



**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 – June 30, 2020

The Board met in regular session pursuant to adjournment of the June 23, 2020 meeting.

David G. Young – present

Shannon Jones – present

Tom Grossmann – present

Laura Lander, Deputy Clerk – present

Minutes of the June 16, 2020 meeting were read and approved.

- 20-0918 A resolution was adopted to approve hiring of Jason Ashbrook as the Area Administrator within the Workforce Investment Board for Butler, Clermont, and Warren Counties. Vote: Unanimous
- 20-0919 A resolution was adopted to approve the extension of employment for Kenneth Losekamp, EMA Emergency Plans Assistant, within Emergency Services, to December 31, 2020. Vote: Unanimous
- 20-0920 A resolution was adopted to approve and authorize the President of the Board to enter into Youth Worksite Agreements on behalf of OhioMeansJobs Warren County. Vote: Unanimous
- 20-0921 A resolution was adopted to enter into an On-the-Job-Training Agreement on behalf of OhioMeansJobs Warren County. Vote: Unanimous
- 20-0922 A resolution was adopted to approve agreement and addendum with Adriel School, Inc. as a child placement and related service provider for the Warren County Board of County Commissioners on behalf of Warren County Children Services. Vote: Unanimous

- 20-0923 A resolution was adopted to approve agreement and addendum with South Community, Inc. as a child placement and related service provider for the Warren County Board of County Commissioners on behalf of Warren County Children Services. Vote: Unanimous
- 20-0924 A resolution was adopted to approve and enter into contract with Lifespan, Inc. on behalf of the Warren County Department of Human Services. Vote: Unanimous
- 20-0925 A resolution was adopted to approve agreement with Motorola Solutions extending maintenance and support on PremierCAD and Infotrak on behalf of Warren County Telecommunications. Vote: Unanimous
- 20-0926 A resolution was adopted to set public hearing for the rezoning application of Glenmore Park Planned Development Company of Ohio LLC to rezone 141.1080 acres from mixed use neighborhood MXU-N to Planned Unit Development "PUD" in Turtlecreek Township. Vote: Unanimous
- 20-0927 A resolution was adopted to approve Engineering Agreement with RA Consultants, LLC for the Socialville Transmission Main Project. Vote: Unanimous
- 20-0928 A resolution was adopted to approve and authorize the President of the Board to sign a Satisfaction of Mortgage for David and Jacqueline Cates. Vote: Unanimous
- 20-0929 A resolution was adopted to authorize posting of Notice of Intent to request release of funds correction in County Administration Building for FY2002 Community Development Block Grant Projects. Vote: Unanimous
- 20-0930 A resolution was adopted to declare various items within Clerk of Courts- Legal, Facilities Management and Juvenile Detention Center as surplus and authorize the disposal of said items. Vote: Unanimous
- 20-0931 A resolution was adopted to acknowledge payment of bills. Vote: Unanimous
- 20-0932 A resolution was adopted to enter into Street and Appurtenances Security Agreement with Country Creek Associates, LLC for installation of certain improvements for Country Creek Estates, Section Two situated in Clearcreek Township. Vote: Unanimous
- 20-0933 A resolution was adopted to enter into a subdivision public improvement performance and maintenance security agreement with Country Creek Associates, LLC for installation of certain improvements in Country Creek Estates, Section Two situated in Clearcreek Township. Vote: Unanimous

- 20-0934 A resolution was adopted to approve various record plats. Vote: Unanimous
- 20-0935 A resolution was adopted to approve an amended certificate decrease in Engineer's Office Fund #4431. Vote: Unanimous
- 20-0936 A resolution was adopted to approve an operational transfer from Commissioners Fund #11011112 into Human Services Fund #2203. Vote: Unanimous
- 20-0937 A resolution was adopted to approve operational transfer from Commissioners Fund #11011112 into Children Services Fund #2273. Vote: Unanimous
- 20-0938 A resolution was adopted to approve supplemental appropriations into Common Pleas Mental Health Grant Fund #2228. Vote: Unanimous
- 20-0939 A resolution was adopted to approve appropriation adjustment from Commissioners General Fund #11011110 into Juvenile Detention Center Fund #11012600. Vote: Unanimous
- 20-0940 A resolution was adopted to approve appropriation adjustment within Common Pleas Court Fund #11011220. Vote: Unanimous
- 20-0941 A resolution was adopted to approve appropriation adjustment within Common Pleas Court Fund #11011220. Vote: Unanimous
- 20-0942 A resolution was adopted to approve appropriation adjustment within Sheriff's Office Fund 11012210. Vote: Unanimous
- 20-0943 A resolution was adopted to approve appropriation adjustment within Board of Developmental Disabilities Fund 2218. Vote: Unanimous
- 20-0944 A resolution was adopted to approve appropriation adjustment within Warren County Garage Fund #6619. Vote: Unanimous
- 20-0945 A resolution was adopted to approve requisitions and authorize County Administrator to sign documents relative thereto. Vote: Unanimous
- 20-0946 Approve with conditions the site plan application of Jerard D. Payne and PMB Wireless Services, LLC. Vote: Unanimous

DISCUSSIONS

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

ADMINISTRATIVE HEARING

SITE PLAN REVIEW APPLICATION OF PMB WIRELESS TO CONSTRUCT A 199'
TELECOMMUNICATIONS TOWER AT 3174 MIDDLEBORO ROAD IN WASHINGTON
TOWNSHIP

The administrative hearing to consider the Site Plan Review Application of PMB Wireless to construct a 199' telecommunications tower at 3174 Middleboro Road in Washington Township was convened this 30th day of June, 2020, in the Commissioners' Meeting Room and via video conference.

Commissioner Young requested the Clerk to read into the record when the site was posited with signage relative to notice of the hearing, how and when written notices were sent to the applicant and adjacent property owners and when the notice was advertised in the newspaper. He then administered the oath to anyone desiring to give testimony during today's hearing.

Michelle Tegtmeier, Chief Zoning Official, presented the attached PowerPoint presentation reviewing the details of the property, surrounding properties, zoning classification, and details of the proposed telecommunications tower. She then reviewed the recommendations from the Regional Planning Commission and other departments and officials and stated her recommendation to approve the site plan review application subject to ten (10) conditions.

Nate Meyer, PMB Wireless, stated no objection to the proposed conditions of approval.

Upon further discussion, the administrative hearing was closed and the Board resolved (Resolution 20-0946) to approve the site plan review application subject to ten (10) conditions.

Barney Wright, Warren County Treasurer, was present for a work session to discuss proposals received relative to the purchase of an Electronic Financial Transaction Device or Kiosk for the Warren County Treasurer's Office.

Mr. Wright reviewed the Request for Proposals issued in April and stated that he had received five (5) proposals that had been ranked by various criteria (ranking sheet attached). He further stated that upon review of the rankings that F&E Payment Pros is the best option.


There was discussion relative to the utilization of a payment kiosk.

Upon further discussion the Board concurred with Mr. Wright's choice and asked him to proceed with contract negotiations with F&E Payment Pros for the purchase and maintenance of a payment kiosk to be located in the lobby of the Administration Building.


Tiffany Zindel, County Administrator, shared with the Board that the County has received \$1.6 million in CARES funding and provided examples of how the County could utilize the funds.

The Board directed Mrs. Zindel to compile a "needs" list from County departments and agencies to aid the Board in making a determination of how to best utilize the 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 June 30, 2020, in compliance with Section 121.22 O.R.C.



Laura Lander, Deputy Clerk
Board of County Commissioners
Warren County, Ohio

Case No.	101-2020 SP	
<u>Applicant/Owner</u> <u>Agent</u>	(Owner) Jerard D. Payne (Applicant) PMB Wireless, Agent- Nathan Meyer	
Township	Washington	
Property Location	Address	3174 Middleboro Morrow, Ohio 45152
	PIN	14-26-200-003-1
Property Size	16.418 acres	150' Road frontage
Future Land Use Map (FLUM) Designation	Agricultural – Rural Residential	
Current Zoning District	“RU” Rural Residential (5 acre density)	
Existing Land Use	Residential/Agricultural	
Site Plan Requested	Construct a 199' Telecommunication Tower	
Issue for consideration	Placement of telecommunications towers on residential land	

Aerial Map

101-2020

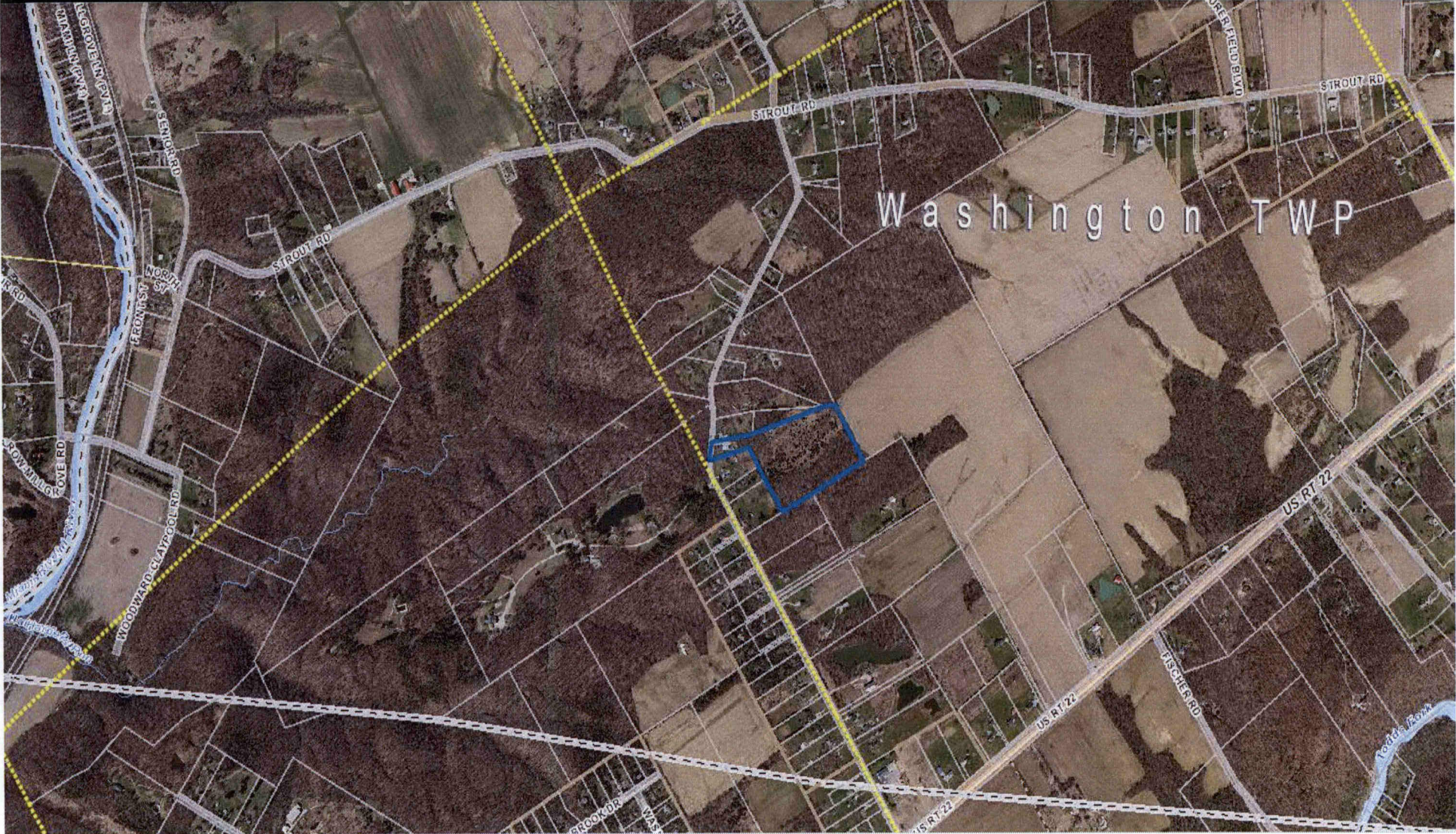
Washington Township



Vicinity Map

101-2020

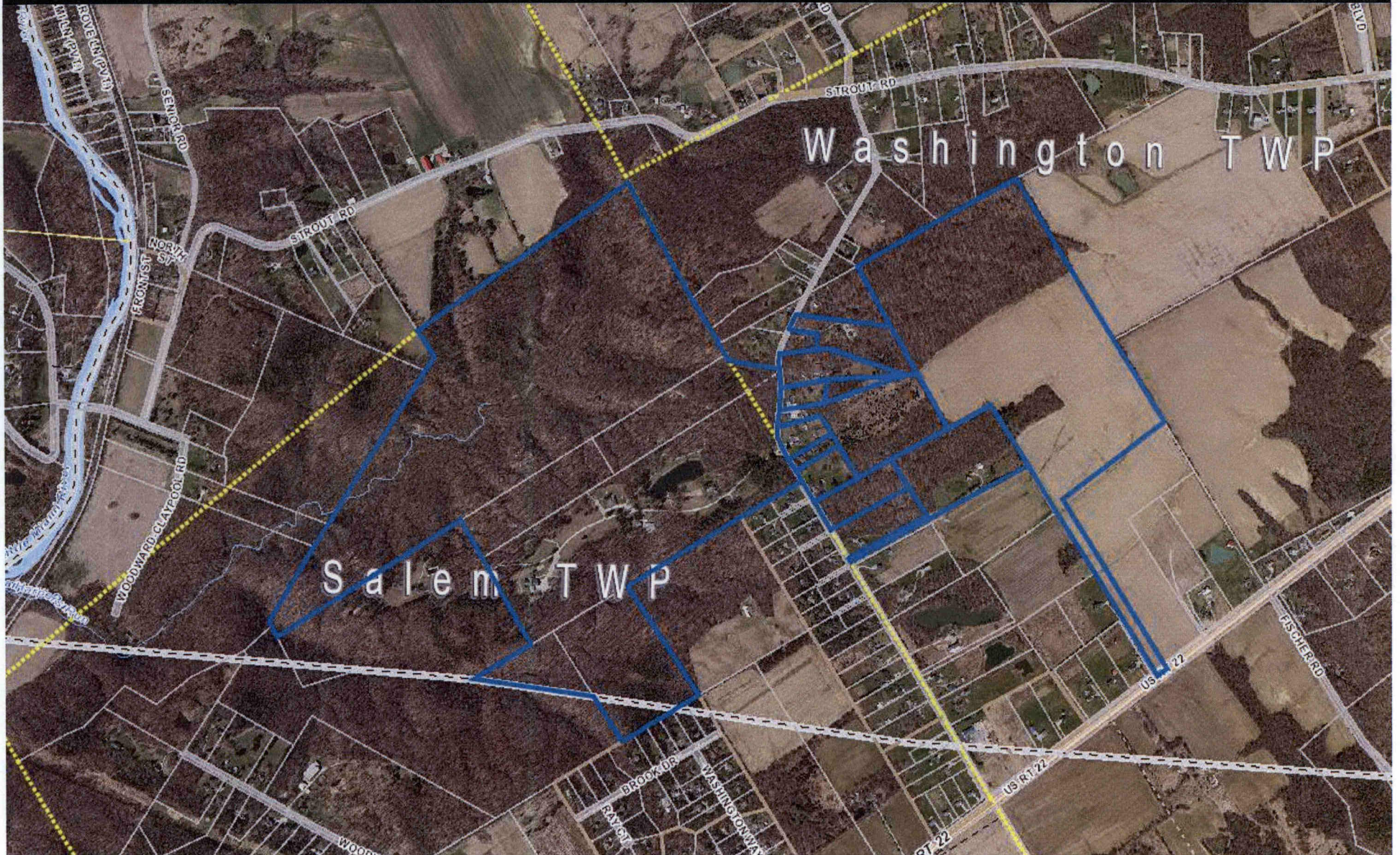
Washington Township



Surrounding Property Owner Map

101-2020

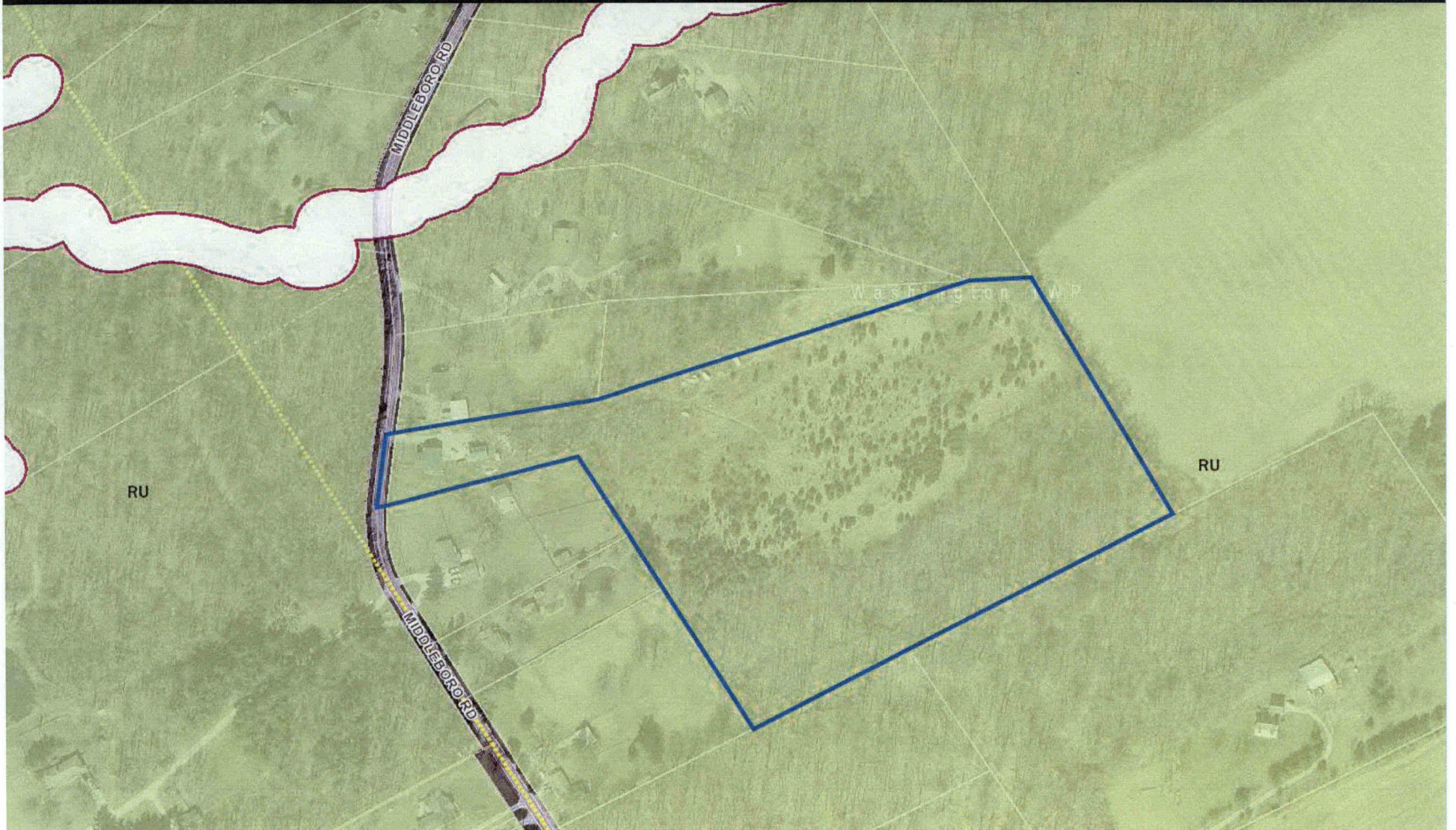
Washington Township



Zoning & Flood Map

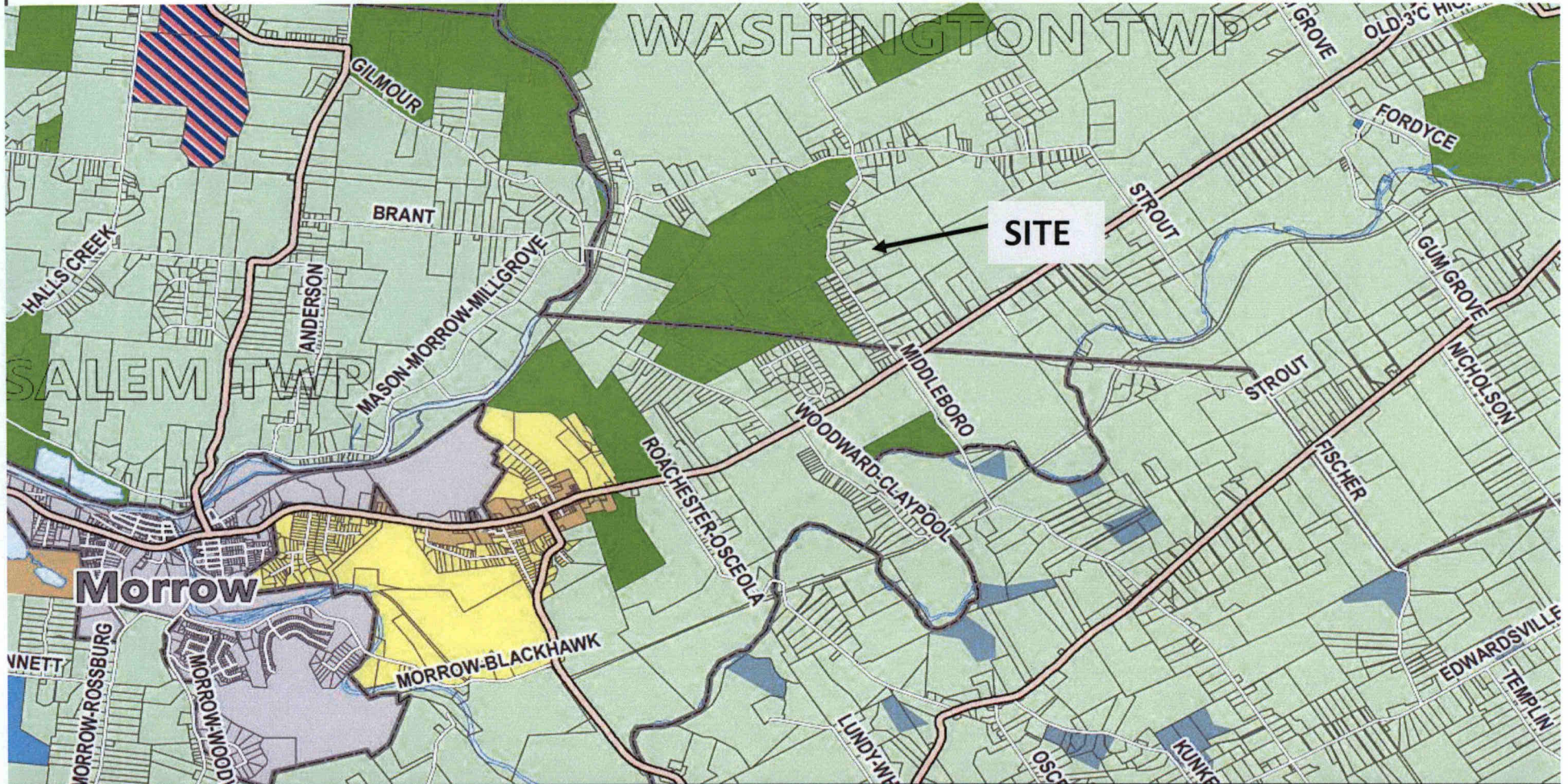
101-2020

Washington Township



Legend

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



Comprehensive Plan-Land Use Element

ANALYSIS OF ZONING:

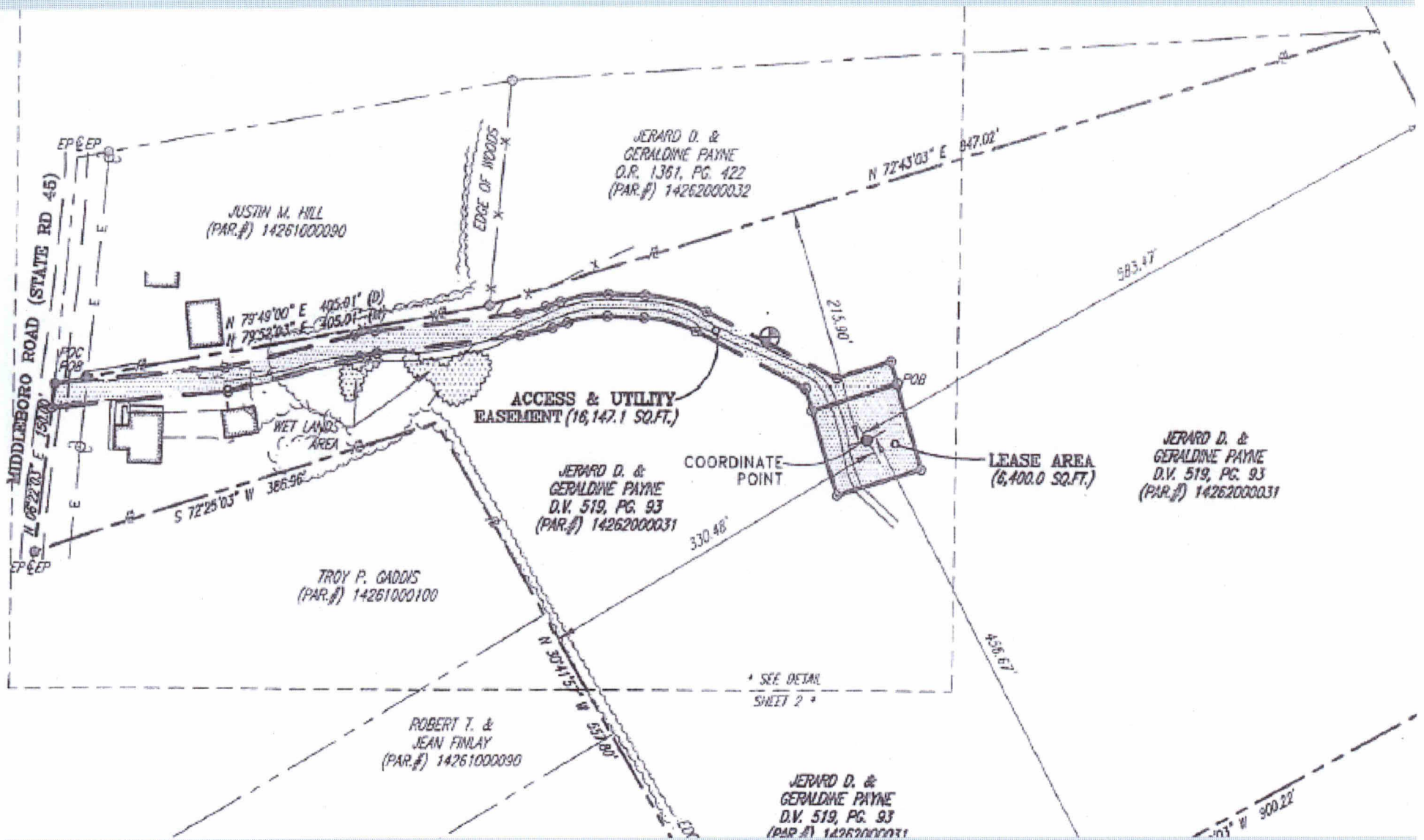
North	RU	<u>Rural Residential</u> <u>(5 acre density)</u>
West	RU	<u>Rural Residential</u> <u>(5 acre density)</u>
South	RU	<u>Rural Residential</u> <u>(5 acre density)</u>
East	RU	<u>Rural Residential</u> <u>(5 acre density)</u>

Issue for consideration

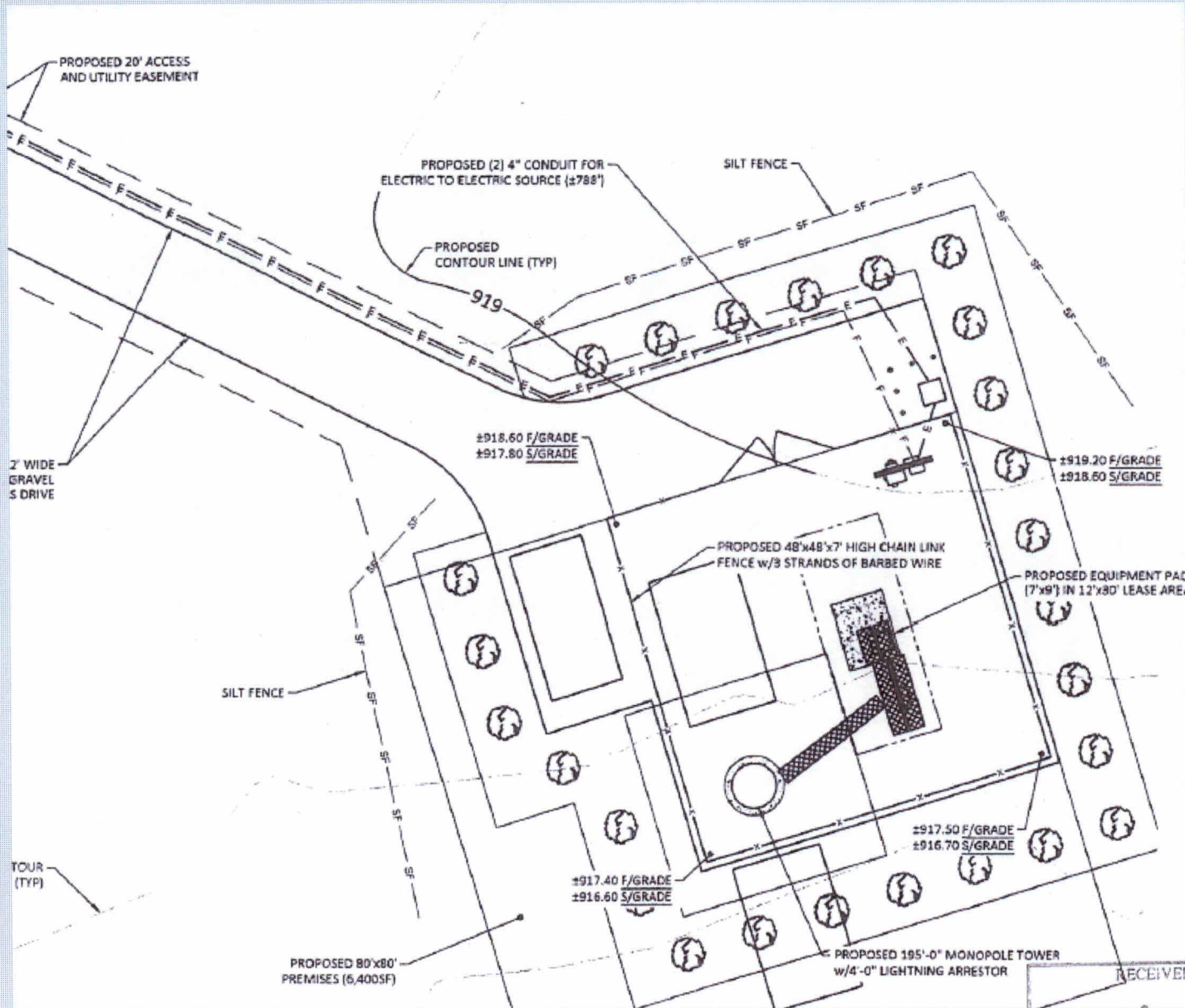
ORC 303.211- Telecommunication Towers

This statute limits the powers of county zoning to regulate telecommunication towers, under certain circumstances, to regulating the location, erection, construction, re-construction, change, alteration, removal, or enlargement of a telecommunication tower.

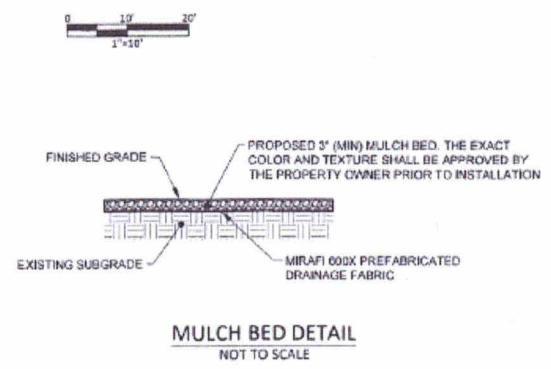
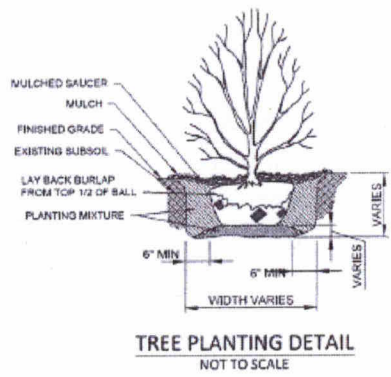
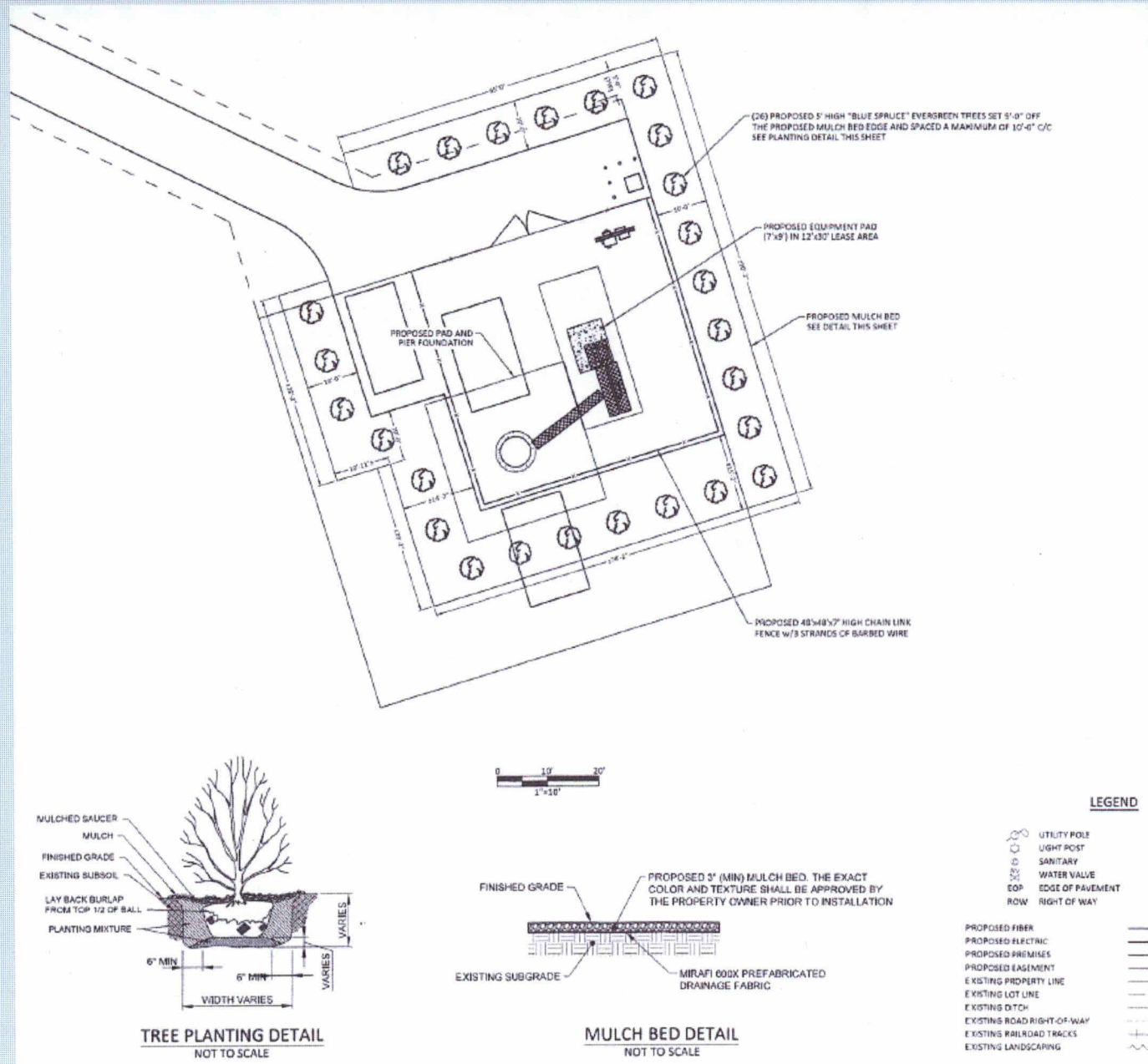
Site Plan



Site Plan



Landscaping Plan



LEGEND

- UTILITY POLE
- LIGHT POST
- SANITARY
- WATER VALVE
- EOP
- EDGE OF PAVEMENT
- ROW
- PROPOSED FIBER
- PROPOSED ELECTRIC
- PROPOSED PREMISES
- PROPOSED EASEMENT
- EXISTING PROPERTY LINE
- EXISTING LOT LINE
- EXISTING DITCH
- EXISTING ROAD RIGHT-OF-WAY
- EXISTING RAILROAD TRACKS
- EXISTING LANDSCAPING

SUMMARY OF APPLICATION:

The proposed Telecommunications Towers is 195' feet in height with a 4' foot lightning arrestor and is proposed to fill gaps in the service area.

- 1. The tower meets the setbacks and circulation as shown on the site plan.**
- 2. The proposed site plan meets the landscape buffer screening.**

REVIEWING DEPARTMENTS :

Site Plans were circulated to:

- **Warren County Engineer,**
- **Warren County Water & Sewer,**
- **Warren County Soil & Water Conservation,**
- **Warren County Regional Planning Commission,**
- **Washington Township Trustees and Fire Dept.,**
- **Warren County Combined Health District,**
- **Warren County Building Department,**
- **Warren County Sheriff**

DEPARTMENT COMMENTS :

Warren County Soil & Water

- 1. Apply and obtain a NPDES Construction General Permit.**
- 2. Require construction fence around wetland areas.**

Warren County Health District

- 1. Existing sewage treatment system (tanks, leach lines etc.) or private water system must be located and marked prior to construction of the tower to ensure no impact during development.**

REVIEWING DEPARTMENTS :

Warren Regional Planning Commission:

1. Compliance with the standards of the Warren County Rural Zoning Code.
2. The applicant shall submit a needs study that identifies the location, or group of locations, where a facility will meet the communications need as stated in the Warren County Rural Zoning Code, Section 3.205.7 (A).
3. Site access and circulation shall be approved by the Clinton Warren Joint Fire and Rescue District and the Warren County Engineer's Department.
4. The fencing shall display signage stating "KEEP OUT — NO TRESPASSING" and warning "DANGER – HIGH VOLTAGE" prominently posted on each face of the fence.
5. Buffer screening shall satisfy the requirements of Section 3.205.7 (A) (8) of the Warren County Rural Zoning Code.
6. The applicant shall provide at least two (2) collocation opportunities that satisfies the requirements of Section 3.205.7 (A) (14) of the Warren County Rural Zoning Code.
7. The applicant shall provide documentary evidence of compliance with Federal Aviation Administration and Federal Communications Commission requirements.

Site Plan Review 1.303

1.303.6 Review Criteria: The site plan review is conducted to determine anticipated impacts on the public health and safety, as well as the public convenience, comfort, prosperity, or general welfare, as applicable. Factors to be considered include those in Section 1.303.1, and the following additional criteria:

- (A) **Adequacy of Information and Compliance with Zoning Code:**
- (B) **Design Layout Sufficiency and Sensitivity:**
- (C) **Design Character, Operational Compatibility, and Coordination:**
- (D) **Preservation of Significant Features:**
- (E) **Pedestrian Access and Circulation:**
- (F) **Vehicular Access and Circulation Streets:**
- (G) **Parking and Loading:**
- (H) **Landscaping and Screening:**
- (I) **Exterior Lighting:**
- (J) **Signage:**
- (K) **Public Service Impact:**
- (L) **Stormwater Drainage Stormwater Management Plan:**
- (M) **Soil Erosion and Sediment Control:**
- (N) **Emergency Access and Service Facilities and Public Safety:**
- (O) **Building Design:**
- (P) **Compliance with Public Health and Safety:**

ZONING INSPECTORS REVIEW OF W. C. CODE STANDARDS :

- 1. Compliance with the Warren County Rural Zoning Code Standards for Site Plan Review Section 1.303 have been met.**
- 2. The Telecommunications Tower use is providing essential everyday services to the immediate surrounding area and meets the standards of Section 3.205.7.**

Staff Recommendations

1. Site Access and Circulation:

Section 3.205.7(A) (4) requires approval of the Access Permit by the Warren County Engineer, Ohio Department of Transportation and the Clinton Warren Fire and EMS Departments to ensure adequacy of the access point for the additional use.

2. Approval subject to the conditions by the reviewing departments.

3. The applicant will follow the Site Plan submitted with this application and include these recommendations at the time of permitting.

