



**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*

**C. MICHAEL KILBURN**

**PAT ARNOLD SOUTH**

**DAVID G. YOUNG**

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

**MINUTES: Regular Session -- October 20, 2005**

The Board met in regular session pursuant to adjournment of the October 18, 2005, meeting.

Pat Arnold South - present

David G. Young - present

C. Michael Kilburn - present

Tina Davis, Clerk – present

- 05-1591      A resolution was adopted to cooperate with the Warren County Park Board to name a new park located in Franklin Township the “Carl E. Oeder Park”.  
Vote: Unanimous
- 05-1592      A resolution was adopted to approve a Pay Increase for Stacy Everhart within the Warren County Emergency Services. Vote: Unanimous
- 05-1593      A resolution was adopted to declare various items within Building Services Department as surplus and authorize the disposal of said items. Vote: Unanimous
- 05-1594      A resolution was adopted to approve and enter into Contract between the Warren County Children Services Board and Warren County Mental Health Recovery Centers for Drug Screening Services. Vote: Unanimous
- 05-1595      A resolution was adopted to approve and enter into Contract between the Warren County Children Services Board and Warren County Mental Health Recovery Services for Home-Based Services. Vote: Unanimous
- 05-1596      A resolution was adopted to approve and Animal Claim for Daniel Hurst and Barry Reese. Vote: Unanimous
- 05-1597      A resolution was adopted to approve Change Order #1 with Warren County

Engineer and Armrel Byrnes Company for the 2005 Resurfacing Project – Phase II. Vote: Unanimous

- 05-1598 A resolution was adopted to approve Memorandums of Understanding and Addendums/Amendments to the Labor Contract between the Warren County Sheriff and the Warren County Deputy Sheriff's Benevolent Association. Vote: Unanimous
- 05-1599 A resolution was adopted to approve a Sidewalk Bond Reduction for Rivers Bend Land Company, Ltd., for completion of improvements in River's Bend Golf Club Community, Section 10, in Hamilton Township. Vote: Unanimous
- 05-1600 A resolution was adopted to approve a Street and Appurtenances Bond Reduction for Hopewell Valley Development, LLC., for completion of improvements in the Villages of Hopewell Valley, Section One, in Hamilton Township. Vote: Unanimous
- 05-1601 A resolution was adopted to enter into Erosion Control Bond Agreement with Grand Communities, Ltd., for improvements in Wedgwood, Block "U", situated in Hamilton Township. Vote: Unanimous
- 05-1602 A resolution was adopted to enter into Street and Appurtenances Security Agreement with Grand Communities, Ltd., for installation of certain improvements in Wedgwood, Block "T", situated in Hamilton Township. Vote: Unanimous
- 05-1603 A resolution was adopted to enter into Erosion Control Bond Agreement with Stoneridge Development, Ltd., for completion of improvements in Country Brook North, Section Four, situated in Clearcreek Township. Vote: Unanimous
- 05-1604 A resolution was adopted to enter into Sidewalk Security Agreement with Grand Communities, Ltd., for installation of certain improvements in Wedgwood, Block "U" situated in Hamilton Township. Vote: Unanimous
- 05-1605 A resolution was adopted to enter into Street and Appurtenances Security Agreement with Grand Communities, Ltd., for installation of certain improvements in the Wedgwood, Block "U", situated in Hamilton Township. Vote: Unanimous
- 05-1606 A resolution was adopted to enter into Erosion Control Bond Agreement with Grand Communities, Ltd., for improvements in Wedgwood, Block "T", situated in Hamilton Township. Vote: Unanimous
- 05-1607 A resolution was adopted to enter into Sidewalk Security Agreement with Grand Communities, Ltd., for installation of certain improvements in Wedgwood, Block "T" situated in Hamilton Township. Vote: Unanimous
- 05-1608 A resolution was adopted to enter into a Subdivision Public Improvement Performance and Maintenance Security Agreement with Stoneridge

Development, Ltd., to install certain water and/or sanitary sewer improvements in Country Brook North, Section Four, situated in Clearcreek Township.  
Vote: Unanimous

- 05-1609 A resolution was adopted to enter into Street and Appurtenances Security Agreement with Stoneridge Development, Ltd., for installation of certain improvements in the Country Brook North, Section Four, situated in Clearcreek Township. Vote: Unanimous
- 05-1610 A resolution was adopted to approve following Record Plats. Vote: Unanimous
- 05-1611 A resolution was adopted to approve Supplemental Appropriation within Construction Fund #467. Vote: Unanimous
- 05-1612 A resolution was adopted to approve Supplemental Appropriation within Construction Fund #467. Vote: Unanimous
- 05-1613 A resolution was adopted to approve Supplemental Adjustment into Commissioners Grants Fund #101-1111. Vote: Unanimous
- 05-1614 A resolution was adopted to approve Supplemental Adjustment into OMB Fund #101-1115. Vote: Unanimous
- 05-1615 A resolution was adopted to approve Appropriation Adjustment within Dog and Kennel Fund #206. Vote: Unanimous
- 05-1616 A resolution was adopted to approve Appropriation Adjustment within the Telecommunications Department Fund #101-2810 in order to cover "Purchase" Requirements. Vote: Unanimous
- 05-1617 A resolution was adopted to approve Appropriation Adjustments within Fund #101-1600. Vote: Unanimous
- 05-1618 A resolution was adopted to approve a Supplemental Appropriation into Sheriff Fund #293. Vote: Unanimous
- 05-1619 A resolution was adopted to approve an Appropriation Adjustment within Common Pleas Court Fund #101-1220. Vote: Unanimous
- 05-1620 A resolution was adopted to authorize payment of Bills. Vote: Unanimous

DISCUSSIONS

---

The Board began this meeting at 12:00 p.m. for the purpose of conducting a work session relative to growth management.

Commissioner South stated her desire for appropriate balance between residential, commercial, industrial and agriculture. She stated the need to find a way to control the rate of growth as well as identify the projects still remaining.

Commissioner Kilburn stated the need to get a hold on the large farms that are undeveloped. They are an engineer to plat out an enormous amount of lots that are well within the zoning code and it is done. He stated that is has been working on a committee to amend the text of the zoning code which will address these concerns.

Commissioner Young stated the questions that need to be answered are “what can we legally do, what do we want to do and should rules be established from the top down or the bottom up”.

Bob Craig, Regional Planning Commission, stated that the county is in process of completing two land use plans which are being utilized as models for the rest of the county. He stated that Clearcreek Township was completed and Hamilton Township is in process. He stated that both plans advocate balanced growth.

There was much discussion relative to the proposed zoning amendments and the possibility of a “transition zone”.

Commissioner South requested everyone present to write down their top ten concerns of growth and growth management and received the following responses:

Neil Tunison

1. Traffic congestion - intersections/turning lanes/signalization  
- number of lanes
2. Lack of connecting roads: e.g. – long crowded detours with the closing of King Avenue Bridge due to repairs
3. Traffic safety - at intersections  
- at curves  
- at shoulders  
- pedestrians
4. Highway maintenance - especially maintaining traffic  
- signal maintenance
5. Pavement condition
6. Drainage - permits  
- lot gradings  
- maintenance-where private meets public infrastructure  
- environmental requirements (Phase II)
7. Construction costs/funding

No Name

1. Traffic

2. Jobs
3. Neighborhood business
4. Managed population
5. Quality of life

Rex Gordon – The Drees Company

1. Well defined guidelines
2. Rules that are equally applied to all the stakeholders
3. Balanced growth plan
4. One dimensional zoning usually benefits only one. You need multi-dimensional zoning:
  - Low density residential
  - Medium density residential
  - High density residential
  - Business
  - Retail
  - Commercial
  - Industrial
  - Parks
  - Public Service
  - Etc.
5. Good definitions to go with all terms used in the plan.
6. Urgency in getting the plan completed and implemented
7. Pray that it works.

Larry Brigham – Hamilton Twp. resident

1. Providing limits to wastewater/sewer line length into areas without sewers
2. Building boom has overtaken the schools
3. Annexation of township lands by adjacent villages/cities
4. Homes/building lots for growing families to aspire to own as their finances improve.
  
5. Provide a system to improve roads throughout the affected areas when new development is approved.
6. A method of taxation to provide road repair of existing township roads.
7. Zoning plans as proposed today will help.

Don Mason – Harlan Twp. Trustee

1. Individual property rights.
2. Change of code seems to be directed at preventing development rather than regulating it.
3. With the overwhelming “anti” sentiment, zoning changes not likely to happen
4. Devaluation of land values – net worth
5. Doesn’t apply to areas of most growth
6. Possibility of politicizing zoning process
7. Not “Ag Zoning” but deals entirely with farmland
8. What is a “farm”?

Lynn Carey – Hamilton Twp. resident  
(not listed in order of importance)

1. Preserve the rural character of our beautiful county
2. Rewrite the zoning codes to aid us in preserving that rural character
3. Protect our scenic river
4. Set up a system that lays out the rules from A to Z for a subdivision to become a reality
5. Entertain doing away with the RPC
6. Redo comprehensive plan to make sure all landowners are fairly represented
7. Bring in desirable commercial development to help offset taxes
8. Look for a way to help senior citizens with the tax burden they so fear
9. Look closely at conservation development
10. Look at road assessments.

My only hope is that, as a county, we move forward and make all the necessary changes to enable us to create and preserve a beautiful place to live. I think the need to hire a law firm (Burke and Manley) that could rewrite our zoning codes and keep us out of court. I feel we have so little time – please move forward quickly BUT wisely before more homes come.

Nancy Jackson – farmer, resident, township zoning commission

1. Manage number of people in township/county by reducing residential density
2. Amend zoning regulations
3. Preserve, protect and encourage agricultural resources and lifestyles
4. Protect natural resources: river, grasslands, waterways, forests
5. Improve quality of construction, thus enhancing property values county-wide
6. Plan – and implement the plan – for county and its political subdivisions to incorporate the aspects of “modern rural community”
7. Provide for educational facilities for K through college; enhance library system for the county
8. While roadways are an issue for ease of travel, I believe sometimes it is necessary to consciously design the community around existing roadways, eg. keeping small circuitous roadways in areas while limiting number of houses/businesses feeding into the roadway – think of Indian Hill.
9. I still hope for horse trails through Hamilton Township, even though the Trustees consciously excluded them from their Parks and Recreation plan. While the Little Miami Rails to Trails offers horse access, however, the Trails have been primarily used by those on bicycles and rollerbladers, who are quite disrespectful to horses and their riders. Warren County has a strong equine heritage, and it would be wonderful to encourage its continuation. Dayton and Cleveland both have strong horse communities and great places to ride. Is it possible to make such options available before the County is completely paved over??
10. Taxes to be commensurate with services provided by county and township

No Name

1. Road widths on township roads
2. Right-of-ways
3. Access Management
4. Drainage issues

Cadi Kelly – homeowner

1. Property rights
2. Requiring property owner to go through zone changes when they previously didn't have to
3. Protecting our boundaries
4. Working with builders who employ our residents. Where will they work?
5. Not giving elected officials discretionary power over property rights
6. Taking power away from local governments – what's good for the county may not be good for the township (and vice versa)
7. Not to deny public utilities based upon urban service limits
8. Provide incentives for developers to reach your goals and keep projects financially feasible
9. Quit breaking the laws. I don't want anymore lawsuits. The rules were put there to protect the citizens from the government. (i.e. a constitution, bill of rights)
10. Stop trying to fix school funding through zoning. It can't be accomplished. Go to Columbus to fix school funding.

Dan Hendricks – HBA of Greater Cincinnati

1. Property rights of property owners should be protected. New zoning shouldn't cause any property to be devalued.
2. Zoning should be predictable and clear
3. Encourage development in areas where the county wants development by providing incentives
4. Don't give elected officials the right to make subjective or arbitrary decisions when addressing zone changes. (Carrot vs. Stick)
5. Anticipate areas that are likely to see the most growth and prepare infrastructure and roads to meet it

Kimm Coyner – Warren County Econ. Dev. Director

1. Identify areas targeted for commercial development
2. Create Economic Development Districts for focused development opportunities
3. Identify areas for retail development
4. Address ways to encourage commercial development in targeted areas
5. Address ways to keep residential development out of commercial areas
6. Create a development code that clearly communicates future growth plans
7. Adequate infrastructure planned for in areas identified for growth
8. Alternative financing methods to allow for quality development
9. Need to even out tax base between residential and commercial
10. Need for comprehensive plan that demonstrates future vision including balance between residential and commercial

Jerry Spurling – Warren County Building Dept.

1. Elected officials to have more control
2. More demands on developers (Infrastructure)
3. Stress on Schools, Townships & Fire Departments
4. Don't allow major development in 100 yr. Flood!

Farmers want to have their cake and eat it too. While farming they despise development. When retiring they want to sell to the largest developer!

No Name

1. Comprehensive plan (overall)
2. Re-write the zoning code

No Name

1. Comprehensive
2. Supporting studies
3. Zoning text (complete) rewrite
4. Sub Regs (complete) rewrite
5. Unified Development plan
6. Alternative financing methods for infrastructure /pay own way
- 7-9 ----
10. Underground utilities

Dave McElroy - Warren County Soil & Water

1. Protection for Little Miami River as a National Scenic River, with forested buffer and meeting water quality standards
2. Transition areas between urban and rural areas. There is a small town feel when you are aware you are leaving one town before coming to another
3. Encouragement and recognition of agriculture as a valued and important land use
4. Encouragement for redevelopment in existing small town centers
5. Provision of open space and stream (riparian) set backs. Inherent in stream set backs is a stricter code for building in the 100 year floodplain.

Chuck Turner – Union Twp. resident

1. Annexation – Keep out Middletown
2. Annexation – Keep out Monroe
3. Annexation – Keep out Springboro/Lebanon
4. Annexation – Keep our borders clear
5. Roadway maintenance (It's marvelous now – especially where we live)
6. Preserving “rural quality of life”
7. Zoning/lot size/building size
8. Comprehensive plan for land uses
  - Residential
  - Industrial
  - Commercial/Retail
  - Service IndustriesIs Blue Ash a good example of balanced land uses?
9. Providing for adequate personal income generation – proximity to employment venues/ease of travel there
10. Traffic congestion/safety issues

Jim Lukas – Franklin City Manager



1. Mandate PUD or conservation development and guaranteed open space and possibly other aesthetic improvements. Applicants can apply for variance. (We talked about this two years ago – let’s implement!)
2. Economic Development – Thank you for making this a county priority!
3. What is the County’s overall vision?
4. Zoning needs changed on SR122 & this should not be a residential corridor – this should be a priority!
5. Can infrastructure handle the growth – can a roadway improvement assessment area be developed
6. Realize that larger lots do not necessarily equate to quality development – let’s establish quality standards as well

Upon further discussion, the work session was continued to November 10, 2005, at 3:00 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 October 20, 2005, in compliance with Section 121.22 O.R.C.

---

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