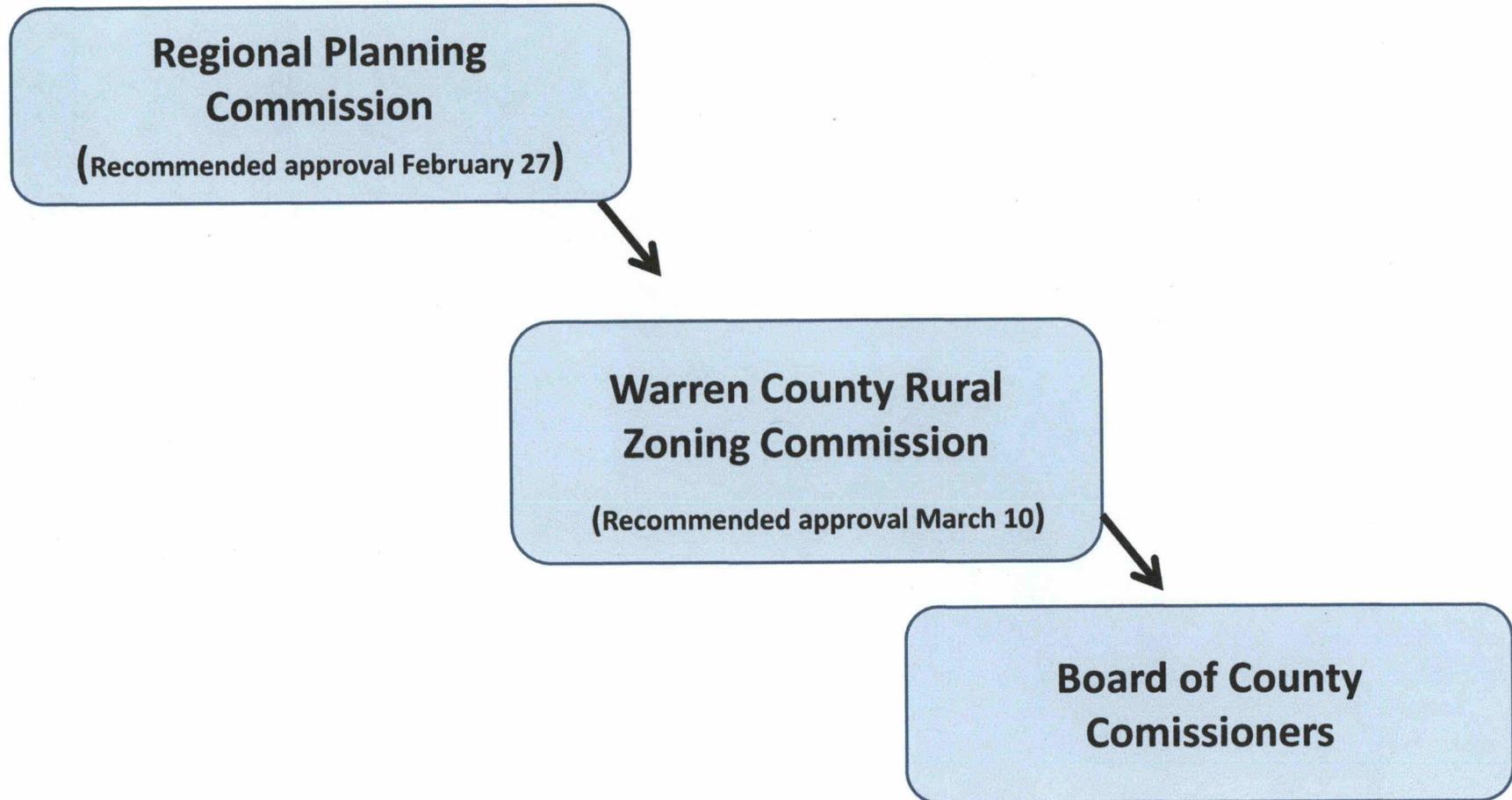
13-32-200-019-0

PROPERTY SIZE

141.11 ACRES
2,135 FEET OF ROAD FRONTAGE

CURRENT ZONING DISTRICT	“PUD” Planned Unit Development Zone
FUTURE LAND USE MAP (FLUM) DESIGNATION	UNION- LOW DENSITY RESIDENTIAL
EXISTING LAND USE	AGRICULTURE / RESIDENTIAL
ZONING REQUESTED	Revised Stage 1 PUD Map and Text
ISSUE FOR CONSIDERATION	<p>Purposed Amendments include:</p> <ol style="list-style-type: none">1) Greenhouses added to the non-residential uses.2) Required Buffer Area reduced from 40 ft. to 10 ft. for Lot 843) Private Drive Standards.

Rezoning Process

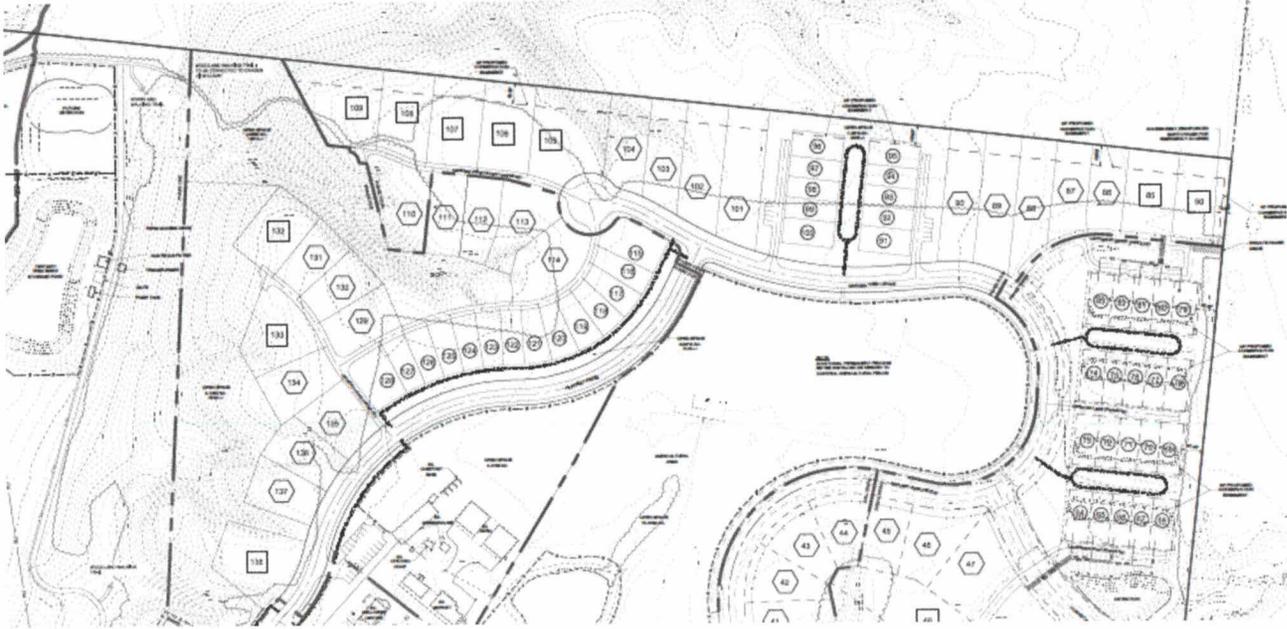
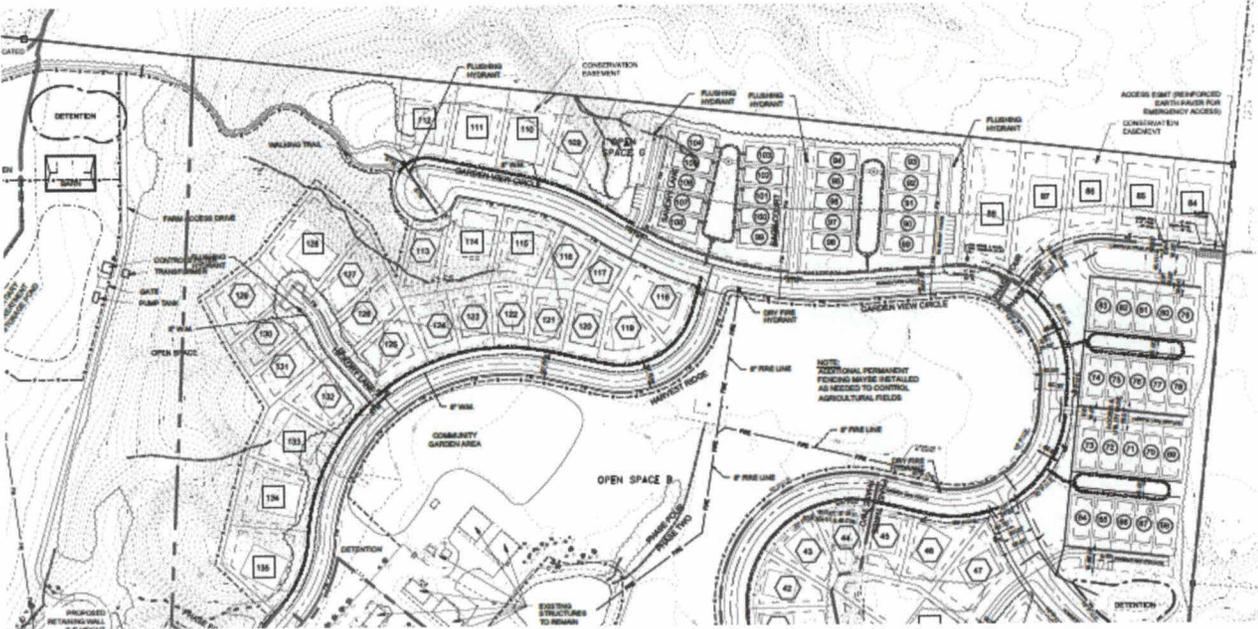


Aerial Map

2020-01



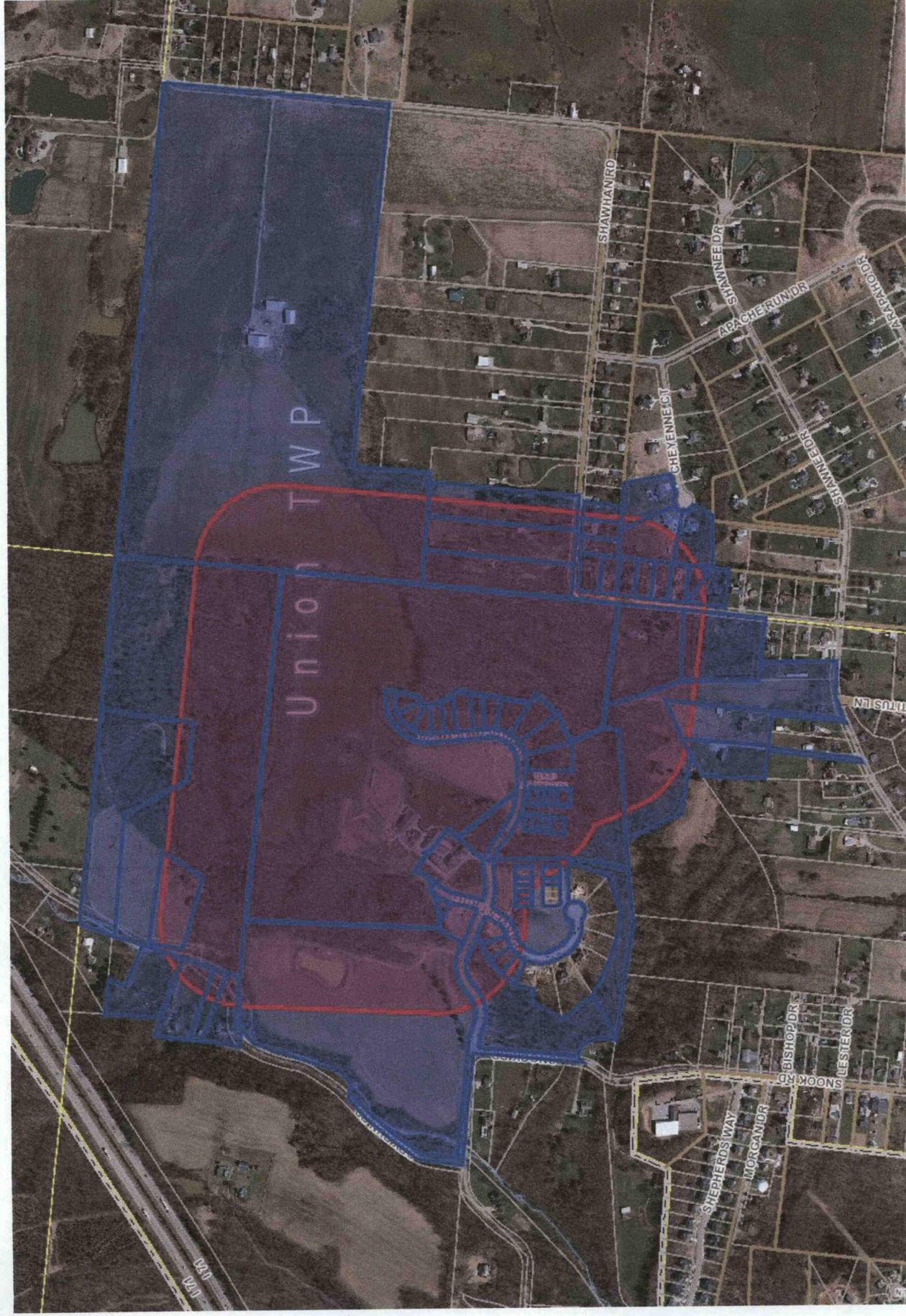




1. Phases for the development was increased from three to four or five.
2. Greenhouses are added to the non-residential uses.
3. All areas will continue a 40' conservation easement around the neighborhood except Lot 84 which will have a 10 ft. along its property line.
4. The addition of Private Streets which are permitted to serve a maximum of fourteen (14) dwelling units. Private streets are privately owned and maintained with access by way of an easement or a separate lot.

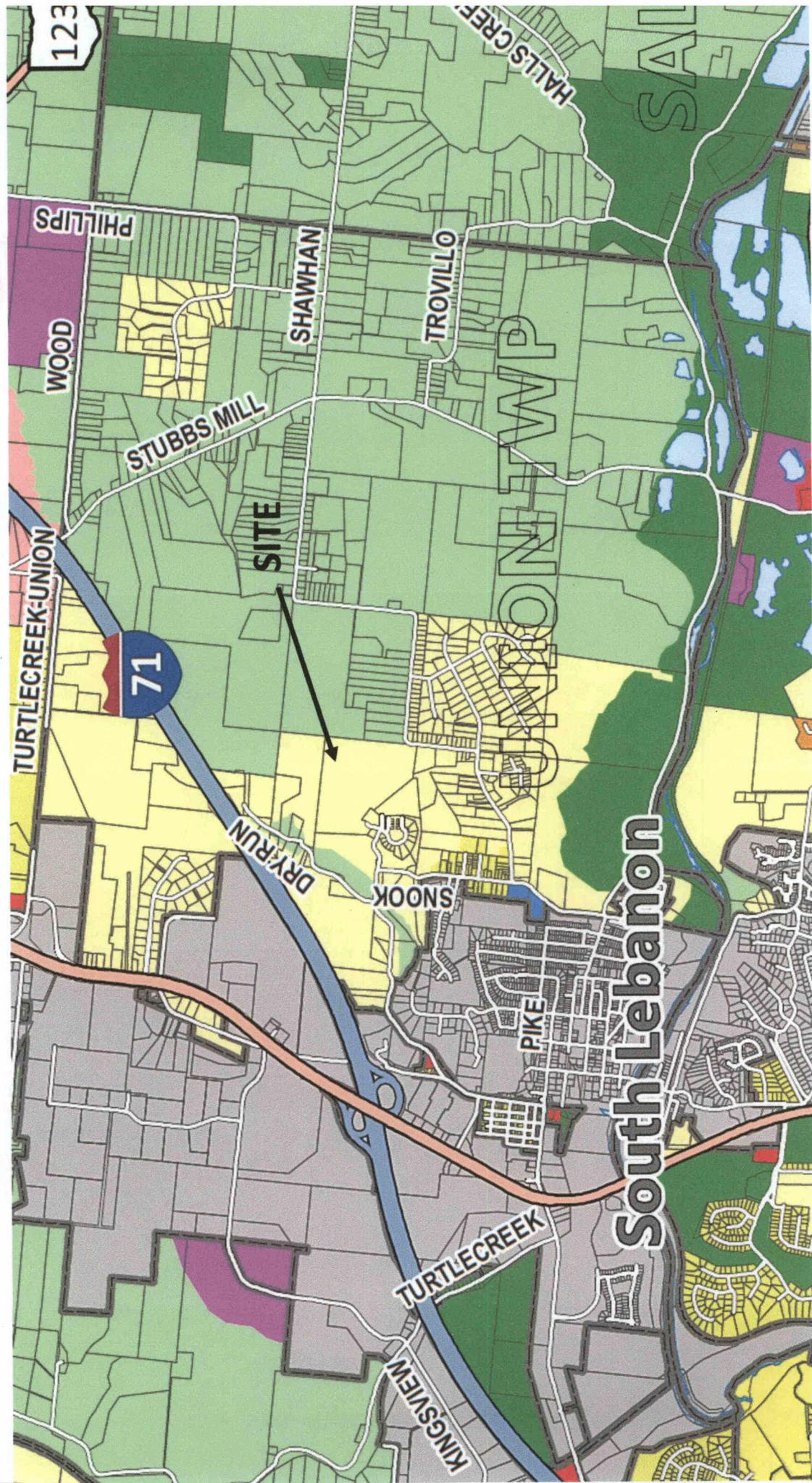
Notification Map

2020-01



Legend

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



Comprehensive Plan-Land Use Element

Recommendation

The Warren County Regional Planning Commission Executive Committee and the Warren County Rural Zoning Commission recommended **approval** of the rezoning with the following conditions:

- The applicant shall amend The Aberlin Springs PUD Stage 1 Plan to show the typical cross section for a private driveway that will serve more than five (5) single family detached dwelling units. The cross section is subject to review by the Union Township Fire Department and the Warren County Engineer's Office prior to PUD Stage 2.
- The applicant shall define Private Driveway Standards in addition to Private Street Standards.
- Comply with the previously approved PUD Stage 1 standards (Resolution Number 16-0331), except where amended by this resolution.