



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) 420-4250
(513) 925-1250
(513) 783-4993
(937) 425-1250
Facsimile (513) 695-2999

LARRY CRISENBERY
C. MICHAEL KILBURN
PAT ARNOLD SOUTH

MINUTES: Regular Session--September 18, 2001

The Board met in regular session pursuant to adjournment of the September 11, 2001, meeting.

C. Michael Kilburn - present Larry Crisenbery - absent

Pat Arnold South - present Tina Davis, Clerk- present

- 01-1522 A resolution was adopted to approve the Site Plan Review Application of Brian Rauch, Washington Township. Vote: Unanimous
- 01-1523 A resolution was adopted to Order for Annexation of 17.047 acres to the Village of South Lebanon. Vote: Unanimous
- 01-1524 A resolution was adopted to establish Mason-Montgomery Road Water Improvement Area, Warren County Water District. Vote: Unanimous
- 01-1525 A resolution was adopted to approve revised General Plans for Wastewater Facilities in the Warren County Water District, to include Water Main Extensions in the Mason-Montgomery Road Water Improvement Area. Vote: Unanimous
- 01-1526 A resolution was adopted to authorize and direct the Clerk to Publish Notice of a Hearing on necessity for the construction of improvements to the Water System in the Mason-Montgomery Road Water Improvement Area, Warren County Water District. Vote: Unanimous
- 01-1527 A resolution was adopted to establish State Route 741 Water Improvement Area, Warren County Water District. Vote: Unanimous
- 01-1528 A resolution was adopted to approve Revised General Plans for Waterworks Facilities in the Warren County Water District, to include Water Main Extensions in the State Route 741 Water Improvement Area. Vote: unanimous

- 01-1529 A resolution was adopted to authorize and direct the Clerk to Publish Notice of a Hearing on necessity for the construction of improvements to the Water System in the State Route 741 Water Improvement Area, Warren County Water District. Vote: Unanimous
- 01-1530 A resolution was adopted to approve and enter into Agreement with Warren County Educational Services Center on behalf of the Warren County Children Services Board. Vote: Unanimous
- 01-1531 A resolution was adopted to enter into Agreement for a Permanent Easement and a Temporary Construction Easement from Heritage Club, 6690 Heritage Club Lane, Mason, Ohio 45040 for the Butler-Warren and Bethany Road Improvements Project. Vote: Unanimous
- 01-1532 A resolution was adopted to Advertise for Bids for the FY2000 Pleasant Plain Playground CDBG Project for the Small Cities Community Development Block Grant Program. Vote: Unanimous
- 01-1533 A resolution was adopted to approve and authorize the President of the Board to enter into Classroom Training Agreements on behalf of the Warren County One-Stop Business and Employment Center. Vote: Unanimous
- 01-1534 A resolution was adopted to Designate Family and Medical Leave of Absence to Catherine Fugett, Customer Representative, within the Water and Sewer Department. Vote: Unanimous
- 01-1535 A resolution was adopted to approve an Erosion Control Bond Release for Drees-Gallenstein LIC, Ltd., for completion of improvements in Wethersfield, Section 1, situated in Hamilton Township. Vote: Unanimous
- 01-1536 A resolution was adopted to approve an Erosion Control Release for Drees-Gallenstein LIC, Ltd., for completion of improvements in Wethersfield, Section 2, situated in Hamilton Township. Vote: Unanimous
- 01-1537 A resolution was adopted to approve Various Refunds. Vote: Unanimous
- 01-1538 A resolution was adopted to approve the Final Plat of Lot 173A River's Bend Golf Club Community, Section 9 (being a Replat of Lots 173 & 174 of River's Bend Golf Club Community, Section 9). Vote: Unanimous
- 01-1539 A resolution was adopted to approve an Appropriation Adjustment within the Workforce Investment Act Fund #258. Vote: Unanimous

- 01-1540 A resolution was adopted to approve Operational Transfer from Commissioners Fund #101 into Human Services Fund #203. Vote: Unanimous
- 01-1541 A resolution was adopted to approve Operational Transfer from Commissioners Fund #101 into Transit Fund #299. Vote: Unanimous
- 01-1542 A resolution was adopted to approve Appropriation Adjustments within Children Services Fund #273, Data Processing Fund #101-1400, Domestic Relations Court Fund #101-1230 and Clerk of Courts Fund #283. Vote: Unanimous
- 01-1543 A resolution was adopted to Continue Public Hearing to consider the Annexation Petition of J. William Duning, agent, to annex 251.102 acres to the Village of Morrow. Vote: Unanimous
- 01-1544 A resolution was adopted to Terminate Employment of Elizabeth Franz within the warren County Solid Waste District and Grants Administration. Vote: Unanimous
- 01-1545 A resolution was adopted to authorize the President of this Board to sign an order for Removal concerning the Termination of Employment of Elizabeth Franz, Administrative Support with the Warren County solid Waste District and Grants Administration. Vote: Unanimous
- 01-1546 A resolution was adopted to Advertise Public Announcement for Request for Proposals for available commercial Lease of the former Mary Haven Property. Vote: Unanimous
- 01-1547 A resolution was adopted for the Intent to Transfer John Crew to the position of Wastewater Treatment Plant Operator I within the Water and Sewer Department. Vote: Unanimous
- 01-1548 A resolution was adopted to authorize the Posting of the "Meter Reader I" position within the Water and Sewer Department, in accordance with Warren County Personnel Policy Manual, Section 2.02 (A). Vote: Unanimous
- 01-1549 A resolution was adopted to approve End of 120-day Probationary Period and approve a Pay Increase for Edward Fugett, Water/Sewer Repair Worker I within the Water and Sewer Department. Vote: Unanimous
- 01-1550 A resolution was adopted to approve Promotion of Edward Fugett to the Position of Water/Sewer Repair Worker II within the Water and Sewer Department. Vote: Unanimous

- 01-1551 A resolution was adopted to authorize Payment of Bills. Vote: Unanimous
- 01-1552 A resolution was adopted Condemning Terrorists Actions of September 11, 2001 and Proclaiming September 18, 2001 as Ohio County Government Day for National Support. Vote: Unanimous

DISCUSSIONS

On motion, upon unanimous call of the roll, executive session was entered into at 9:00 a.m. to discuss contract negotiations and personnel matters and exited at 11:10 a.m.

Ted Priest, Chief Zoning Official, was present for the site plan review of Brian Rausch in Washington Township.

Mr. Priest stated that the applicant desires to place an excavating company on the property that is zoned General Business "B-2". He then reviewed the comments from all departments and officials concerned and stated the recommendation to approve the site plan subject to three conditions.

Doug Jones, builder/developer for Mr. Rausch, stated the size of the building to be 124 square feet of office space with 100x48 as the main building.

Brian Rausch, 6230 Ludlum Road, stated that the only time the equipment will be at the location is when it is in need of repair and it will be stored in the building.

Upon further discussion, the Board resolved (resolution #01-1522) to approve the site plan review subject to three conditions.

PUBLIC HEARING
ANNEXATION PETITION OF JOHN QUINN, AGENT
TO ANNEX 17.047 ACRES TO THE VILLAGE OF SOUTH LEBANON

The public hearing to consider the annexation petition of John Quinn, agent to annex 17.047 acres to the Village of South Lebanon was convened this 18th day of September 2001, in the Commissioners' Meeting Room.

Mr. Quinn stated that all legal requirements have been met and the property owner wants to have sewer services for the lots and the church.

Russell Kilburn, Union Township Trustees, stated the trustees are in favor of the annexation petition.

Upon further discussion, the Board resolved (Resolution #01-1523) to approve the annexation petition.

Commissioner Kilburn entered the meeting at 1:35 p.m.

On motion, upon unanimous call of the roll, executive session was entered into at 1:45 p.m. to discuss personnel matters and exited at 2:30 p.m.

TO ANNEX 251.102 ACRES TO THE VILLAGE OF MORROW

The public hearing to consider the annexation petition of J. William Duning was reconvened this 18th day of September 2001, in the Commissioners' Meeting Room.

Commissioner Kilburn opened the public hearing by reading aloud the resolution, which authorized the continuance of the public hearing and swearing those desiring to testify during the public hearing.

Paul Herdman, property owner within the annexation, spoke in favor of the annexation stating it is in the best interest of the Village and his property to annex. He stated his desire to more police protection.

Bob Brown, Mayor of Morrow, testified in favor of the annexation petition.

Fred LaFollette, Village Administrator and Fire Chief, presented testimony relative to the services available to the property and spoke in favor of the annexation.

Russell Kilburn, Village Police Chief, stated the police service available to the property and spoke in favor of the annexation petition.

Mr. Shrader, Attorney for Township Trustees, stated that the Trustees are opposed to the annexation petition. He stated that there are seven of eleven property owners who signed the petition according to the statement by agent and the Warren County Engineer's Office disagrees. He stated the concern that people are being included in the petition that do not want annexed. He then stated that the property is unreasonably large and presented evidence in opposition to the annexation.

Mark Florence, Attorney, stated that he was hired to do a title search on the property within the annexation petition. He then presented certified copies of deeds of all properties within the annexation.

Commissioner Kilburn questioned if the Board should direct the Agent to compose briefs relative to the position on the percentage of land ownership legality in the statement by agent presented to the Board.

Mr. Duning stated he would submit proof of authority of signature rather than a brief.

Ron Gilbert, property owner within the annexation, stated he does not desire his property to be annexed.

Donnie Williams, Township Trustee, stated that the annexation is not in the best interest of Salem Township.

Paul Wolf, Township Trustee, stated his opposition to the annexation.

Lynn Whitacre, Zoning Inspector for the Township, stated that he has never been approached relative to rezoning for any property within the petition for annexation.

Richard Dare, Township Trustee, stated that all the services to the property are already in place and stated his opposition to the annexation petition.

Jillora Summers, property owner within the annexation, clarified the chain of title relative to the property owned by herself and family members.

The Board requested the agent to consider deleting the property owners within the petition who do not want annexed wherever possible. Mr. Herdman also requested the same

Mr. Shrader presented closing arguments in opposition to the annexation petition.

The Board stated a deadline of October 4, 2001, for submitting proof of ownership.

Upon further discussion, the Board continued the public hearing to October 23, 2001, at 11:00 a.m.

Upon motion the meeting was adjourned.

C. Michael Kilburn, President

Larry Crisenbery

Pat Arnold South

I hereby certify that the foregoing is a true and correct copy of the minutes of the regular meeting of the Board of County Commissioners held on September 18, 2001, in compliance with Section 121.22 O.R.C.

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