



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

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

MINUTES: Regular Session – July 18, 2017

The Board met in regular session pursuant to adjournment of the July 11, 2017, meeting.

Tom Grossmann – present

Shannon Jones – present

David G. Young – present

Tina Osborne, Clerk – present

Minutes of the July 11, 2017, meeting were read and approved.

- 17-1081 A resolution was adopted to approve end of 365-day probationary period and approve a pay increase for Jessica Turner within the Warren County Department of Job and Family Services, Children Services Division. Vote: Unanimous
- 17-1082 A resolution was adopted to rescind Resolution #17-1048 which authorized the posting of the “Foster Care/Adoption Caseworker I” position within Warren County Department of Job and Family Services, Children Services Division. Vote: Unanimous
- 17-1083 A resolution was adopted to accept resignation of Jaime Dick, Unit Support Worker II, within the Warren County Department of Job and Family Services, Human Services Division, effective July 25, 2017. Vote: Unanimous
- 17-1084 A resolution was adopted to hire Travis Clark as Unit Support Worker II, within the Warren County Department of Job and Family Services, Human Services Division. Vote: Unanimous
- 17-1085 A resolution was adopted to hire Carly Hounshell, as Unit Support Worker II, within the Warren County Department of Job and Family Services, Human Services Division. Vote: Unanimous

- 17-1086 A resolution was adopted to hire Nakita Sanders as Unit Support Worker II, within the Warren County Department of Job and Family Services, Human Services Division. Vote: Unanimous
- 17-1087 A resolution was adopted to hire Chelsea Dye, as an Eligibility Referral Specialist II, within the Warren County Department of Job and Family Services, Human Services Division. Vote: Unanimous
- 17-1088 A resolution was adopted to hire Karlee Hinrichsen as Fiscal Coordinator within OhioMeansJobs Warren County. Vote: Unanimous
- 17-1089 A resolution was adopted to promote Ashley Wilson from Administrative Support to the position of Cashier Receptionist within the Warren County Department of Building and Zoning. Vote: Unanimous
- 17-1090 A resolution was adopted to authorize the posting of the “Administrative Support” position within the Building and Zoning Department, in accordance with Warren County Personnel Policy Manual, Section 2.02(A).
Vote: Unanimous
- 17-1091 A resolution was adopted to designate Family and Medical Leave of Absence to George Campbell, within the Warren County Water and Sewer Department.
Vote: Unanimous
- 17-1092 A resolution was adopted to designate Family and Medical Leave of Absence to Mark Harrison, Facilities Manager within the Warren County Facilities Management Department. Vote: Unanimous
- 17-1093 A resolution was adopted to designate Family and Medical Leave of Absence to Chris Carr, within the Warren County Emergency Services Department.
Vote: Unanimous
- 17-1094 A resolution was adopted to approve a Subsidy Grant Agreement on behalf of the Warren County Common Pleas Court. Vote: Unanimous
- 17-1095 A resolution was adopted to authorize the President or Vice-President of this Board to sign a Satisfaction of Mortgage for Adam Bozso and Ashley Bozso, husband and wife. Vote: Unanimous
- 17-1096 A resolution was adopted to authorize President of the Board to sign an Ohio Public Works Commission (Issue 2) Project Agreement on behalf of the Warren County Engineer. Vote: Unanimous
- 17-1097 A resolution was adopted to approve and authorize the County Administrator to sign a Memorandum of Understanding between the Warren County Sheriff and the Warren County Sheriff’s Office Benevolent Association relative to Corrections Canine Handler. Vote: Unanimous

- 17-1098 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 Child Support Enforcement Agency relative to Mutual Aid. Vote: Unanimous
- 17-1099 A resolution was adopted to approve Notice of Intent Award Bid to National Water Services, LLC for 2017 Well Redevelopment Project. Vote: Unanimous
- 17-1100 A resolution was adopted to authorize Warren County Telecommunications to dispose of unusable cellular devices through E-Cycle Recycling. Vote: Unanimous
- 17-1101 A resolution was adopted to enter into a Right-of-Entry Agreement with Ohio Department of Natural Resources (ODNR) for the Strout Road Bridge Replacement Project. Vote: Unanimous
- 17-1102 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, Family and Children First Council (FCFC), and Warren County Educational Services Center, Fiscal Agent for FCFC. Vote: Unanimous
- 17-1103 A resolution was adopted to approve change order #1 with Complete Clearing, Inc. for the Warren County Fairgrounds Grandstand Demolition Project. Vote: Unanimous
- 17-1104 A resolution was adopted to approve Change Order #1 with W. G. Stang, LLC. for the Butterworth Road Bridge #156-0.68 Replacement Project. Vote: Unanimous
- 17-1105 A resolution was adopted to declare various items within Board of Developmental Disabilities, Common Pleas Court, Child Support Enforcement Agency, Juvenile, Metropolitan Housing, Prosecutor's Office, Sheriff's Office, Telecom, and Water & Sewer as surplus and authorize the disposal of said items. Vote: Unanimous
- 17-1106 A resolution was adopted to affirm "Then and Now" requests pursuant to Ohio Revised Code 5704.41(D) (1). Vote: Unanimous
- 17-1107 A resolution was adopted to approve various refunds. Vote: Unanimous
- 17-1108 A resolution was adopted to acknowledge payment of bills. Vote: Unanimous
- 17-1109 A resolution was adopted to enter into a Subdivision Public Improvement Performance and Maintenance Security Agreement with the Drees Company for installation of certain improvements in Legacy at Elliott Farm, Section 1, Block D situated in Deerfield Township. Vote: Unanimous

- 17-1110 A resolution was adopted to enter into Street and Appurtenances (including sidewalks) Security Agreement with the Drees Company for installation of certain improvements in Legacy at Elliott Farm, Section 1, Block D situated in Deerfield Township. Vote: Unanimous
- 17-1111 A resolution was adopted to approve the following record plats. Vote: Unanimous
- 17-1112 A resolution was adopted to approve an operational transfer from Motor Vehicle Fund #202 into Fund #455 Phase II Road Resurfacing. Vote: Unanimous
- 17-1113 A resolution was adopted to approve repayment of cash advances from Fund #479 into General Fund #101. Vote: Unanimous
- 17-1114 A resolution was adopted to approve supplemental appropriation into Fund #479 Airport Construction. Vote: Unanimous
- 17-1115 A resolution was adopted to approve supplemental appropriation into Fairgrounds Construction Project Fund #498. Vote: Unanimous
- 17-1116 A resolution was adopted to approve supplemental adjustment into Fund #101-1112 and approve an operational transfer from General Fund #101-1112 into County Fairgrounds Construction Fund #498. Vote: Unanimous
- 17-1117 A resolution was adopted to approve supplemental appropriation into Domestic Shelter Fund #233. Vote: Unanimous
- 17-1118 A resolution was adopted to approve appropriation adjustment within Emergency Services/ Communications Center Fund #101-2850. Vote: Unanimous
- 17-1119 A resolution was adopted to approve appropriation adjustments within Sheriff's Office Funds #101-2200, #101-2211, and #630. Vote: Unanimous
- 17-1120 A resolution was adopted to approve appropriation adjustment within Children Services Fund #273. Vote: Unanimous
- 17-1121 A resolution was adopted to approve appropriation adjustments within Children Services Fund #273. Vote: Unanimous
- 17-1122 A resolution was adopted to approve appropriation adjustment within the Sewer Revenue Fund No. 580. Vote: Unanimous
- 17-1123 A resolution was adopted to approve appropriation adjustment within the Water Revenue Project Fund No. 583. Vote: Unanimous
- 17-1124 A resolution was adopted to approve appropriation adjustments within Health Insurance Fund #632. Vote: Unanimous

- 17-1125 A resolution was adopted to approve appropriation adjustment within Engineer's Office Fund #202. Vote: Unanimous
- 17-1126 A resolution was adopted to authorize payment of bills. Vote: Unanimous
- 17-1127 A resolution was adopted to approve supplemental appropriation into Clerk of Courts Adm. Fund #250-1260. Vote: Unanimous
- 17-1128 A resolution was adopted to close Public Hearing #2 to consider levying additional sales tax by the County for a specific period of time not to exceed five years for the purpose of supporting Criminal and Administrative Justice Services in Warren County; and, approve the levying of an additional one-fourth of one percent to the sales tax for a total of one and one-quarter percent sales tax in Warren County pursuant to Ohio Revised Code Section 5739.021. Vote: Grossmann – nay, Young – yea, Jones - yea
- 17-1129 A resolution was adopted to close Public Hearing #2 to consider levying additional use tax by the County for a specific period of time not to exceed five years for the purpose of supporting Criminal and Administrative Justice Services in Warren County; and, approve the levying of an additional one-fourth of one percent to the use tax for a total of one and one-quarter percent use tax in Warren County pursuant to Ohio Revised Code Sections 5741.021. Vote: Vote: Grossmann – nay, Young – yea, Jones – yea
- 17-1130 A resolution was adopted to approve request for 1.5 mill reduction in the levy collected for the Warren County Board of Developmental Disabilities. Vote: Unanimous

DISCUSSIONS

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

PUBLIC HEARING #2

CONSIDER LEVYING ADDITIONAL SALES AND USE TAXES BY THE COUNTY
FOR A SPECIFIC PERIOD OF TIME NOT TO EXCEED FIVE YEARS
FOR THE PURPOSE OF SUPPORTING CRIMINAL AND ADMINISTRATIVE JUSTICE
SERVICES IN WARREN COUNTY

The Board met this 18th day of July 2017, in the Commissioners' Meeting Room, pursuant to Ohio Revised Code Sections 5739.021 and 5741.021, to convene the second public hearing required to consider increasing the existing one percent sales and use taxes by one-fourth of one percent for a total of one and one-quarter percent for a specific period of time not to exceed five years for the purpose of supporting criminal and administrative justice services relative to the construction, acquisition, equipping of a new Warren County Jail, repair of the existing Jail, payment of debt charges incurred in the issuance of securities for such construction, acquisition, equipping, or repairing of such facilities, and for the administration of the tax.

Commissioner Grossmann opened the floor for comment.

With no one coming forward to speak, Commissioner Jones requested Sheriff Larry Sims come forward.

Commissioner Grossmann questioned Sheriff Sims regarding the cost and availability of jail bed space from Butler County.

Sheriff Sims stated that in his last conversation, approximately six months ago, Butler County has no jail beds available to Warren County.

Sheriff Sims requested the Board to please not consider any further delay in this decision. He stated it will be an approximate 2 ½ year time period before completion and occupancy and any further delay is a safety risk to our citizens. He also requested the Board to consider the additional cost to provide transportation of prisoners in the event any bed space would become available to Warren County.

There was a discussion relative to the types of crimes being committed by the population within the jail.

Sheriff Sims stated that low level offenders are being placed on ankle bracelets or any available alternative other than sentencing to the Warren County Jail.

There was discussion relative to financing of the jail project and the ability for Warren County to self finance.

Bruce McGary, Assistant Prosecutor, stated it would be the sole discretion of the County Treasurer and County Auditor. He then stated he has been in contact with the County Treasurer and he stated that the county's interest rate may be more favorable on the open market vs. in-house.

Dave Walker, Turtlecreek Township resident, stated he is weary of a “sin tax” and questioned the rumor of a Children Services Levy being approved which would raise property taxes. He then questioned if a study was completed to see what this proposed sales tax increase would do to our shopping areas.

Commissioner Jones stated that Hamilton County and the adjacent shopping area in Butler County are already at 7%, the rate Warren County would be if approved, and Montgomery County is at 7.25%.

Mr. Walker stated his concern with construction of an extravagant building that it not necessary.

The Board, along with the County Sheriff, assured Mr. Walker that the intent is to construct the most efficient jail for the least amount of money possible.

Diane Reznor, Kever Road resident, questioned how much of the sales tax that Warren County actually receives. She then stated her understanding that this Board has no other alternative than to proceed at “full steam ahead” with the increase to pay for the jail, especially if 60% of outside people are paying for it.

Upon discussion, on motion, the public hearing was closed.

Commissioner Young stated that we do not know what the jail will look like at this point as we are in process of hiring an architect to design it. He then questioned the Assistant Prosecutor if the legislation drafted allows enough flexibility to repeal the increase if the project is paid for earlier than anticipated.

Mr. McGary stated that with a majority vote of the Board on both the sales tax and the use tax resolutions, the tax increase may be repealed.

Mr. McGary then reviewed the allowable uses for the funds to be collected relative to the sales and use tax increase.

There was much discussion between Commissioner Grossmann and Mr. McGary relative to the timeline requirements for placing this legislation on the ballot as well as the referendum petition requirements and timing.

Commissioner Grossmann requested the Board to consider waiting to take action on this matter until such time as Mr. McGary has reviewed the ballot timeline requirements.

Commissioner Jones stated that the answer from Mr. McGary will not change her decision on not desiring to place this decision on the ballot.

Commissioner Grossmann questioned the Board’s interest in knowing the timeline information in the event that a referendum petition is contemplated, the availability of beds from Butler County and the types of crimes committed from those incarcerated in the jail.

Commissioner Jones stated that the questions of the Sheriff are independent of the matter being decided today. She stated the ability to have those conversations and upon review, feels the delay for an additional week is not necessary as she does not see any intensity from the community to referendum the decision.

Commissioner Young stated that the intensity is not there for a referendum petition and that the answers to Commissioner Grossmann's questions will not change his mind on this matter. He stated his opinion that the Board has four options:

1. Do nothing
2. Build a jail out of current cash flow which will require a 70% increase in the cost to construct due to the long-term borrowing that would be required.
3. Place the temporary sales and use tax increase question on the ballot
4. Make the decision to approve the increase today and allow for the citizens to referendum if they don't agree

Commissioner Young stated a temporary sales and use tax increase is the most fiscally prudent manner to construct the jail and it is also in the best interest of public safety. He stated he is not interested in placing this question on the ballot as he was elected by the citizens of Warren County to make these decisions and if the citizens don't agree, they have the ability to file a referendum petition as well as vote him out of office.

Sheriff Sims requested once again that the Board not delay this decision. He questioned the scenario of what happens if this is placed on the ballot and not approved. He questioned how this critical need would be addressed? He stated his opinion that it is tough to educate the public on a tax increase of any kind and feels the Board would be "rolling the dice" with the safety of our citizens if this becomes a ballot issue.

There was discussion relative to the history of this jail overcrowding issues and the measures that have been implemented to delay construction of a new jail including increased funding to Community Corrections and double bunking.

Ray Warrick, Hamilton Township resident, stated that he agrees with Commissioner Grossmann's philosophy regarding any tax increase being approved by the voters. He stated that contrary to what most believe, his group (Warren County Liberty Alliance) is not against government. He stated they support core government services and the Warren County Jail is a core government service. He stated his support of the Board lowering the borrow amount as much as possible by placing a significant down payment and that his group has no interest in filing a referendum petition on a core government service. He then stated he supports Commissioner Grossmann's philosophy but is willing to proceed forward.

Commissioner Grossmann again stated his desire to delay this decision for an additional week.

Commissioner Jones stated her appreciation for Mr. Warrick's view on core government services and stated how grateful she is for his understanding this situation. She stated the Board's intent to construct a jail that meets the needs and does not include any unnecessary expenses. She stated the commitment of the Sheriff and the Board of Commissioners to keep the jail project not

only cost efficient but also staff efficient. She then stated her desire to proceed with the proposed resolutions to approve the sales and use tax increase.

Commissioner Young stated his agreement in the need to proceed with the approval.

Commissioner Grossmann reiterated his desire for a public vote stating his feeling of the tax increase being too high and for too long a period of time.

Commissioner Jones reiterated that the Board has the ability to rescind collection of the additional tax at any time. She then stated that the Board is working with administration on paying down as much debt as possible and will continue that discussion through the budget process.

Commissioner Grossmann commended Commissioner Young on his involvement with the jail overcrowding situation over the last twelve years.

Mr. McGary stated he has researched the timeline requirements relative to a referendum petition and placing the question on the ballot. He then reviewed the language with the Board.

Upon further discussion, the Board resolved, with Commissioner Grossmann voting nay, (Resolution #17-1128 and Resolution #17-1129) to approve the levying of an additional one-fourth of one percent for a total of one and one-quarter percent to the sales and use tax for a specific period of time not to exceed five years for the purpose of supporting criminal and administrative justice services relative to the construction, acquisition, equipping of a new Warren County Jail, repair of the existing Jail, payment of debt charges incurred in the issuance of securities for such construction, acquisition, equipping or repairing of such facilities, and for the administration of the tax with the increase to take effect January 1, 2018.

They Board then adopted a resolution with a unanimous vote (Resolution #17-1130) to approve a request to the Warren County Budget Commission, that the current four (4) mills being levied for the Warren County Developmental Disabilities Program be reduced to two and a half (2.5) mills, effective for the 2017 tax year payable in 2018 with the intent of this Board that the reduced millage will be reinstated in the 2021 tax year payable in 2022 or sooner should this Board in conjunction with the Board of Developmental Disabilities, during the annual review, through the Tax Budget process, determine the need.

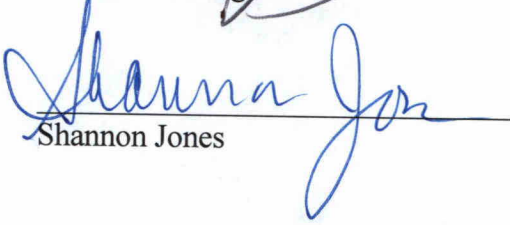
Commissioner Jones thanked the Board of Developmental Disabilities on the management of this difficult budget and their good fiscal partnership in managing growth to the best of their ability.

Upon motion the meeting was adjourned.

Tom Grossmann, President




David G. Young



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 July 18, 2017, in compliance with Section 121.22 O.R.C.



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