



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

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***TOM ARISS
PAT ARNOLD SOUTH
DAVID G. YOUNG***

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

MINUTES: Regular Session – July 2, 2013

The Board met in regular session pursuant to adjournment of the June 25, 2013, meeting.

Tom Ariss - present

David G. Young - present

Pat Arnold South - present

Tina Osborne, Clerk - present

Minutes of the June 25, 2013 meeting were read and approved.

- 13-0953 A resolution was adopted to accept Resignation of Edward Couch III, Protective Services Caseworker II, within the Warren County Job and Family Services, Children Services Division, effective June 28, 2013. Vote: Unanimous
- 13-0954 A resolution was adopted to hire Jacqueline Epp as an Eligibility Referral Specialist II, within the Warren County Department of Job and Family Services, Human Services Division. Vote: Unanimous
- 13-0955 A resolution was adopted to hire Laura Dickey as an Eligibility Referral Specialist II, within the Warren County Department of Job and Family Services, Human Services Division. Vote: Unanimous
- 13-0956 A resolution was adopted to hire Cassandra Jones as an Eligibility Referral Specialist II, within the Warren County Department of Job and Family Services, Human Services Division. Vote: Unanimous
- 13-0957 A resolution was adopted to hire Janine Guinaugh as Protective Services Caseworker I, within the Warren County Department of Job and Family Services, Children Services Division. Vote: Unanimous

- 13-0958 A resolution was adopted to approve and enter into an Agreement with the Warren County Port Authority and Transystems for Consulting Services for the Warren County Fairgrounds Master Plan Planning Services. Vote: Unanimous
- 13-0959 A resolution was adopted to approve and authorize a Grant Application for Victims Assistance Funds on behalf of the Warren County Prosecutor's Office. Vote: Unanimous
- 13-0960 A resolution was adopted to approve and enter into Agreement with Ohio-Kentucky-Indiana Regional Council of Governments. Vote: Unanimous
- 13-0961 A resolution was adopted to approve and authorize the President of the Board to enter into a Classroom Training Agreement on behalf of Workforce One of Warren County. Vote: Unanimous
- 13-0962 A resolution was adopted to approve and enter into a Cooperative Agreement by and between the Warren County Board of Commissioners and Warren County Community Services. Vote: Unanimous
- 13-0963 A resolution was adopted to declare various items within Sheriff's Office, Garage, Metropolitan Housing, Water and Sewer, and Human Services as surplus and authorize the disposal of said items. Vote: Unanimous
- 13-0964 A resolution was adopted to Amend Resolution #13-0771 regarding Advertise for Bid. Vote: Unanimous
- 13-0965 A resolution was adopted to approve County Motor Vehicle Tax #CVT-329) for the Village of Maineville in the amount of \$4,500.00. Vote: Unanimous
- 13-0966 A resolution was adopted to approve and authorize a Grant Application for Victims Assistance Funds on behalf of Warren County Juvenile Court. Vote: Unanimous
- 13-0967 A resolution was adopted to authorize County Engineer to execute LPA (Local Public Agency) Federal Local – LET Project Agreement with the Ohio Department of Transportation (ODOT) for the WAR-CR 23-0.26 Intersection Improvement Project. Vote: Unanimous
- 13-0968 A resolution was adopted to affirm "Then and Now" requests pursuant to Ohio Revised Code 5705.41(D) (1). Vote: Unanimous
- 13-0969 A resolution was adopted to approve various Refunds. Vote: Unanimous
- 13-0970 A resolution was adopted to acknowledge payment of Bills. Vote: Unanimous

- 13-0971 A resolution was adopted to approve a Subdivision Public Improvement Performance and Maintenance Security Agreement Release for Walnut Homes, Inc. for Edges of Landen in Deerfield Township. Vote: Unanimous
- 13-0972 A resolution was adopted to approve Appropriation Decreases within various Funds. Vote: Unanimous
- 13-0973 A resolution was adopted to approve Operational Transfer from Commissioners Fund #101-1112 into Child Support Enforcement Agency Fund #263. Vote: Unanimous
- 13-0974 A resolution was adopted to approve a Supplemental Appropriation into Community Corrections Monitoring (Home Incarceration) Fund #262. Vote: Unanimous
- 13-0975 A resolution was adopted to approve a Supplemental Appropriation into Communications Rotary Fund #631. Vote: Unanimous
- 13-0976 A resolution was adopted to approve Supplemental Appropriation into DTAC-Delinq Tax and Assess Collect Fund #249. Vote: Unanimous
- 13-0977 A resolution was adopted to approve Appropriation Adjustments from Commissioners General Fund #101-1110 into Domestic Relations Fund #101-1230. Vote: Unanimous
- 13-0978 A resolution was adopted to approve Appropriation Adjustment from Commissioners Grants Fund #101-1112 into Treasurer Fund #101-1130. Vote: Unanimous
- 13-0979 A resolution was adopted to approve Appropriation Adjustment from Commissioners Grants Fund #101-1112 into Commissioners Grants Fund #101-1111. Vote: Unanimous
- 13-0980 A resolution was adopted to approve Appropriation Adjustments within Prosecutor Fund #101-1150. Vote: Unanimous
- 13-0981 A resolution was adopted to approve an Appropriation Adjustment within Prosecutor Fund #101-1150. Vote: Unanimous
- 13-0982 A resolution was adopted to approve Appropriation Adjustment within Telecommunications Fund #101-2810. Vote: Unanimous
- 13-0983 A resolution was adopted to approve Appropriation Adjustments within County Garage Fund #101-1620. Vote: Unanimous

- 13-0984 A resolution was adopted to approve Appropriation Adjustment within Mary Haven Fund #270 and Juvenile Detention #101-2600. Vote: Unanimous
- 13-0985 A resolution was adopted to approve an Appropriation Adjustment within Records Center Fund #101-1500. Vote: Unanimous
- 13-0986 A resolution was adopted to authorize payment of Bills. Vote: Unanimous
- 13-0987 A resolution was adopted to approve Pay Increase for Nakia Bedgood, Foster Care/Adoption Caseworker, within Warren County Job and Family Services, Children Services Division. Vote: Unanimous
- 13-0988 A resolution was adopted to approve Appropriation Adjustment within Facilities Management Fund #101-1600. Vote: Unanimous
- 13-0989 A resolution was adopted to approve voucher add on.
Mrs. South – yea; Mr. Young – yea; Mr. Ariss - abstain
- 13-0990 A resolution was adopted to approve Appropriation Adjustment within Common Pleas Court Fund #101-1220. Vote: Unanimous
- 13-0991 A resolution was adopted to issue Request for Engineering Qualifications for Study and Design Services for the Meijer Lift Station Sanitary Sewer Improvements. Vote: Unanimous
- 13-0992 A resolution was adopted to approve Appropriation Adjustments within Children Services Fund #273 and Domestic Relations Court Fund #101-1230.
Vote: Unanimous
- 13-0993 A resolution was adopted to approve Text Amendments to the Warren County Rural Zoning Code “A” pursuant to Ohio Revised Code Section 303.12.
Vote: Unanimous

DISCUSSIONS

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

On motion, upon unanimous call of the roll, the Board entered into executive session at 9:05 a.m. to discuss personnel matters within the Communications Center pursuant to Ohio Revised Code Section 121.22 (G)(1) and exited at 9:59 a.m.

PUBLIC HEARING

CONSIDER TEXT AMENDMENT TO THE WARREN COUNTY RURAL ZONING
CODE "A" TO AMEND SECTION 2.611-- I-71 AND STATE ROUTE 123 JOINT
ECONOMIC DEVELOPMENT DISTRICT (JEDD) OVERLAY

The public hearing to consider text amendments initiated by this Board of Commissioners to the Warren County Rural Zoning Code "A" to amend Section 2.611—I-71 and State Route 123 Joint Economic Development District (JEDD) Overlay was convened this 2nd day of July 2013, in the Commissioners' Meeting Room.

Mike Yetter, Zoning Supervisor, reviewed that this overlay was adopted in late 2012 and it was determined that there needed to include prohibited uses due to the Joint Economic Development District agreement not including any prohibited uses.

Mr. Yetter stated that the Regional Planning Commission and the Rural Zoning Commission approved the proposed amendment and that the Turtlecreek Township Trustees are also in agreement with the revisions.

Matt Obringer, Regional Planning Commission, presented an overview of the issues and the uses they felt did not fit within the overlay area. He then stated that the Rural Zoning Commission proposed the following amendment to the initiated language as a result of concerns from adjacent residential property owners:

Any exterior construction within 500 ft of residential structures shall be prohibited between 9 PM to 7 AM.

Mr. Obringer then stated the receipt of a letter from the attorney representing Pilot-Flying J. He stated their concern that with a truck stop not being listed as a permitted use within the Overlay, they become a non-conforming use and would not be permitted to rebuilding if a catastrophe occurred. He then presented the following amendment to the initiated text as a result of their concern:

Non-Conforming Uses: Within the Interstate 71 and State Route 123 JEDD Overlay, Section 1.308.2 (A), (B), (C) and (D) shall not apply to a legal non-confirming use or a valid site plan that was approved prior to the effective date of this amendment. Non-conforming uses shall not expand beyond the lot of record that is occupied on the effective date of the regulation which

made the uses non-conforming and uses of an approved site plan shall not expand beyond the lot of record that received site plan approval.

There was discussion relative to the prohibition of a “church – large facility” being included in the prohibited uses.

Dave Gully, County Administrator, suggested that tax-exempt facility be listed rather than a church – large facility.

There was discussion relative to a tax-exempt hospital being permitted within the area and it was discussed that the traffic and infrastructure associated with the large church being the concern.

Fred Grimm, Rural Zoning Commission (RZC) member, explained that the RZC had an extensive discussion on the topic and determined that there is a lot of open ground for the location of a “mega church” within Warren County and they felt that it was not appropriate to utilize one of the last two critical interchanges for such use due to traffic.

Bruce McGary, Assistant Prosecutor, stated he had informed the RZC and would also inform the Commissioners his concern that restricting a religious facility in a zone is walking a tight line as far as the law was concerned.

There was discussion relative to the two gas stations and the flying J being pre-existing and therefore would not be affected by this text amendment.

There was discussion relative to the JEDD Board making recommendations to the Commissioners but the Commissioners are responsible for making all final decisions.

Commissioner Young stated his fundamental objection to prohibiting churches within the Overlay.

Lance Champion, Pilot – Flying J, stated they just recently learned of the proposed text amendment and stated his concern with being listed as a non-conforming use. He stated the limits that would not be put on them relative to expanding outside of their existing boarders.

Cathy Farro, attorney for Pilot- Flying J, stated her concern that if they discontinue use at this facility for more than two years, it would present a marketing problem as they would lose their non-conforming status.

There was discussion relative to the Commissioners inability to enforce JEDD Standards as it would be a civil matter.

Ms. Farro stated the need for design standards to be in place before any amendments to the overlay proceed. She stated concerns relative to inconsistent standards with landscaping, as well as recommended a certain acreage buffer of the existing truck stop rather than listing it as a prohibited use. She then requested the Commissioner deny the amendment as presented and recommended sending it back through the process for the RPC and RZC to review.

There was discussion relative to the options available to the Board as well as the status of the JEDD Board.

Mr. McGary stated that the Board has the option to approve the amendment, modify the amendment, deny or continue in progress. He then stated that staff has not heard anything relative to the appointment of a JEDD Board.

Stan Williams, RPC, stated he will relay the concerns of the Board to the City of Lebanon and Turtlecreek Township relative to the Board appointments being completed as soon as possible.

Upon discussion, Commissioner South moved to continue this public hearing to allow the JEDD Board to be created.

Commissioner Young stated that as a County Commissioner, he is charged with doing what is right and they cannot afford to wait on the City of Lebanon and Turtlecreek Township to appoint a Board. He then stated his desire to act now as well as amend the prohibited uses to remove large church from the list.

Commissioner South stated her agreement with Commissioner Young that she understands the RZC intent relative to large churches but doesn't agree with the exclusion.

Commissioner Ariss also stated his agreement that they cannot afford to wait on the City of Lebanon and Turtlecreek Township to take action.

Upon further discussion, the Board resolved (Resolution #13-0993) to approve modifications to the text amendment initiated by this Board relative to Chapter 2.611—Interstate 71 & State Route 123 Joint Economic Development District (JEDD) Overlay.

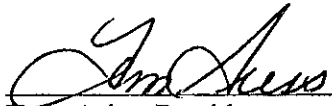
Gary Kuntz, Leadership Warren County Class of 2013, was in attendance as a requirement of his Leadership Warren County class.

Chris Brausch, Sanitary Engineer, was present along with the Waynesville Village Manager and members of the Utilities Commission from the Waynesville Village Council for a work session to discuss the current sanitary sewer agreement between Waynesville and Warren County regarding Waynesville providing sewer treatment to Warren County's customers.

Mr. Brausch presented the attached overview of the current service area as well as future developments proposed within the service area. There was also discussion relative to the options available relative to treatment.

Upon much discussion between the parties, it was determined that staff will begin negotiations on a new contract that will be signed by both entities as soon as possible that will allow the Village of Waynesville to continue to treat current and future Warren County customers as a cost that is fair and agreeable to both parties.

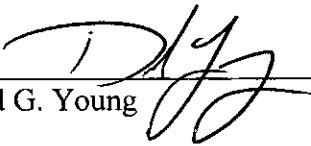
Upon motion the meeting was adjourned.



Tom Ariss, President




Pat Arnold South



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 July 2, 2013, in compliance with Section 121.22 O.R.C.



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



Warren County Water & Sewer Work Session

Warren County Commissioners
& Village of Waynesville

July 2, 2013



Water & Sewer Department

Massie-Wayne Sewer System



Furnas Forge Development



Future Development?
106 Developable Acres
300 Homes?

Existing Development:
177 Residential Homes
25 Commercial Acres

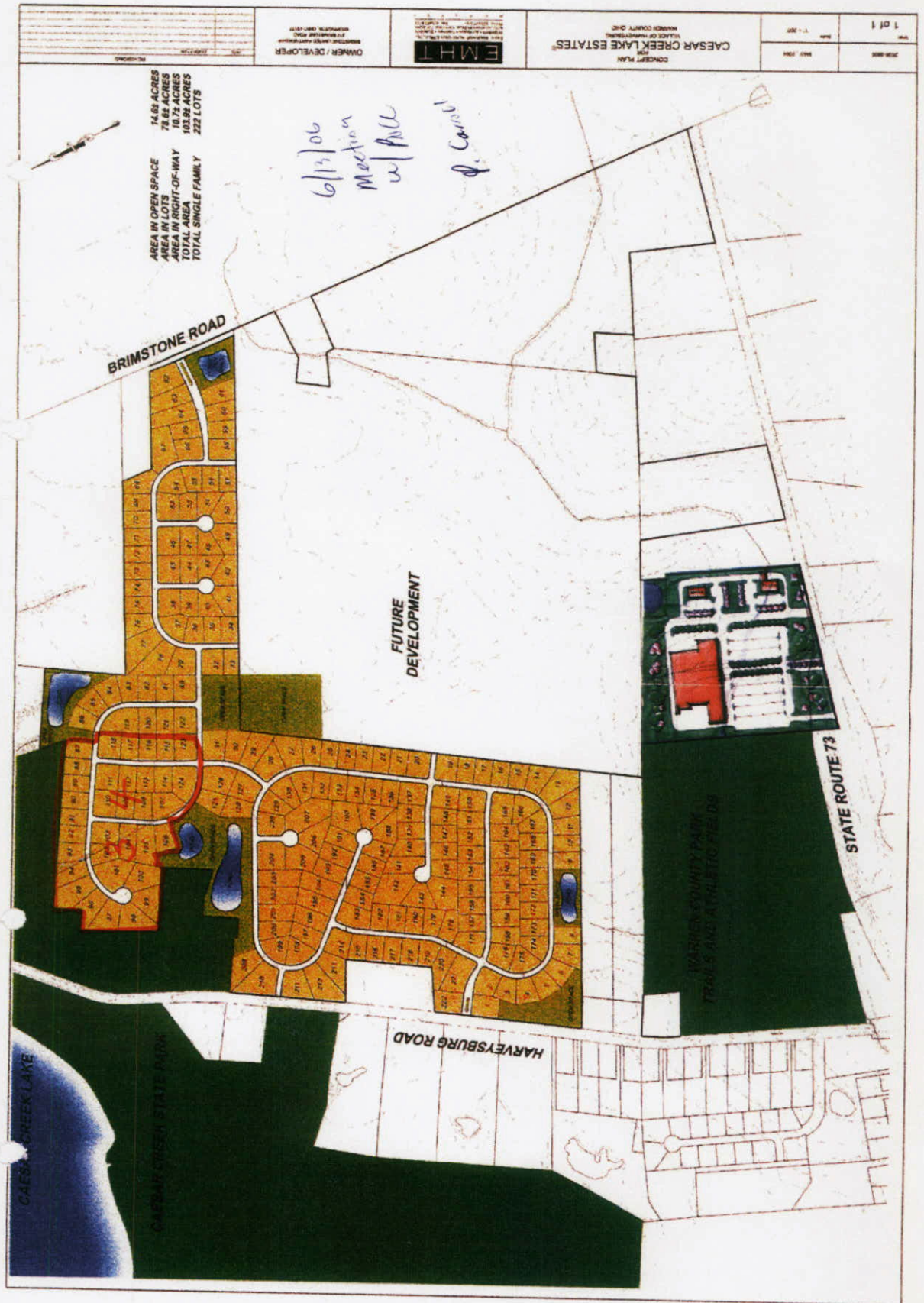
Village of Harveysburg



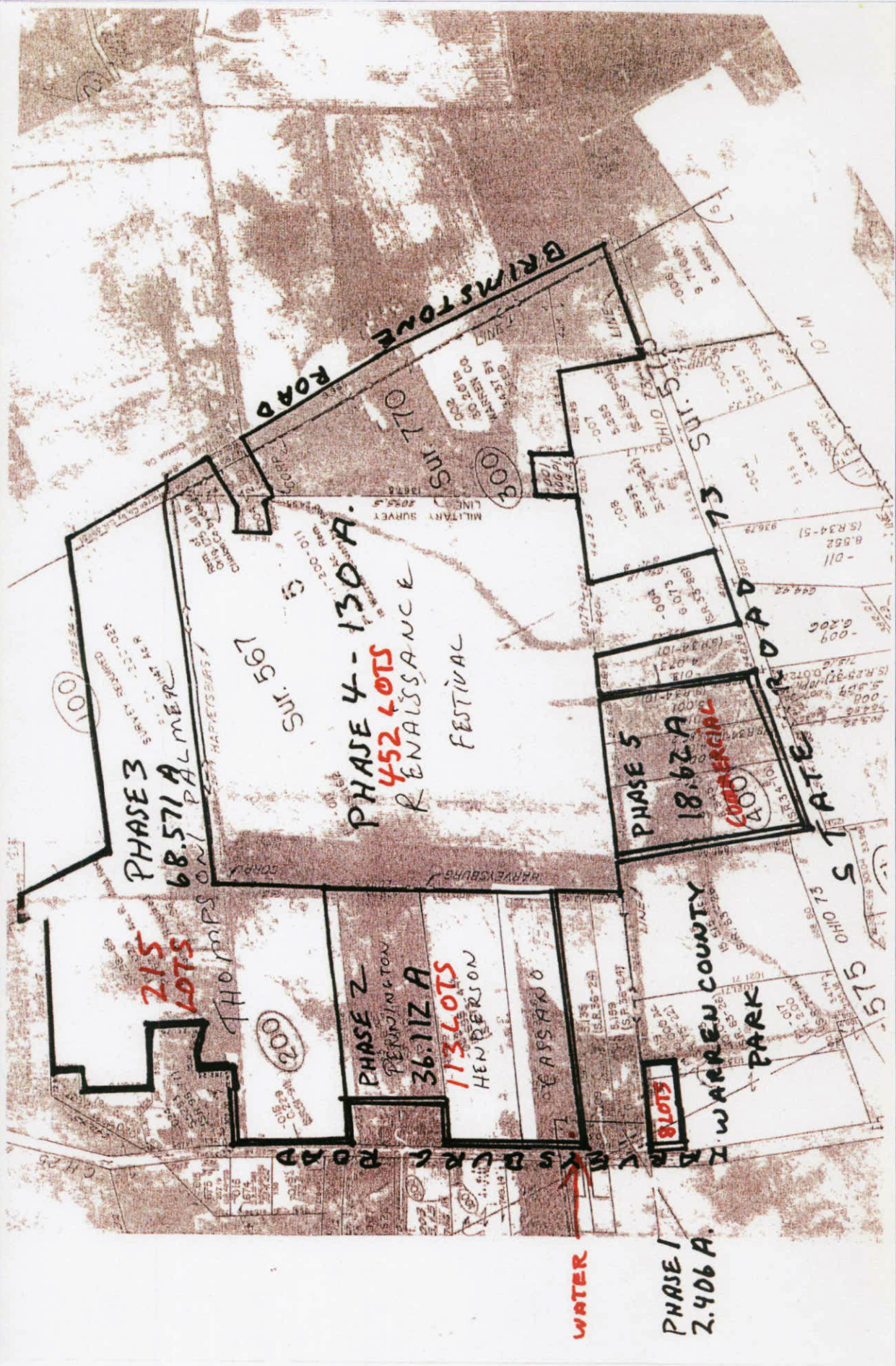
Village of Harveysburg - Sanitary Sewer System

PROJECT: Village of Harveysburg, Sewer System Upgrade
DATE: 10/2011
DRAWN BY: [Name]
CHECKED BY: [Name]
APPROVED BY: [Name]

Caesar Creek Lake Estates



Caesar Creek Lake Estates



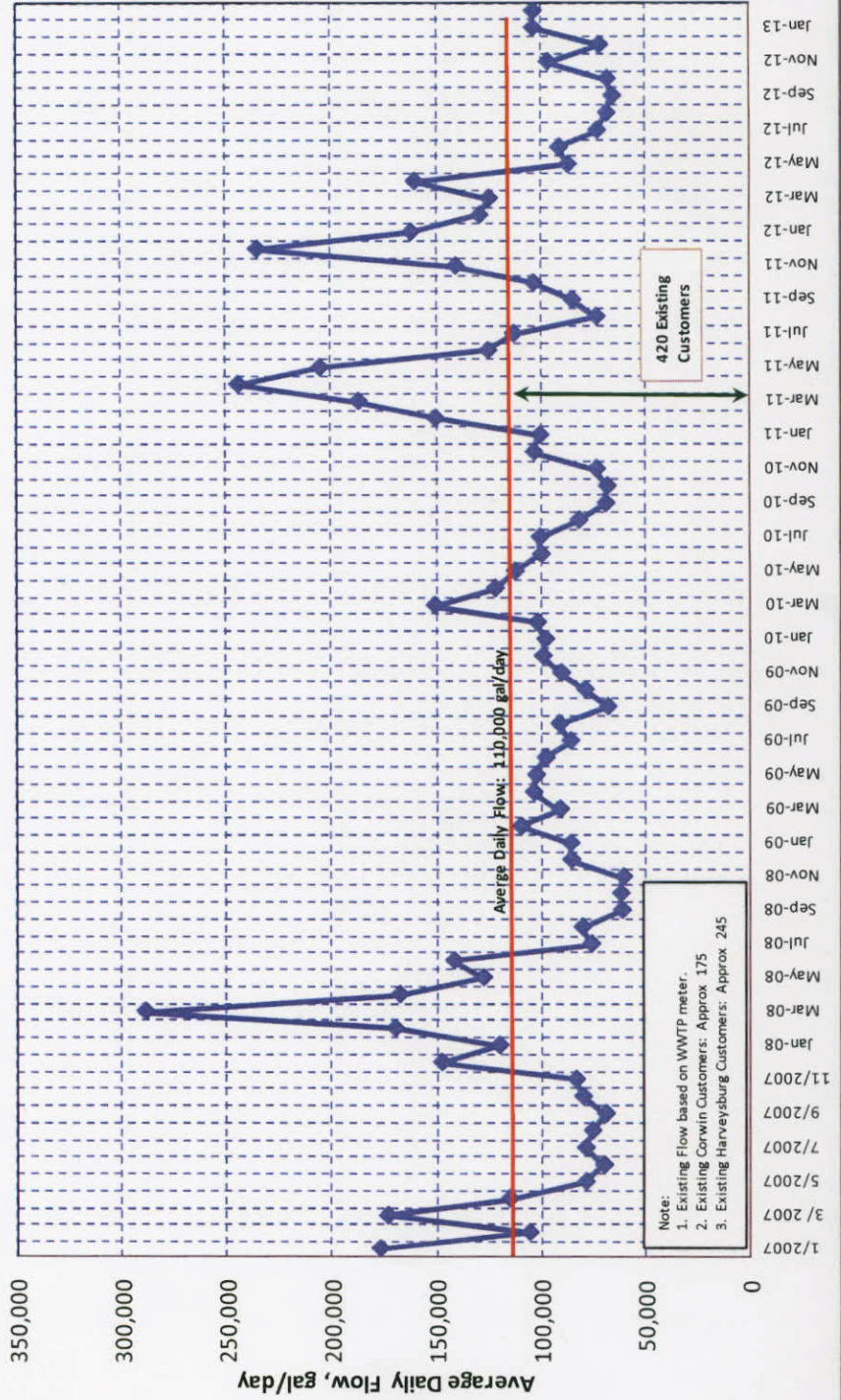
Caesar Creek Lake Estates

RESOLUTION #08-1557
 OCTOBER 14, 2008
 PAGE 2

Owner	Description (Acres)	Parcel	Account	Wastewater Flow Allocation (Gallons per day)	Unit Charge	Oversizing Cost	Total Assessment
Brimstone Limited Partnership	5.001	10-11-400-012	4503066	8,000	\$0	\$1,312.83	\$1,312.83
Brimstone Limited Partnership	4.674	10-11-400-003	4503139	7,500	\$0	\$1,226.98	\$1,226.98
Brimstone Limited Partnership	8.945	10-11-400-002	4503228	14,500	\$0	\$2,348.18	\$2,348.18
Brimstone Limited Partnership	12.698	10-11-200-022	4503873	20,500	\$75,585	\$3,333.39	\$78,918.64
Brimstone Limited Partnership	13.053	10-11-200-027	4501498	21,000	\$77,698	\$3,426.58	\$81,124.98
Brimstone Limited Partnership	30.2	10-05-300-002	4500696	55,000	\$0	\$7,927.88	\$7,927.88
Brimstone Limited Partnership	99.836	10-11-200-011	4500785	160,500	\$0	\$26,208.22	\$26,208.22
Brimstone Limited Partnership	6.073	10-11-400-004	4503112	1,000	\$0	\$1,594.24	\$1,594.24
Peter J. Carroll, Trustee	10.36	10-11-200-013	4503385	16,500	\$61,668	\$2,719.63	\$64,387.86
C.I.G. Realty Limited Partnership	65.72	10-11-200-031	4505082	110,000	\$391,200	\$17,252.33	\$408,452.73
TOTAL	256.56			414,500	\$606,152	\$67,350.25	\$673,502.53

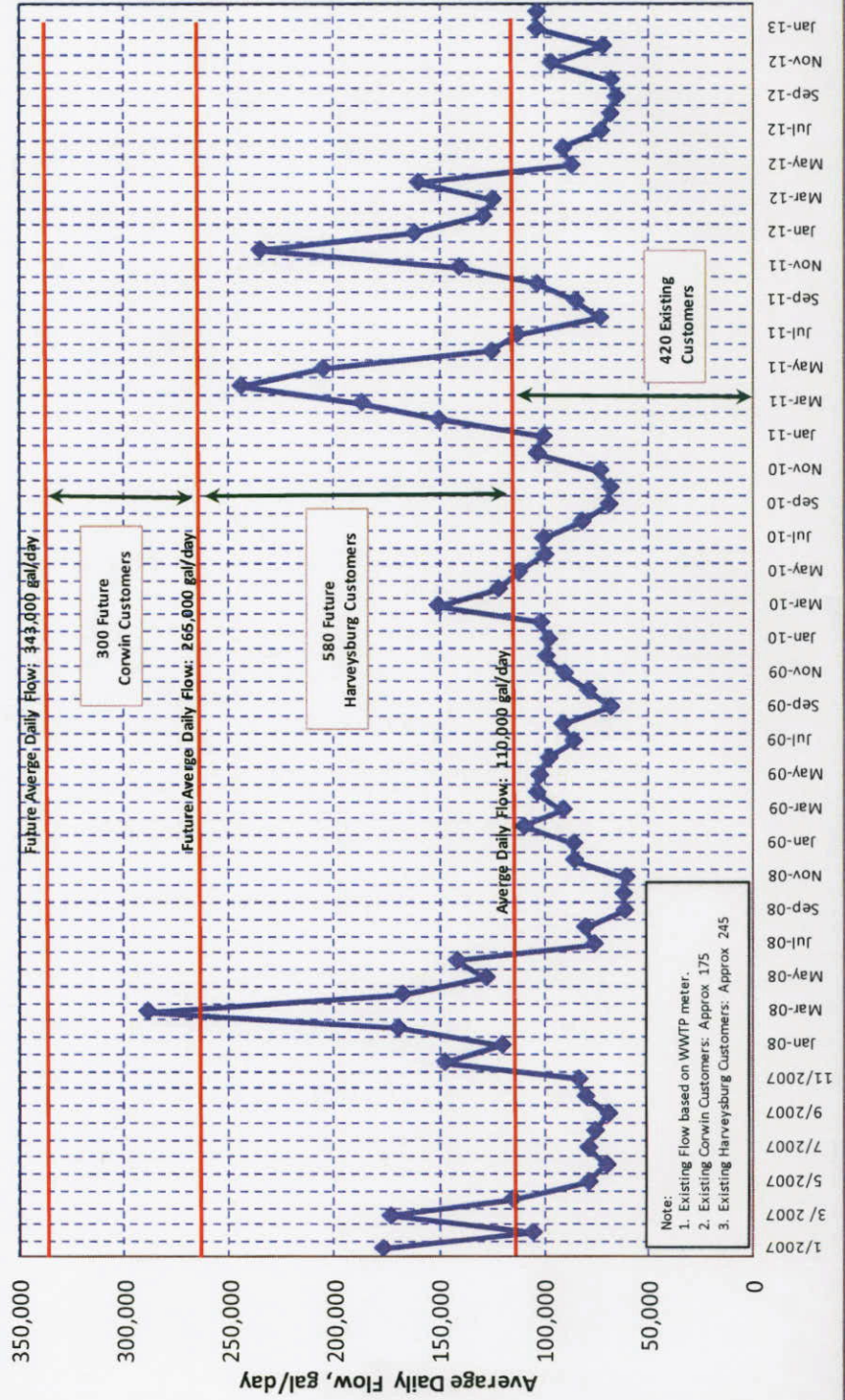
All treatment options need to consider the County's long range demand.

Sanitary Sewer Flow Corwin & Harveysburg



All treatment options need to consider the County's long range demand.

Sanitary Sewer Flow Corwin & Harveysburg



Treatment Options for the Massie- Wayne System

- Option 1 – The Village owns & operate the WWTP and the County continues being a customer.
- Option 2 – The County gets out of the sewer business in Harveysburg & Corwin and turn over all customer & infrastructure to Waynesville.
- Option 3 – The Village get out of the sewer business and turns over all customers & infrastructure to the County.
- Option 4 – Formation of an independent Regional Sewer District.
- Option 5 – The County builds, owns, and operates their own WWTP, freeing up excess capacity to the Village's future growth.