



**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--December 14, 2004

The Board met in regular session pursuant to adjournment of the December 9, 2004, meeting.

Pat Arnold South - present Larry Crisenbery - present

C. Michael Kilburn - present Tina Davis, Clerk – present

Minutes of the November 9, 16, 18, 21, 2004, meetings were read and approved.

04-1842 A resolution was adopted to approve Vacation of a portion of Dearth Road in Franklin Township, Warren County, Ohio.
Mr. Crisenbery – yea; Mr. Kilburn – yea; Mrs. South – abstain

04-1843 A resolution was adopted to begin Thursday, December 16, 2004, Meeting of the Board of Commissioners early for the purpose of conducting a Work Session with Hamilton Township. Vote: Unanimous

04-1844 A resolution was adopted to authorize payment of Bills.
Vote: Mr. Crisenbery – yea; Mr. Kilburn – yea; Mrs. South – absent

04-1845 A resolution was adopted to designate Family and Medical Leave of Absence to Tamala David, Laboratory Technician III, within the Water and Sewer Department. Vote: Mr. Crisenbery – yea; Mr. Kilburn – yea; Mrs. South - absent

04-1846 A resolution was adopted to designate Family and Medical Leave of Absence to

Kevin Flowers, Laboratory Technician III, within the Water and Sewer Department. Vote: Mr. Crisenbery – yea; Mr. Kilburn – yea; Mrs. South – absent

- 04-1847 A resolution was adopted to approve end of 120-day Probationary Period and approve a Pay Increase for Michael Bartles, Custodial Worker I, within the Building Services Department.
Vote: Mr. Crisenbery – yea; Mr. Kilburn – yea; Mrs. South - absent
- 04-1848 A resolution was adopted to approve end of 120-day Probationary Period and approve a Pay Increase for April Craft, Custodial Worker I, within the Building Services Department.
Vote: Mr. Crisenbery – yea; Mr. Kilburn – yea; Mrs. South - absent
- 04-1849 A resolution was adopted to approve end of 120-day Probationary Period and approve a Pay Increase for Robert Redmon, Custodial Worker I, within the Building Services Department.
Vote: Mr. Crisenbery – yea; Mr. Kilburn – yea; Mrs. South - absent
- 04-1850 A resolution was adopted to approve Promotion of William Williams from Building and Electrical Inspector I to Building and Electrical Inspector II within the Building and Zoning Department.
Vote: Mr. Crisenbery – yea; Mr. Kilburn – yea; Mrs. South - absent
- 04-1851 A resolution was adopted to approve various Refunds.
Vote: Mr. Crisenbery – yea; Mr. Kilburn – yea; Mrs. South - absent
- 04-1852 A resolution was adopted to authorize Emergency Repairs to Vehicle #162 in the Warren County Water/Sewer Department.
Vote: Mr. Crisenbery – yea; Mr. Kilburn – yea; Mrs. South - absent
- 04-1853 A resolution was adopted to authorize Reimbursement to hills-Dixon Ltd., for connection to Sanitary Sewer in the Upper Simpson Creek Improvement Area, Warren County Sewer District.
Vote: Mr. Crisenbery – yea; Mr. Kilburn – yea; Mrs. South – absent
- 04-1854 A resolution was adopted to approve and enter into Amendment to Management Operation Agreement with Southern health Partners on behalf of the Warren County Juvenile Detention Center and Mary Haven Youth Center aka Juvenile Treatment Center for Medical Services.
Vote: Mr. Crisenbery – yea; Mr. Kilburn – yea; Mrs. South – absent
- 04-1855 A resolution was adopted to approve a Bond Reduction for J.A. Development, LLC., for completion of improvements in Country Walk, Section Three, situated in Franklin Township.

Vote: Mr. Crisenbery – yea; Mr. Kilburn – yea; Mrs. South - absent

04-1856 A resolution was adopted to enter into Street and Appurtenances Security Agreement with Misty Meadows Development Company, LLC., for installation of certain improvements in Misty Meadows Subdivision situated in Harlan Township. Vote: Mr. Crisenbery – yea; Mr. Kilburn – yea; Mrs. South - absent

04-1857 A resolution was adopted to enter into Erosion Control Bond Agreement with Michael A. Howard and Cathy L. Howard, for improvements in Noble Creek Farms, Section 8, situated in Franklin Township.
Vote: Mr. Crisenbery – yea; Mr. Kilburn – yea; Mrs. South – absent

04-1858 A resolution was adopted to enter into Erosion Control Bond Agreement with Misty meadows Development Company, LLC., for improvements in Misty Meadows Subdivision situated in Harlan Township.
Vote: Mr. Crisenbery – yea; Mr. Kilburn – yea; Mrs. South – absent

04-1859 A resolution was adopted to enter into Street and Appurtenances Security Agreement with Michael A. Howard and Cathy L. Howard, for installation of certain improvements in Noble Creek Farms, Section 8, situated in Franklin Township. Vote: Mr. Crisenbery – yea; Mr. Kilburn – yea; Mrs. South - absent

04-1860 A resolution was adopted to enter into a Subdivision Public Improvement Performance and Maintenance Security with Michael A. and Cathy L. Howard to install certain water and/or sanitary sewer improvements in Noble Creek Farm, Section 8, situated in Franklin Township.
Vote: Mr. Crisenbery – yea; Mr. Kilburn – yea; Mrs. South - absent

04-1861 A resolution was adopted to enter into Sidewalk Security Agreement with Long Cove, LLC., for installation of certain improvements in Long Cove, Phase IC, situated in Deerfield Township.
Vote: Mr. Crisenbery – yea; Mr. Kilburn – yea; Mrs. South - absent

04-1862 A resolution was adopted to enter into Street and Appurtenances Security Agreement with Long Cove, LLC., for installation of certain improvements in Long Cove, Phase 1C, situated in Deerfield Township.
Vote: Mr. Crisenbery – yea; Mr. Kilburn – yea; Mrs. South – absent

04-1863 A resolution was adopted to enter into a Subdivision Public Improvement Performance and Maintenance Security Agreement with Long Cove, LLC., to install certain water and/or sanitary sewer improvements in Long Cove, Phase 1C, situated in Deerfield Township.
Vote: Mr. Crisenbery – yea; Mr. Kilburn – yea; Mrs. South – absent

- 04-1864 A resolution was adopted to enter into an Erosion Control Bond Agreement with Long Cove, LLC., for improvements in Long Cove, Phase 1C, situated in Deerfield Township.
Vote: Mr. Crisenbery – yea; Mr. Kilburn – yea; Mrs. South – absent
- 04-1865 A resolution was adopted to enter into an Erosion Control Bond Agreement with Long Cove, LLC., for improvements in Long Cove, Phase 1B, situated in Deerfield Township.
Vote: Mr. Crisenbery – yea; Mr. Kilburn – yea; Mrs. South – absent
- 04-1866 A resolution was adopted to enter into Sidewalk Security Agreement with Long Cove, LLC., for installation of certain improvements in Long Cove, Phase 1B, situated in Deerfield Township.
Vote: Mr. Crisenbery – yea; Mr. Kilburn – yea; Mrs. South – absent
- 04-1867 A resolution was adopted to enter into Street and Appurtenances Security Agreement with Long Cove, LLC., for installation of certain improvements in Long Cove, Phase 1B, situated in Deerfield Township.
Vote: Mr. Crisenbery – yea; Mr. Kilburn – yea; Mrs. South – absent
- 04-1868 A resolution was adopted to enter into a Subdivision Public Improvement Performance and Maintenance Security Agreement with Long Cove, LLC., to install certain water and/or sanitary sewer improvements in Long Cove, Phase 1B, situated in Deerfield Township.
Vote: Mr. Crisenbery – yea; Mr. Kilburn – yea; Mrs. South – absent
- 04-1869 A resolution was adopted to approve the following Record Plats.
Vote: Mr. Crisenbery – yea; Mr. Kilburn – yea; Mrs. South - absent
- 04-1870 A resolution was adopted to approve Appropriation Adjustments from Commissioners Fund #101-1110 into Sheriff's Fund #101-2210 and Juvenile Detention Center Fund #101-2600.
Vote: Mr. Crisenbery – yea; Mr. Kilburn – yea; Mrs. South - absent
- 04-1871 A resolution was adopted to approve an Appropriation Adjustment within Children Services Fund #273.
Vote: Mr. Crisenbery – yea; Mr. Kilburn – yea; Mrs. South - absent
- 04-1872 A resolution was adopted to approve Appropriation Adjustments within the Telecommunications Department Funds below in order to cover "Overtime" Charges. Vote: Mr. Crisenbery – yea; Mr. Kilburn – yea; Mrs. South - absent

- 04-1873 A resolution was adopted to approve Appropriation Adjustment into Emergency Services / HazMat Fund #290.
Vote: Mr. Crisenbery – yea; Mr. Kilburn – yea; Mrs. South - absent
- 04-1874 A resolution was adopted to approve Repayment of a Cash Advance from TASC Grant Fund #284 into County General Fund #101. Vote: Unanimous
- 04-1875 A resolution was adopted to approve Supplemental Appropriation within Construction Fund #467. Vote: Unanimous
- 04-1876 A resolution was adopted to approve Payback of the Cash Advances within the Mason Montgomery Road Water Improvement Area Fund No. 439-3205.
Vote: Mr. Crisenbery – yea; Mr. Kilburn – yea; Mrs. South - absent
- 04-1877 A resolution was adopted to approve Supplemental Appropriation within Auditor Fund #237 and an Appropriation Adjustment within Data Processing Fund #101-1400, Engineer Fund #202, Clerk of Courts Fund #101-1280, #101-1260 and #250, Recorder Fund #101-1160 and Prosecutor Fund #101-1150.
Vote: Mr. Crisenbery – yea; Mr. Kilburn – yea; Mrs. South - absent
- 04-1878 A resolution was adopted to Reject Bids received for One New Crane Service Truck and Accessories.
Vote: Mr. Crisenbery – yea; Mr. Kilburn – yea; Mrs. South - absent

DISCUSSIONS

Jim Elliott, Turtlecreek Township resident, was present along with various other residents along SR 123 in Turtlecreek Township, to discuss needed safety improvements.

Mr. Elliot requested the Board to help in any way to improve the safety of the area, including the replacement of signs, which were destroyed in accidents.

The Board discussed their desire to help and questioned the availability of funds through the County Engineer's Office.

Upon further discussion, the Board requested a work session with state officials, the County Engineer, ODOT, and OKI representatives to discuss availability of funds for the necessary safety improvements.

PUBLIC HEARING
VACATION OF A PORTION OF DEARTH ROAD IN FRANKLIN TOWNSHIP

The public hearing to consider the vacation of a portion of Dearth Road in Franklin Township was convened this 14th day of December 2004, in the Commissioners Meeting Room.

Bob Craig, Regional Planning Commission, stated that the vacation is the result of two properties developing within Franklin Township. He then stated his recommendation to approve the vacation request.

Marty Mulhall, Robinson Vail Road resident, stated his concern with lot sizes within Wilson Farm Addition.

Jack Hedges, attorney for Dan Moreland, adjacent property owner, stated his desire to ensure the driveway of Mr. Moreland is maintained as dedicated road right of way to allow him access to his property. He then stated no objection to the vacation request.

Mike Howard, petitioner, stated his desire to “clean up” the roadways prior to selling lots.

Commissioner South read the County Engineer’s recommendation to approve the vacation.

Upon further discussion, the Board resolved (Resolution #04-1842) to approve the vacation of a portion of Dearth Road in Franklin Township.

Richard Renneker, Sanitary Engineer, was present to discuss capacity in the Lower Little Miami Wastewater Treatment Plant.

Mr. Renneker stated that as a result of a meeting with Sandy McKew, Strategic Public Policy, they have determined a capacity problem exists within the Lower Little Miami Wastewater Treatment Plant.

Commissioner Kilburn stated the need for the Board to decide how they plan to react. He stated their need to determine if they desire to add capacity or limit the tremendous growth within the area.

Commissioner South directed the Clerk to schedule a work session with Hamilton Township.

Upon further discussion, the Board resolved (Resolution #04-1843) to begin the Thursday, December 16, 2004, meeting at 3:00 p.m. in order to conduct a work session with Hamilton Township.

Commissioner Kilburn exited the meeting at 11:12 a.m.

Richard Renneker, Sanitary Engineer, was present for a work session along with Tetra Tech and Henderson and Bodwell to discuss the Deerfield/Hamilton Water Treatment Plant Expansion.

The consultants reported that the North water improvement is \$100,000 under budget at this time.

The Board then discussed the cost estimated for expansion of the Deerfield/Hamilton Plant and discussed several expansion options.

Tetra Tech then presented the estimated costs for engineering and construction.

Upon further discussion, the Board determined to proceed with the proposed expansion process.

Commissioner Kilburn entered the meeting at 11:45 a.m.

On motion, upon unanimous call of the roll, executive session was entered into at 2:05 p.m. to discuss pending litigation and personnel matters pursuant to Ohio Revised Code Sections 121.22 (G)(6) and 121.22 (G)(1) and exited at 4:08 p.m.

Commissioner South exited the meeting at 4:08 p.m.

Upon motion the meeting was adjourned.

Pat Arnold South, President

C. Michael Kilburn

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 December 14, 2004, in compliance with Section 121.22 O.R.C.

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