



**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 – September 25, 2008**

The Board met in regular session pursuant to adjournment of the September 23, 2008, meeting.

Pat Arnold South - present

C. Michael Kilburn - absent

David G. Young - present

Tina Davis, Clerk – present

- 08-1446      A resolution was adopted to designate Family and Medical Leave of Absence to Janet Atkins, Billing Clerk II, within the Water and Sewer Department.  
Vote: Unanimous
- 08-1447      A resolution was adopted to declare various items within Prosecutor's Office as surplus and authorize the disposal of said items. Vote: Unanimous
- 08-1448      A resolution was adopted to approve various Refunds. Vote: Unanimous
- 08-1449      A resolution was adopted to approve Transfer of Beneficiary from Warren County to the Village of Morrow, relative to Performance Bonds for the Woodland of Morrow Subdivision, Nathaniel Development Co., Inc., Developer.  
Vote: Unanimous
- 08-1450      A resolution was adopted to authorize the submittal of proposals with the Ohio Department of Transportation for Grants through the US DOT Federal Transit Administration (FTA), as authorize under Federal Transit Laws, as codified, 49 USC Section 5311, Financial Assistance for other than urbanized areas and funds available from the Ohio Public Transportation Grant Program and executing a Contract with the Ohio Department of Transportation upon Grant Proposal Acceptance. Vote: Unanimous

- 08-1451 A resolution was adopted to Amend the Warren County Prevention Retention and Contingency Plan for the Warren County Department of Human Services.  
Vote: Unanimous
- 08-1452 A resolution was adopted to enter into Contract for the FY2006 Union Township Highland Park Storm Sewer CDBG Project. Vote: Unanimous
- 08-1453 A resolution was adopted to approve a Subdivision Public Improvement Performance and Maintenance Security Agreement Release with Beazer Homes Investments, LLC for the Villages of Winding Creek, the Legacy at Winding Creek – Section One in Clearcreek Township. Vote: Unanimous
- 08-1454 A resolution was adopted to approve a Subdivision Public Improvement Performance and Maintenance Security Agreement Release with Dixon Eagle’s Pointe LLC for Eagle’s Pointe, Section 2, Phase A, in Hamilton Township.  
Vote: Unanimous
- 08-1455 A resolution was adopted to approve Bond Release for Paul Hemmer Company for completion of improvements in Jewish Hospital Medical Office 2 situated in Deerfield Township. Vote: Unanimous
- 08-1456 A resolution was adopted to approve following Record Plats. Vote: Unanimous
- 08-1457 A resolution was adopted to approve a Supplemental Appropriation within the One Stop Grant Fund #259. Vote: Unanimous
- 08-1458 A resolution was adopted to approve Supplemental Appropriation within Fund #650. Vote: Unanimous
- 08-1459 A resolution was adopted to approve an Appropriation Adjustment within Prosecutor Fund #249-1150. Vote: Unanimous
- 08-1460 A resolution was adopted to approve Appropriation Adjustment from Commissioners Fund #101-1110 into Prosecutor Fund #101-1150.  
Vote: Unanimous
- 08-1461 A resolution was adopted to approve Appropriation Adjustments within Franklin Municipal Court Fund #101-1271. Vote: Unanimous
- 08-1462 A resolution was adopted to approve Appropriation Adjustment from Building/Zoning Fund #101-2300 into Data Processing Fund #101-1403 and Appropriation Adjustments within MR/DD Fund #205 and Data Processing Fund #101-1401. Vote: Unanimous

- 08-1463 A resolution was adopted to authorize payment of Bills. Vote: Unanimous
- 08-1464 A resolution was adopted to retain McKenzie & Snyder LLP as special legal counsel relative to Workers Compensation. Vote: Unanimous
- 08-1465 A resolution was adopted to approve Appropriation Adjustment within Human Services Fund #203. Vote: Unanimous
- 08-1466 A resolution was adopted to approve and enter into an Agreement within Educational Service Center for Screening and Parent Coordinator Services on behalf of Warren County Children Services, on behalf of Family and Children First Council. Vote: Unanimous
- 08-1467 A resolution was adopted to continue Public Hearing for Rezoning Application of Woodward Farms, Ltd., Owner of Record (Case #08-05), to rezone 8 acres in Turtlecreek Township from Rural Residence "R-1" to Rural Residence "R-1" as a Planned Unit Development. Vote: Unanimous

#### DISCUSSIONS

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The Board proclaimed "Internet Safety Day" in Warren County.

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#### PUBLIC HEARING

#### REZONING APPLICATION OF WOODWARD FARMS, LTD., INC. TO REZONE EIGHT ACRES IN TURTLECREEK TOWNSHIP FROM RURAL RESIDENCE "R-1" TO RURAL RESIDENCE "R-1" AS A PLANNED UNIT DEVELOPMENT

The continuation of the public hearing to consider the rezoning application of Woodward Farms, Ltd., Inc. to rezone approximately 8 acres in Turtlecreek Township from Rural Residence "R-1" to Rural Residence "R-1" as a planned unit development was convened this 30<sup>th</sup> day of September 2008, in the Commissioners' Meeting Room.

Commissioner South read a letter from the applicant requesting an additional continuance. She then explained the due process requirement that the Board is required to give. She stated that it is not unusual to be granted between 1 and 3 continuations.

Mike Killum, SR 741 resident, stated that the area property owners and law abiding citizens and stated that the applicant is not. He then questioned when the adjacent property owners will be given their due process.

Commissioner Young stated that, with his vote, this will be the last continuance approved.

Lee Hamilton, adjacent property owner, questioned if it was the law that the Board had to approve their request for a continuance.

Commissioner South stated that it is not the law but has been the custom of the Board in past instances.

Upon further discussion, the Board resolved (Resolution #08-1467) to approve the continuation of the public hearing to October 23, 2008, at 5:30 p.m.

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Upon motion the meeting was adjourned.

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Pat Arnold South, President

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C. Michael Kilburn

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David G. Young

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 September 25, 2008, in compliance with Section 121.22 O.R.C.

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