



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

406 Justice Drive, Lebanon, Ohio 45036

www.co.warren.oh.us

commissioners@co.warren.oh.us

Telephone (513) 695-1250

(513) 261-1250

(513) 925-1250

(937) 425-1250

Facsimile (513) 695-2054

TOM GROSSMANN

PAT ARNOLD SOUTH

DAVID G. YOUNG

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

MINUTES: Regular Session – May 12, 2015

The Board met in regular session pursuant to adjournment of the May 5, 2015, meeting.

David G. Young – present

Pat Arnold South – present

Tom Grossmann – present

Tina Osborne, Clerk – present

Minutes of the April 28, 2015, and May 5, 2015, meetings were read and approved.

- 15-0671 A resolution was adopted to designate Family and Medical Leave of Absence to Edgar Walker, HVAC Technician II, within the Facilities Management Department. Vote: Unanimous
- 15-0672 A resolution was adopted to designate Family and Medical Leave of Absence to Ron VanHook, Litter Control Officer, within the Warren County Solid Waste District. Vote: Unanimous
- 15-0673 A resolution was adopted to approve Extension to the Service Agreement with the Humane Association of Warren County, Inc. Vote: Unanimous
- 15-0674 A resolution was adopted to Advertise for Bids for the FY2015 Franklin Township - Deardoff Road Resurfacing Project. Vote: Unanimous
- 15-0675 A resolution was adopted to approve and enter into an Office Space Reimbursement Agreement with OhioMeansJobs Warren County. Vote: Unanimous

- 15-0676 A resolution was adopted to approve and enter into a TANF Summer Youth Employment Program Worksite Agreement with Warren County Facilities Management on behalf of Warren County Department of Human Services.
Vote: Unanimous
- 15-0677 A resolution was adopted to approve Agreement with Mended Reeds, 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
- 15-0678 A resolution was adopted to approve Agreement with St. Joseph Orphanage 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
- 15-0679 A resolution was adopted to approve Agreement with Lighthouse Youth Services, 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
- 15-0680 A resolution was adopted to approve Agreement with ENA, 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
- 15-0681 A resolution was adopted to approve Notice of Intent to Award Bid to John R. Jurgensen Company for the 2015 Resurfacing Project. Vote: Unanimous
- 15-0682 A resolution was adopted to approve and authorize the President of this Board to enter into Contract with Jones-Warner Consultants, Inc. for Engineering Services relative to the FY 2015 Village of Pleasant Plain Community development Block Grant (CDBG) Project. Vote: Unanimous
- 15-0683 A resolution was adopted to authorize Request for Proposals for the Guardianship Services for Warren County Job and Family Services, Division of Human Services. Vote: Unanimous
- 15-0684 A resolution was adopted to Advertise for Bids for the 2015 Striping Project.
Vote: Unanimous
- 15-0685 A resolution was adopted to approve a Subsidy Grant Agreement Addendum for the FY2015 Community Based Corrections Program 407 Subsidy Grant Agreement. Vote: Unanimous

- 15-0686 A resolution was adopted to acknowledge receipt of April 2015 Financial Statement. Vote: Unanimous
- 15-0687 A resolution was adopted to affirm "Then and Now" requests pursuant to Ohio Revised Code 5705.41 (D)(1). Vote: Unanimous
- 15-0688 A resolution was adopted to approve various Refunds. Vote: Unanimous
- 15-0689 A resolution was adopted to acknowledge payment of Bills. Vote: Unanimous
- 15-0690 A resolution was adopted to approve a Street and Appurtenances (including sidewalks) Bond Reduction for VWC Holdings, Ltd. for completion of performance of construction of improvements for the Villages of Winding Creek, Turning Leaf at Winding Creek, Section Three situated in Clearcreek Township. Vote: Unanimous
- 15-0691 A resolution was adopted to approve Bond Release for VWC Holdings, Ltd. for completion of improvements in Turning Leaf, Section 3 situated in Clearcreek Township. Vote: Unanimous
- 15-0692 A resolution was adopted to enter into Erosion Control Bond Agreement with MV Commercial Construction LLC for improvements in DND Ventures situated in Deerfield Township. Vote: Unanimous
- 15-0693 A resolution was adopted to enter into Erosion Control Bond Agreement with Cincinnati United Contractors, LLC for improvements in Arbors Square, Lot 41 (Advanced Dermatology) situated in Deerfield Township. Vote: Unanimous
- 15-0694 A resolution was adopted to approve Appropriation Decreases within various Funds. Vote: Unanimous
- 15-0695 A resolution was adopted to approve Operational Transfers from Commissioners Fund #101-1110 into Radio System Bond Fund #368. Vote: Unanimous
- 15-0696 A resolution was adopted to approve Appropriation Adjustments within County Garage Fund #101-1620. Vote: Unanimous
- 15-0697 A resolution was adopted to approve Appropriation Adjustments from Board of Elections Fund #101-1301 and from #101-1301 into #101-1300. Vote: Unanimous
- 15-0698 A resolution was adopted to approve Appropriation Adjustment within Emergency Services / EMA Fund #264. Vote: Unanimous

- 15-0699 A resolution was adopted to approve Appropriation Adjustments within Common Pleas Court/Probation Improvement and Incentive Grant Fund #289.
Vote: Unanimous
- 15-0700 A resolution was adopted to approve Appropriation Adjustments within Common Pleas Court / Probation Improvement and Incentive Grant Fund #289-(2400)-1225. Vote: Unanimous
- 15-0701 A resolution was adopted to authorize payment of Bills. Vote: Unanimous
- 15-0702 A resolution was adopted to enter into Letter of Engagement with JP Mohler, LLC relative to qualify, request and secure Refunds of Overpayments possibly made during calendar year 2011 through 2015. Vote: Unanimous
- 15-0703 A resolution was adopted to approve and enter into a Memorandum of Understanding (MOU) between the Warren County Commissioners on behalf of the Warren County Department of Human Services and the Warren County Educational Service Center and Warren County OhioMeansJobs.
Vote: Unanimous

DISCUSSIONS

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

The Board met this 12th day of May 2015, to consider the annexation petition of Rod Smith, Agent to annex 62.501 acres to the Village of Morrow pursuant to Ohio Revised Code Section 709.023 (Expedited Type 2 Annexation).

Catherine Cunningham, Attorney for agent, reviewed the criteria that must be met pursuant to law in order for an expedited type 2 annexation to be approved by the Board of Commissioners. She then stated that all requirements have been met and referenced the memorandum she filed in response to the objections by the Salem Township Board of Trustees.

Mrs. Cunningham stated that one of the reasons for the objections is because township property is included within the annexation petition. She stated that is not a valid reason to deny the annexation petition pursuant to annexation law. She then stated this annexation will be a tax neutral event for Salem Township.

Commissioner Young questioned why the Village has included the Salem Township Administration Building/Fire House within the annexation petition.

Rod Smith, Village Administrator and Agent for the annexation petition, stated that he was directed by Council to include the property.

Ralph Blanton, Salem Township Trustee, stated that the Village does not need the township property in order to annex the remaining parcels within the petition. He stated that he understands the need of the adjacent property owners to annex in order to obtain water from the village. He stated that the township is not objecting to the other parcels being annexed but feels it is a "slap in the face" for the Village to include the Salem Township property.

Bruce McGary, Assistant Prosecutor, stated that he takes exception to the following:

1. The township's resolution objecting to the annexation petition was adopted prior to any ordinance of services or buffering requirements being filed with the Commissioners' Clerk. The township resolution was filed with the Clerk on the same day as the ordinances from the Village of Morrow.
2. The comment relative to this being a tax neutral event for the township is questionable relative to the firefighters and EMTs.

Mr. Blanton stated that the township's objection is on a more practical level. He stated that they are in charge of their own zoning matters and do not like the idea of having to answer to any another governmental entity. He then stated that the Salem Morrow Fire Department is a contractual department with the Village. He stated that the Village and Township residents pay the same tax levy for their services.

The Board convened a five minute recess in order for Commissioner Young to meet with legal counsel.

Commissioner Young stated that under the law, the Board of Commissioners shall approve this annexation. He stated his feeling that this is a "slap in the face" to the township and short of what he feels is a ridiculous answer of "because my council told me to", the Village may win the battle but lose the war in his eyes. He then requested the Village discuss this matter at tonight's Village Council meeting and consider removing the township owned property from the annexation petition.

Commissioner Grossmann stated that if this annexation is about payroll tax, there is no impact as they will only be eligible to collect payroll tax on runs that are within the Village of Morrow which they have the ability to do already. He then stated that if the Township is objecting on the basis of autonomy, the property is owned by the township and will remain in the township even if annexed.

Mr. Blanton stated that the objection is not about a specific issue. He stated is it a personal/pride matter. He then stated that they handle all of their own business, including zoning.

Commissioner South stated her appreciation for all the laws and rules regarding this annexation being complied with. She then stated her agreement with Commissioner Young for the Village to reconsider their inclusion of the Salem Township property within the annexation petition. She stated her opinion that this action by the Village will be a detriment to long term working relationships in the future.

Upon discussion, on motion, upon unanimous call of the roll, the Board continued this discussion to Thursday, May 14, 2015, at 5:00 p.m.


Mrs. Cunningham requested that the Clerk confirm for the record that all criteria for annexation have been met.

Tina Osborne, Clerk of Commissioners, stated that all matters required by law have been complied with.

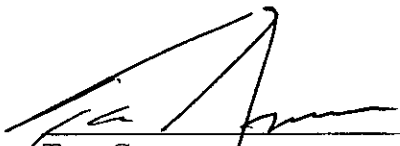
Mr. Blanton stated for the record that whether the township property is included in the annexation petition or excluded, the Village of Morrow residents are Salem Township residents and will receive the same loyal services from the Salem Morrow Fire Department as always.

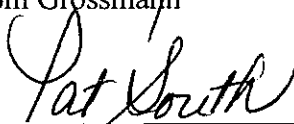
On motion, upon unanimous call of the roll, the Board entered into executive session at 10:55 a.m. to discuss acquisition of property pursuant to Ohio Revised Code Section 121.22 (G)(2) and union negotiations relative to Emergency Services pursuant to Ohio Revised Code Section 121.22 (G)3) and exited at 11:38 a.m.

Upon motion the meeting was adjourned.



David G. Young, President



Tom Grossmann


Pat Arnold South

MINUTES
MAY 12, 2015
PAGE 7

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 May 12, 2015, in compliance with Section 121.22 O.R.C.

A handwritten signature in black ink that reads "Tina Osborne". The signature is written in a cursive style with a horizontal line underneath the name.

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