



**BOARD OF COUNTY COMMISSIONERS**

**WARREN COUNTY, OHIO**

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**LARRY CRISENBERY**

**C. MICHAEL KILBURN**

**PAT ARNOLD SOUTH**

**BOARD OF COUNTY COMMISSIONERS**

**WARREN COUNTY, OHIO**

MINUTES: Regular Session--March 21, 2002

The Board met in regular session pursuant to adjournment of the March 19, 2002, meeting.

C. Michael Kilburn - present                      Larry Crisenbery - present

Pat Arnold South - present                      Tina Davis, Clerk - present

- 02-495                      A resolution was adopted to approve Amended Annexation to annex approximately 40 acres to the Village of South Lebanon subject to an accurate map and legal description.    Vote: Unanimous
- 02-496                      A resolution was adopted to Order for Annexation of 16.842 acres to the Village of South Lebanon.    Vote :Unanimous
- 02-497                      A resolution was adopted to cancel regularly scheduled Commissioners' Meeting of March 28, 2002.    Vote: Unanimous
- 02-498                      A resolution was adopted to enter into Engineering Contract with CESO, Inc.    Vote: Unanimous
- 02-499                      A resolution was adopted to approve Change Order #1 with CDS Associates, Inc., for Engineering Services in regard to detailed plans for the US 42/Butler-Warren Intersection Improvements.    Vote: Unanimous
- 02-500                      A resolution was adopted to approve County Motor Vehicle Tax (CVT-255) for the City of Mason in the amount of \$ 125,000.00.    Vote: Unanimous

- 02-501 A resolution was adopted to Award the Bid for One New 2002 Dump Truck.  
Vote: Unanimous
- 02-502 A resolution was adopted to Designate Family and Medical Leave of Absence to Tracey Bentley, Administrative Clerk, within the One Stop Employment Center.  
Vote : Unanimous
- 02-503 A resolution was adopted to Advertise for Bids for the FY2001 City of Mason Curbs and Sidewalks CDBG Project. Vote: Unanimous
- 02-504 A resolution was adopted to Advertise for Bids for the FY2001 City of Springboro CDBG Project. Vote: Unanimous
- 02-505 A resolution was adopted to enter into Sidewalk Bond Agreement with Hines - Griffin Joint Venture, P.L.L., for installation of certain improvements in the Woods, Section Two, situated in Deerfield Township. Vote: Unanimous
- 02-506 A resolution was adopted to enter into Performance Bond Agreement with Hines-Griffin Joint Venture, P.L.L., for installation of certain improvements in the Woods, Section Two, situated in Deerfield Township. Vote: Unanimous
- 02-507 A resolution was adopted to approve various Final Plats. Vote :Unanimous
- 02-508 A resolution was adopted to approve Operational Transfer form Commissioners Fund #101 into Human Services Fund #203. Vote : Unanimous
- 02-509 A resolution was adopted to approve a supplemental Appropriation within the Water Revenue Fund 510 and an Operating Transfer from Water Revenue No. 510 (surplus) into the Deerfield Hamilton Water System Improvements Phase II, Project Fund No. 588. Vote : Unanimous
- 02-510 A resolution was adopted to approve an Appropriation Adjustment within the Hunter-Dick's Creek Sewer Improvement Area Project Fund No. 469.  
Vote : Unanimous
- 02-511 A resolution was adopted to accept Amended Certificate and approve a Supplemental Appropriation for the Brewer Water Line Extension / Zopff property outfall sewer and the Greens Area Lift Station Project within Fund No. 575. Vote: Unanimous
- 02-512 A resolution was adopted to approve various Refunds. Vote: Unanimous
- 02-513 A resolution was adopted in support of House Joint Resolution 81 allowing the people's choice of prayer in school. Vote: Unanimous

- 02-514            A resolution was adopted to approve Supplemental Appropriation into Fund #451. Vote: Unanimous
- 02-515            A resolution was adopted for the Board of County Commissioners of Warren County providing a written estimate of Total Cost to the Superintendent of the Warren County Educational Service Center, for a period beginning on July 1, 2002 and ending June 30, 2003. Vote: Unanimous
- 02-516            A resolution was adopted to authorize payment of Bills. Vote : Unanimous

#### DISCUSSIONS

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#### PUBLIC HEARING CONTINUATION OF THE ANNEXATION OF 266.7206 ACRES TO THE VILLAGE OF SOUTH LEBANON, PAUL BAKER, AGENT

The public hearing to consider the annexation petition of Paul Baker, Agent to annexation 266.7206 acres to the Village of South Lebanon was reconvened this 21<sup>st</sup> day of March 2002, in the Commissioners' Meeting Room.

Catherine Cunningham, attorney for agent, presented an amendment to delete territory from the original petition. She then presented affidavits in support of annexation from all property owners, which remain in the amended petition.

William Ritchey, attorney for Hamilton Township, stated his desire to ensure that the road right of way in not included in the amended petition.

Commissioner Kilburn requested the Township Trustees and Village of South Lebanon to "sign off" on the actual amended map and legal description prior to the final approval of the Board. Upon approval by other the Township and Village, the Clerk of Commissioners will present an order for annexation to the Board for approval.

Mr. Ritchey withdrew his objection to the annexation and his concurrence to the annexation of the property stated in the amended petition.

C. Francis Barrett, attorney representing the Tournament Players Club, stated his client's objection to their property being included in the annexation petition and his pleasure with the property being deleted from the amended petition. He then presented video testimony from Arnold Palmer in opposition to the annexation.

The Board thanked the Village and the Township for the cooperation between the two entities in reaching a settlement relative to the annexation petition.

Upon further discussion, the Board resolved (Resolution #02-495) approved the amended petition to annex approximately forty acres to the Village of South Lebanon subject to an accurate map and legal description and approval of said map by the Village of South Lebanon and Hamilton Township.

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PUBLIC HEARING  
ANNEXATION PETITION OF STEVEN WALLACE, AGENT  
TO ANNEX 16.842 ACRES TO THE VILLAGE OF SOUTH LEBANON

The public hearing to consider the annexation petition of Steven Wallace, agent to annex 16.842 acres to the Village of South Lebanon was reconvened this 21<sup>st</sup> day of March 2002, in the Commissioners' Meeting Room.

William Kaufman, attorney for agent, stated that all property owners desire to be annexed. He then presented affidavits from all property owners within the annexation petition, the agent and copies of all deeds of property within the petition and stated that all legal requirements have been met relative to the annexation.

John Quinn, attorney for the Village of South Lebanon, clarified that all road right of way included in the petition for annexation.

William Ritchey, attorney for Hamilton Township, stated he will offer no evidence in opposition to the annexation petition.

O.T. Bishop, Hamilton Township Trustee, stated his desire for the Village to be aware of a water retention/drainage problem in the area being annexed.

Upon further discussion, the Board resolved (Resolution #02-496) to approve the annexation petition.

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On motion, upon unanimous call of the roll, executive session was entered into at 4:37 p.m. to discuss personnel matters and exited at 5:10 p.m.

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Shanda Harris, Deerfield Township resident, was present to discuss flooding problems to her property. She stated that the County Engineer placed rebar at the ditch to prevent the trash and debris from entering her yard but complained that the rebar does not prevent flooding.

The Board directed Robert Price, County Administrator, to schedule a meeting with the Prosecutor and Neil Tunison to get the issue resolved.

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Upon motion the meeting was adjourned.

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C. Michael Kilburn, President

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Larry Crisenbery

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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 March 21, 2002, in compliance with Section 121.22 O.R.C.

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