



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

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**C. MICHAEL KILBURN
PAT ARNOLD SOUTH
DAVID G. YOUNG**

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

MINUTES: Regular Session – June 12, 2007

The Board met in regular session pursuant to adjournment of the June 7, 2007, meeting.

David G. Young - present

Pat Arnold South - present

C. Michael Kilburn - present

Tina Davis, Clerk – present

Minutes of the May 24, 29, 31, 2007, and June 5, 7, 2007, meetings were read and approved.

07-883 A resolution was adopted to acknowledge receipt of May 2007 Financial Statement. Vote: Mr. Kilburn – yea; Mr. Young – yea; Mrs. South – absent

07-884 A resolution was adopted to approve various Refunds. Vote: Mr. Kilburn – yea; Mr. Young – yea; Mrs. South – absent

07-885 A resolution was adopted to authorize the posting of the “Investment Caseworker” position, within the department of Job and Family Services, Children Services Division, in accordance with Warren County Personnel Policy Manual, Section 2.02 (a). Vote: Mr. Kilburn – yea; Mr. Young – yea; Mrs. South – absent

07-886 A resolution was adopted to declare an Emergency due to Compressor Failure at 500 Justice Drive on June 6, 2007 and waive Competitive Bidding Process for Emergency Procurement of Replacement Compressor for Rooftop Unit #2 compressor #1. Vote: Mr. Kilburn – yea; Mr. Young – yea; Mrs. South – absent

07-887 A resolution was adopted to authorize the enactment of No Engine Breaking on County Road 230 (Old 122) between State Route 48 and US Route 42. Vote: Mr. Kilburn – yea; Mr. Young – yea; Mrs. South – absent

- 07-888 A resolution was adopted to enter into a Temporary Entrance and Work Agreement with Jason and Kathleen Watkins for the Snider Road and Socialville-Fosters Road Intersection Improvement Project.
Vote: Mr. Kilburn – yea; Mr. Young – yea; Mrs. South – absent
- 07-889 A resolution was adopted to approve Vacation of 25’ Permanent Sanitary Sewer Easement across Real Estate identified as Sidwell No. 16-05-201-020-1.
Vote: Mr. Kilburn – yea; Mr. Young – yea; Mrs. South – absent
- 07-890 A resolution was adopted to approve and authorize Amendment #5 for Fiscal Year 2007 Ohio Department of Youth Services Juvenile Court Program on behalf of the Warren County Juvenile Court.
Vote: Mr. Kilburn – yea; Mr. Young – yea; Mrs. South – absent
- 07-891 A resolution was adopted to Set Public Hearing to consider the Road Name Change of Celso Drive to Kelso Drive in Fosters Pointe, Section 3, Phase I, II and III in Hamilton Township.
Vote: Mr. Kilburn – yea; Mr. Young – yea; Mrs. South – absent
- 07-892 A resolution was adopted to enter into Contract with Barrett Paving Materials, Inc. for the 2007 Resurfacing – the Clarksville Road Spillway Project.
Vote: Mr. Kilburn – yea; Mr. Young – yea; Mrs. South – absent
- 07-893 A resolution was adopted to approve following Record Plats.
Vote: Mr. Kilburn – yea; Mr. Young – yea; Mrs. South – absent
- 07-894 A resolution was adopted to approve Appropriation Adjustment within Fund #101-1600. Vote: Mr. Kilburn – yea; Mr. Young – yea; Mrs. South – absent
- 07-895 A resolution was adopted to approve Appropriation Adjustment within Fund #101-1600. Vote: Mr. Kilburn – yea; Mr. Young – yea; Mrs. South – absent
- 07-896 A resolution was adopted to approve Appropriation Adjustment within CSEA Fund #263-5500.
Vote: Mr. Kilburn – yea; Mr. Young – yea; Mrs. South – absent
- 07-897 A resolution was adopted to approve Appropriation Adjustments within Dog and Kennel Fund #206.
Vote: Mr. Kilburn – yea; Mr. Young – yea; Mrs. South – absent
- 07-898 A resolution was adopted to authorize payment of Bills.
Vote: Mr. Kilburn – yea; Mr. Young – yea; Mrs. South – absent

DISCUSSIONS

On motion, upon unanimous call of the roll, executive session was entered into at 9:30 a.m. to discuss personnel matters and exited at 10:15 a.m.

On motion, bids were closed at 10:15 a.m. this 12th day of June and the following bids were received, opened and read aloud for the 2007 Striping Project for the Warren County Engineer's Office:

Kneisel Contracting Company Cincinnati, Ohio	\$ 96,487.94
Olgesby Construction Norwalk, Ohio	\$ 93,689.79

Neil Tunison, Warren County Engineer will review bids for a recommendation at a later date.

Susan Spencer, Personnel Officer, was present to introduce the new hires for the month of May 2007.

Dexter Atkins, Turtlecreek Township resident, stated that the County recently purchased 2381 Greentree Road from him and within the contract to purchase, he was given a six month time period to vacate the premises.

Mr. Atkins stated that, due to circumstances beyond his control, he requires an additional two or three weeks to vacate.

Upon discussion, the Board requested Mr. Atkins to place his request in writing for consideration.

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

On motion, bids were closed at 10:30 a.m. this 12th day of June and the following bids were received, opened and read aloud for the Crane Service Utilization for the Warren County Water and Sewer Department:

Kaffenbarger Truck Equipment Cincinnati, Ohio	\$ 57,137.25
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Ace Truck Body Inc. Grove City, Ohio	\$ 51,215.00
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Richard Renneker, Sanitary Engineer, Warren County Water and Sewer Department will review bids for a recommendation at a later date.

On motion, bids were closed at 10:45 a.m. this 12th day of June and the following bids were received, opened and read aloud for the FY 2006 Village of Harveysburg Street Improvements Project for the Warren County Office of Grants Administration:

Terry Asphalt Hamilton, Ohio	\$ 70,425.00
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Jerry Haddix, Coordinator, Warren County Office of Grants Administration will review bids for a recommendation at a later date.

PUBLIC HEARING

CONSIDER VARIANCE AND APPEAL OF CONDITIONS REQUIRED FOR AN ACCESS
PERMIT OF CLEARCREEK ASSOCIATES LTD.

The public hearing to consider the variance and appeal of conditions required for an access permit of Clearcreek Associates Ltd. was convened this 12th day of June 2007 in the Commissioners' Meeting Room.

Commissioner Young opened the public hearing by reading the process and procedures to be utilized during the proceedings and requested the Clerk to state the date and time the legal notice of this public hearing was published as to when written notice of the public hearing was given to the applicant.

The Clerk informed the Board of the date and times all notices were received as well as all documents that have been filed with the Board relative to the application.

Commissioner Young then swore those desiring to give testimony at today's public hearing.

Bill Morgan Elliott, project manager for R G Properties, Inc. and representative of Clearcreek Associates Ltd., presented the following documents:

- Exhibit A Variance Application with attachments
- Exhibit B Memorandum from Scott Knebel, LJB Inc.
- Exhibit C Memorandum from David Mick, Assistant County Engineer
- Exhibit D Lytle-Five Points/SR 48 Development Traffic Study
- Exhibit E Revised sketch plan from Todd J. Stanhope, Project Engineer

Mr. Elliott then stated that the second variance originally requested for parcel number 05261000330 was no longer needed and withdrew that application.

David Mick, Assistant County Engineer, stated the County Engineer's recommendation to approve the variance as requested.

Commissioner Kilburn questioned how the County Engineer can recommend this variance to be approved when it is ½ the distance that is required in the regulations that they wrote.

Todd Stanhope, traffic engineer and project manager, explained the request and stated that the variance is for safety reasons as well as convenience of area residents.

Bruce McGary, Chief Deputy Prosecutor, questioned from the applicant if there is any additional evidence they desire to present at this time.

Mr. Elliot stated he had no further evidence and restated that the variance being approved is in the best interest of public safety.

There was discussion relative to the continued cost of maintenance and electric for the traffic signal if the variance is approved.

Mr. Mick stated the possibility of some kind of assessment to the private developer in order to pay future costs associated with the project.

Upon further discussion, the Board closed the public hearing and stated they will make a written decision within the time frame required by law.

Mark Hildebrandt, Salt Run Ventures, Inc. was present to give an update of the project they are proposing to construct a mixed residential and commercial development along Foster Maineville Road in Hamilton Township.

Mr. Hildebrandt stated that the land is now annexed to the Village of Maineville and reminded the Board that 83.85 acres are zoned Rural Residence "R-1" and 8.2 acres are zoned Multi Family Residence (R-3). He then stated that the entire parcel of land is within the Urban Service Area of Hamilton Township and therefore within the Warren County Sewer Improvement Area. He stated that this Board approved 90 residential lots plus 11.2 acres of commercial development subject to certain sewer system conditions. He informed the Board that the development costs under those conditions do not justify the development and stated that the Village of Maineville is in support of the approve of 174 residential lots on the property. He then requested the Board to consider the approval of sanitary sewer access for 174 lots on the property in question.

Commission Kilburn reiterated that they will not allow any more than 90 lots. He stated his opinion that 174 lots are too many.

Commissioner Young stated there are capacity issues relative to the sewer treatment plan and agreed with Commissioner Kilburn that 174 lots are too many.

Mayor Marconet, Village of Maineville, spoke in favor of allow 174 lots stating the reason for their approval being that the Village needs to additional income tax dollars to provide services to the residence of the Village.

Upon further discussion, Mr. Hildebrandt requested permission to present additional proposals for the property at a later date and the Board stated their willingness to consider other options.

Commissioner Young swore in Deborah Price as a member of the Warren County Board of Mental Retardation and Developmental Disabilities.

Bruce McGary, Chief Deputy Prosecutor, was present along with Richard Renneker, Sanitary Engineer, and Chris Brausch, Deputy Sanitary Engineer, to review the proposed sewer service agreement relative to the SanMarGale Development in Turtlecreek Township.

Upon motion the meeting was adjourned.

David G. Young, President

Pat Arnold South

C. Michael Kilburn

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 12, 2007, in compliance with Section 121.22 O.R.C.

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