



**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 30, 2021

The Board met in regular session pursuant to adjournment of the March 23, 2021 meeting.

David G. Young – present

Shannon Jones – present

Tom Grossmann – present

Tina Osborne, Clerk – present

- 21-0419 A resolution was adopted to accept resignation of Diane Skavlem, Social Service Worker II, within the Warren County Department of Job and Family Services, Human Services Division, effective April 6, 2021. Vote: Unanimous
- 21-0420 A resolution was adopted to accept resignation of Shelby Davis, Emergency Communications Operator, within the Warren County Emergency Services Department, effective April 6, 2021. Vote: Unanimous
- 21-0421 A resolution was adopted to hire Heather Hurtt as Temporary Emergency Rental Assistance Caseworker within Warren County Department of Job and Family Services, Human Services Division. Vote: Unanimous
- 21-0422 A resolution was adopted to hire Alexander Stern as Temporary Emergency Rental Assistance Caseworker within Warren County Department of Job and Family Services, Human Services Division. Vote: Unanimous
- 21-0423 A resolution was adopted to hire Michelle Houser as Temporary Emergency Rental Assistance Caseworker within Warren County Department of Job and Family Services, Human Services Division. Vote: Unanimous
- 21-0424 A resolution was adopted to hire Randi Essig as an Eligibility Referral Specialist I, within the Warren County Department of Job and Family Services, Human Services Division. Vote: Unanimous

- 21-0425 A resolution was adopted to hire Leanna Lyons as an Eligibility Referral Specialist II, within the Warren County Department of Job and Family Services, Human Services Division. Vote: Unanimous
- 21-0426 A resolution was adopted to authorize and accept the administrative service agreement with United Healthcare effective January 1, 2021. Vote: Unanimous
- 21-0427 A resolution was adopted to approve Notice of Intent to Award Bid to DeBra-Kuempel, Inc. for the Warren County New Jail & Sheriff's Office Fiber & Copper Backbone Project. Vote: Unanimous
- 21-0428 A resolution was adopted to enter into an engineering services contract with Burgess & Niple, Inc. on behalf of the Warren County Engineer's Office. Vote: Unanimous
- 21-0429 A resolution was adopted to advertise for bids for the Guardrail Replacement FY21 Project. Vote: Unanimous
- 21-0430 A resolution was adopted to acknowledge execution by the County Administrator of Change Order No 16 to the Guaranteed Maximum Price agreement with the Construction Manager at Risk Granger Construction Company for the New Jail and Sheriff's Administration Office Project (Project). Vote: Unanimous
- 21-0431 A resolution was adopted to acknowledge payment of bills. Vote: Unanimous
- 21-0432 A resolution was adopted to transfer performance bond to a maintenance bond for Wilson Farms Development, LLC for completion of performance of construction of improvements for Wilson Farms, Section Five situated in Franklin Township. Vote: Unanimous
- 21-0433 A resolution was adopted to enter into street and appurtenances (including sidewalks) security agreement with Crown Point Development, LLC for installation of certain improvements in The Estates at Crown Point, Section 1 situated in Clearcreek Township. Vote: Unanimous
- 21-0434 A resolution was adopted to enter into a subdivision public improvement performance and maintenance security agreement with Crown Point Development LLC for installation of certain improvements in The Estates at Crown Point, Section 1 situated in Clearcreek Township. Vote: Unanimous
- 21-0435 A resolution was adopted to approve various record plats. Vote: Unanimous
- 21-0436 A resolution was adopted to approve operational transfers of interest earnings from Commissioners fund #11101112 into Water funds #5510, #5583, Sewer funds #5580, and #5575. Vote: Unanimous

- 21-0437 A resolution was adopted to approve operating transfers from Sewer 5580 (surplus) into 5575 Sewer Revenue Projects. Vote: Unanimous
- 21-0438 A resolution was adopted to approve operating transfer from Water 5510 (surplus) into 5583 Water Revenue Projects fund. Vote: Unanimous
- 21-0439 A resolution was adopted to approve operational transfer and supplemental appropriation for Jail Construction Sales Tax fund #4495. Vote: Unanimous
- 21-0440 A resolution was adopted to approve supplemental appropriation into Jail Sales Tax fund #4495. Vote: Unanimous
- 21-0441 A resolution was adopted to approve supplemental appropriations in the RID Greens of Bunnell Hill fund 3393. Vote: Unanimous
- 21-0442 A resolution was adopted to approve appropriation adjustment from Commissioners General fund #11011110 into Court Services fund #11011223. Vote: Unanimous
- 21-0443 A resolution was adopted to approve appropriation adjustment from Commissioners General fund #11011110 into Juvenile Detention Center fund #11012600. Vote: Unanimous
- 21-0444 A resolution was adopted to approve appropriation adjustment from Commissioners General fund #11011110 into Emergency Services Office fund #11012850. Vote: Unanimous
- 21-0445 A resolution was adopted to approve requisitions and authorize County Administrator to sign documents relative thereto. Vote: Unanimous
- 21-0446 A resolution was adopted to grant Variance to Speedway SuperAmerica LLC, owner of record, for access to 6562 Manchester Road, in Franklin Township, Warren County, Ohio subject to five conditions. Vote: Unanimous

DISCUSSIONS

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

ADMINISTRATIVE HEARING
CONTINUATION TO CONSIDER VARIANCE AND APPEAL OF CONDITIONS
REQUIRED FOR AN ACCESS PERMIT OF SPEEDWAY SUPERAMERICA LLC IN
FRANKLIN TOWNSHIP

The Board met this 30th day of March 2021, both virtually and in the Commissioners' Meeting Room, for the continuation of the administrative hearing to consider the Request for Variance and Appeal of Conditions required for an Access Permit filed by Brad Gross on behalf of Speedway SuperAmerica LLC, owner of record for access to 6562 Manchester Road (Parcel #0751770010, and a portion of Parcel #07051010041) in Franklin Township.

David Mick, Assistant County Engineer, presented and reviewed the agreed upon five (5) conditions as discussed in the previous hearing.

Ryan Ingram, Speedway representative, stated the applicant is in agreement to the proposed conditions.

Mr. Mick reviewed the agreed upon request for full access with the relocated access 50' to the west while reserving the right to reevaluate for any future modifications if needed.

Commissioner Young opened the hearing for any additional public comment.

There being no one present to give additional testimony, the public hearing was closed and the Board resolved (Resolution #21-0446) to grant a Permit for the access point subject to the following conditions:

1. The Warren County Engineer reserves the right to alter access to Access A by blocking either or both of the left in or left out movements if the County Engineer determines that continuing a full Access A would endanger public safety. For purposes of this condition of approval, "endangering public safety" shall mean: if the accidents attributable to Access A (Manchester Road) over a three-year period, the accidents weighted by crash severity using the American Association of State Highway Transportation Officials (AASHTO) Highway Safety Manual Current Addition relative crash severity index(es), is at least 150% or more than the average weighted accident rates observed at other gas and convenience store access points in Warren County. In the event the County Engineer makes such determination, he shall notify the current owner (as determined by County deed records) by certified mail to the owner's tax mailing address, with a return receipt requested, of such determination with traffic data showing that the above criteria for alteration has been met. The owner shall have thirty (30) days from receipt of such notice to appeal the County Engineer's determination to the Warren County Board of County Commissioners who shall conduct a quasi-judicial administrative hearing to either uphold or overturn the County Engineer's determination based on criteria in the AASHTO Highway Safety Manual Current Edition for evaluating severity of crashes and appropriate countermeasures.

2. In the event a traffic signal is warranted under OMUTCD standards and constructed at a future date at the Dixie Hwy/Riverview Avenue intersection, and if the left out movement from Access A (Manchester Road) is still a permitted movement at the time such traffic signal becomes operational, the County Engineer may order a Traffic Impact Study to evaluate Access A, and based on the results of the Traffic Impact Study may, in his or her discretion, send notice to the Owner that it must eliminate the left out movement at Access A due to queuing concerns at the Owner's expense within 3 months. If Owner appeals this notice, Owner's 3-month timeframe will begin once it receives a decision from the Board of County Commissioners. The County Engineer shall notify the current owner of the property (as determined by County deed records) by certified mail at the owner's tax mailing address with a return receipt requested. Upon request from the Owner, the County shall provide the Owner with information regarding why the traffic signal is being constructed, including by not limited to the OMUTCD standards that have been met, as well as information regarding why the left-out movement at Access A is being eliminated. The Owner shall have thirty (30) days from receipt of such notice to appeal the County Engineer's order regarding the modification of Access A to the Warren County Board of County Commissioners who shall conduct a quasi-judicial administrative hearing to uphold or overturn the County Engineer's determination to modify Access A. The pendency of this appeal shall stay Owner's 3-month timeframe by which it must alter Access A. The County Board of Commissioners shall then evaluate and either uphold or overturn the Owner's requirement to modify Access A based on the following criteria: i) 95% queue lengths in the eastbound Manchester Road lanes at the Manchester Road/Dixie Highway intersection are all less than 185-Lin Ft measured from the stop bar with delays balanced at the signalized intersection, and ii) the Applicant can demonstrate that there is an equal or greater benefit to the public by maintaining the left-out movement at Manchester Road onto eastbound Manchester Road when considering potential benefits to safety and traffic progression along and near the Applicant's Manchester Road, Dixie Highway and Riverview Avenue frontages in aggregate.
3. The Applicant will construct improvements needed to mitigate their development impacts as identified in the Applicant's traffic impact study and other improvements identified on the Applicant's site plan when submitted and approved by the County Engineer. Anticipated improvements include modifying the roadways as needed for a left and right turn lane into Access A (Manchester Road 280-Lin Ft west of Dixie Hwy) and a left turn lane northbound on Dixie Highway at Manchester Road.
4. The Applicant anticipates that their proposed Riverview Avenue access point is or will be approved by the City of Middletown without restrictions. Closing or restricting the Riverview Avenue access at any time will constitute a significant change in use and

require that the Applicant submit a reapplication for their Manchester Road and Dixie Highway access points unless this Condition is specifically waived by the Warren County Engineer at the time of reapplication.

5. The Dixie Highway improvements proposed to be constructed by the Sawyer Mill Subdivision developer must be completed prior to opening day of the Applicant's Speedway redevelopment.

Susanne Mason, Office of Grants Administration Program Manager, was present for a work session to discuss the proposed \$1.7 million additional grant funding available to Warren County Transit.

Mrs. Mason discussed the current demand/response operation being utilized and stated that an employee must schedule in advance any needed transportation and only receive it, if available. She stated that the current operation does not make it feasible for an employee to utilize Transit for employment needs as they cannot be guaranteed.

Mrs. Mason discussed the ability to utilize the funds to construct a "pilot" loop that would include the industrial area of Lebanon that would provide reliable transportation for employees that would include evenings and weekends. She stated that the majority of the funds would be spent on the service but a small portion would be utilized for capital purchase and administration.

Mrs. Mason stated she conducted a survey of the top 50 companies in Warren County and received 19 responses (see attached).

There was extensive discussion relative to the survey data received from the companies.

Commissioner Young discussed the concept of supply and demand relative to the need for employees and how that would conceptually work. He then stated he does not desire to spend government money just because it is available.

Commissioner Grossmann discussed the history of the federally and locally subsidized route from Mason to Cincinnati and the cost associated with that program.

There was discussion relative to a "trial" program that could connect riders with employers.

Mrs. Mason stated the proposed pilot program could be from downtown Lebanon to the industrial park in Lebanon.

There was discussion relative to the direct correlation between government assistance and the lack of reliable transportation.

Lauren Cavanaugh, Director of Human Services, stated that she is not directly involved in unemployment benefits but can speak to experiences in her office. She stated that they routinely

run into problems with getting clients to work consistently due to the current Warren County Transit schedule.

Commissioner Young discussed a concept where government could initially fund the program, but the benefitting companies would eventually subsidize the cost.

Mrs. Cavanaugh stated that transportation is a consistent challenge to the objectives of her office and this program could help bring down a barrier to get folks off of government assistance.

Commissioner Jones stated the need for more stakeholder engagement. She stated that getting employees to jobs in Warren County is the issue that needs studies and more engagement in order to devise a program that is beneficial.

Mrs. Mason explained that they have approximately three weeks to make a decision to accept or reject the funds and three years to spend the funds, should they accept.

Martin Russell, Deputy County Administrator, stated staff can work with the companies on a zip code study in order to determine the most advantageous areas for a pilot route. He stated the ability to submit a broad plan to reserve the fund which would allow additional time to meet with companies and determine a pilot plan and the costs associated. He then stated the Board could review the proposed plan and costs and determine to move forward or reject the funds.

There was discussion relative to the need to break the cycle of dependance on government assistance as well as there need for a public/private solution to address public issues.

Mr. Russell stated he will work to bring the key players together for additional input.

Shawn Campbell, Franklin Area Chamber of Commerce Member, stated that Atrium Hospital has transportation issues with employees that they have brought to the attention of the Chamber and suggested the County include area chambers of commerce as key players in the discussion.

Mrs. Mason stated that Ohio Department of Transportation has made available \$103,000 in funding to be utilized to provide free rides for Covid-19 vaccinations.

Upon discussion, the Board stated their agreement to apply for the funding.

Commissioner Young opened the meeting to anyone desiring to speak.

Glen Hoffman, Maineville resident, discuss his concern with HB 127 as it relates to 2nd Amendment rights and requested the Board consider being a 2nd Amendment Sanctuary County.

Bruce McGary, Assistant Prosecutor, stated that a county government only has authority granted by the State Legislature and there is no legislative authority that would allow a county to declare itself as a Sanctuary County. He stated that a letter or resolution by the Board would do nothing except make a statement.

Mr. Hoffman stated it was his desire for the Board to make such a statement to the State of Ohio.

Commissioner Young discussed the history of the Bill of Rights and read aloud the draft resolution in support of the US Constitution and the Bill of Right.

Commissioner Grossmann stated his support for the resolution.


Commissioner Jones stated she would not support something that doesn't support all amendments to the Constitution and not just the Bill of Rights. She then stated that it is not the responsibility of county government to weigh in on other jurisdictions' domain. She stated she will not vote for the resolution if it excludes other amendments.

Commissioner Grossmann stated his desire to make our expression of support of the Constitution in a manner which included all amendments and requested the proposed resolution be modified.

Josh Beckmann, Mason resident, presented information relative to what other jurisdictions have approved in order to support the Constitution and Bill of Rights and oppose any bill that would infringe upon those rights.

Upon discussion, the Board requested the proposed resolution be modified as discussed.

Upon motion the meeting was adjourned.



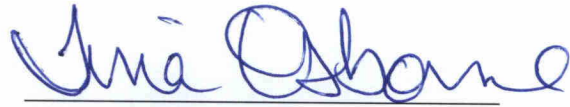
David G. Young, President



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 March 30, 2021, in compliance with Section 121.29 O.R.C.

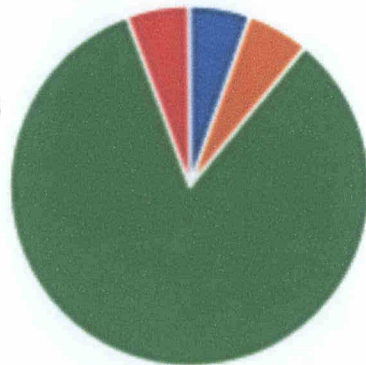


Tina Osborne, Clerk
Board of County Commissioners
Warren County, Ohio

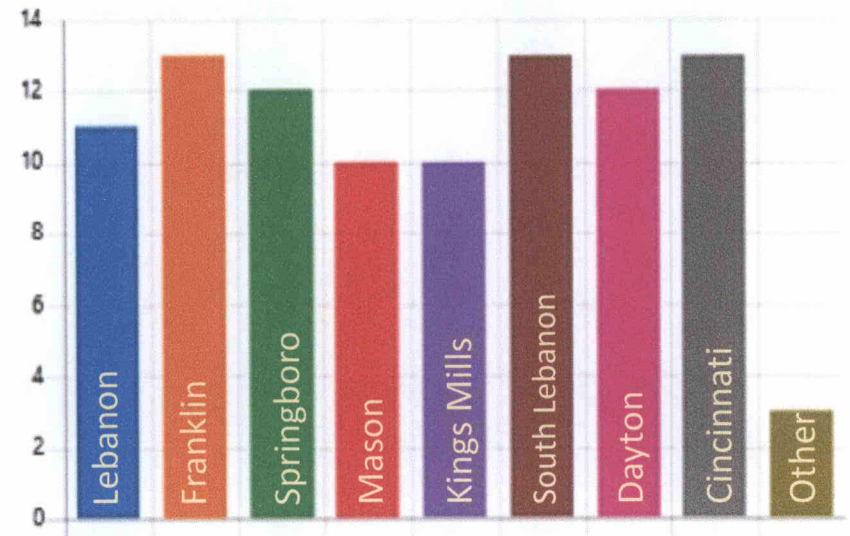
Warren County Transit Survey

How much would your company benefit from a bus route that transfers employees to and from your location?

- Not Much
- Benefit Current Employees
- Benefit Future Employees
- Unsure

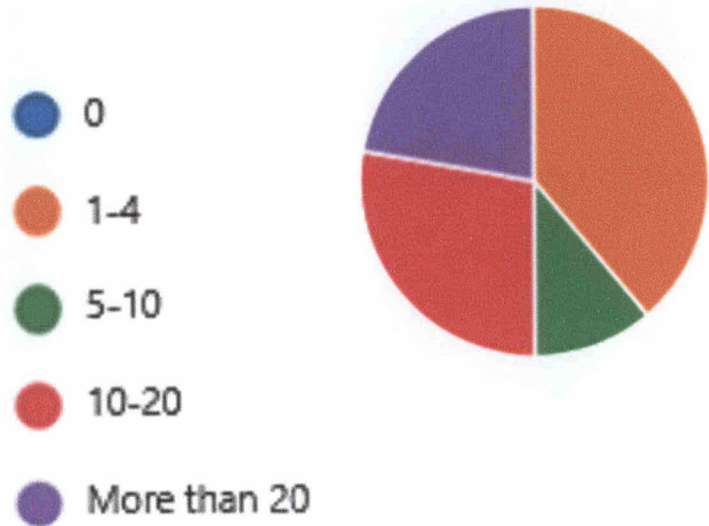


From what areas would you like to see a transit service come?

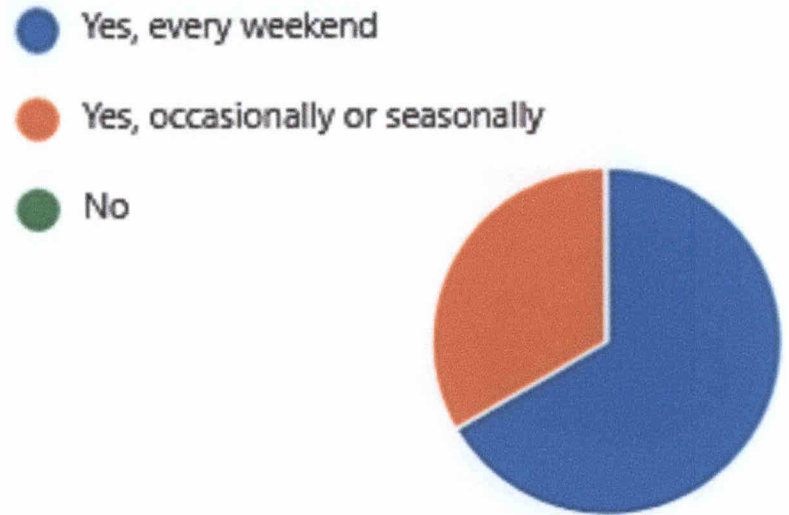


Warren County Transit Survey

How many employees would use public transit?



Does your company operate on weekends?



Transit CRSSA Act Funding

Warren County:

\$ 1,757,688.00

Operation:	Year 1	Year 2	Year 3	Total
After Hour Routes to Industry Areas (Leb, S Leb., Franklin, Mason)	\$ 299,520.00	\$ 305,510.40	\$ 310,752.00	
Enhance Current Operations	\$ 153,339.00	\$ 153,339.00	\$ 153,341.57	
Extra Fuel	\$ 34,272.00	\$ 34,957.44	\$ 35,656.59	
Total Operation	\$ 487,131.00	\$ 493,806.84	\$ 499,750.16	\$ 1,480,688.00
Capital:				
Expand Fleet by two buses & Digital Sign	\$ 140,000.00	\$ -	\$ -	
Digital Signs, Promo	\$ 2,000.00			
Total Capital	\$ 142,000.00	\$ -	\$ -	\$ 142,000.00
Admin:				\$ -
Mobility Management	\$ 30,000.00	\$ 30,000.00	\$ 20,000.00	
Triennial Consultation			\$ 25,000.00	
General Admin	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	
Total Admin	\$ 40,000.00	\$ 40,000.00	\$ 55,000.00	\$ 135,000.00
				\$ 1,757,688.00