



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

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***C. MICHAEL KILBURN
PAT ARNOLD SOUTH
DAVID G. YOUNG***

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

MINUTES: Regular Session – May 22, 2007

The Board met in regular session pursuant to adjournment of the May 17, 2007, meeting.

David G. Young - present

Pat Arnold South - present

C. Michael Kilburn - present

Tina Davis, Clerk – present

Minutes of the May 10, 15, and 17, 2007, meetings were read and approved.

- 07-765 A resolution was adopted to continue Public Hearing for Rezoning Application of Chawla Real Estate, Inc. (Case # 07-01), to rezone 5.5 acres in Turtlecreek Township from Rural Residence “R-1” to General Business “B-2” but Amended to request a Planned Unit Development Overlay. Vote: Unanimous
- 07-766 A resolution was adopted for the State Route 73 Water Extension – Establish Non-Participant Charges. Vote: Unanimous
- 07-767 A resolution was adopted approving and authorizing the Board President to Execute an Amendment to the 1986 and 1988 Sewer Service Agreements for the Shaker Creek Drainage Area with the Butler County Board of County Commissioners thereby amending the Shaker Creek Sewer Improvement Area to add lots 1-95 of the Estates of Keever Creek and releasing said property to Butler County to provide sanitary sewer service; and, correcting the Southern Boundary of the Shaker Creek-Miller’s Run Sewer Service Area and the Northern Boundary of the Shaker Creek-Miller’s Run Drainage Area (aka The Dick’s Creek Sewer Improvement Area). Vote: Unanimous
- 07-768 A resolution was adopted to accept Resignation of Jessie Madden Emergency Communications Operator, within the Warren County Emergency Services Communications Department, effective May 29, 2007. Vote: Unanimous

- 07-769 A resolution was adopted to approve end of 120-day Probationary Period and approve a Pay Increase for Larry Easterly II, Service Worker I, within the Building Services Department. Vote: Unanimous
- 07-770 A resolution was adopted to approve a Pay Increase for Melinda Robison, Protective Services Caseworker, within the Warren County Department of Job and Family Services, Children Services Division. Vote: Unanimous
- 07-771 A resolution was adopted to authorize the posting of the "Water Sewer System Repair Worker I, II and III" Positions, within the Water and Sewer Department in accordance with Warren County Personnel Policy Manual, Section 2.02 (a).
Vote: Unanimous
- 07-772 A resolution was adopted to approve various Refunds. Vote: Unanimous
- 07-773 A resolution was adopted to approve Change Order No. 1 to the Contract with Freeze Underground increasing Purchase Order No. 68562 for the Deer Run Lift Station Elimination Project. Vote: Unanimous
- 07-774 A resolution was adopted to approve the Promotion of Craig Gabbard from Water Sewer Repair Worker I to the position of Water Sewer Repair Worker II in the Warren County Water and Sewer Department. Vote: Unanimous
- 07-775 A resolution was adopted to Waive Permit Fees associated with the Anthony Munoz Foundation Hall of Fame Golf Classic. Vote: Unanimous
- 07-776 A resolution was adopted to approve and authorize a Grant Application for Victims Assistance Funds on behalf of the Warren County Prosecutor's Office.
Vote: Unanimous
- 07-777 A resolution was adopted to Set Public Hearing to consider variance and appeal of conditions required for an Access Permit of Clearcreek Associates Ltd. in Clearcreek Township. Vote: Unanimous
- 07-778 A resolution was adopted to approve following Record Plats. Vote: Unanimous
- 07-779 A resolution was adopted to approve a Cash Advance from Sewer Revenue Fund 580-3319 (Surplus) into Bardes Drive Sewer Project Fund No. 449-3315
- 07-780 A resolution was adopted to approve Appropriation Adjustment within Construction Fund #467. Vote: Unanimous
- 07-781 A resolution was adopted to approve Appropriation Adjustment within Engineer's Office Fund #202-3120. Vote: Unanimous

- 07-782 A resolution was adopted to authorize payment of Bills. Vote: Unanimous
- 07-783 A resolution was adopted to Extend the Bid Opening Dates for the Sewer Extension and Pump Station Upgrade/Expansion for Caesar Creek Lake Estates and for the Hoffman Drive and Drake Road Water Main Extension.
Vote: Unanimous

DISCUSSIONS

Jeff Weber, Workforce One, was present along with Karen Whittamore, Director of Warren County Workforce One, and Dan Sack, Chairman of the External Relations Team, to present the 2006 Workforce One Annual Report.

Mr. Weber stated that over 60,000 customers were served in 2006 and that they are in receipt of a \$645,000 grant for a comprehensive data base in order to help redirect the workforce due to auto plant closures.

Dan Sack, Fourth R Computer Training Solutions, discussed the teamwork between Warren County Workforce One and Economic Development and how Warren County is being used as a model for other counties to do the same.

Commissioner Kilburn entered the meeting at 10:29 a.m.

PUBLIC HEARING

REZONING APPLICATION OF CHAWLA REAL ESTATE INC. TO REZONE
5.5 ACRES IN TURTLECREEK TOWNSHIP FROM RURAL RESIDENCE "R-1"
TO GENERAL BUSINESS "B-2"
AND AMENDED TO REQUEST A PLANNED UNIT DEVELOPMENT OVERLAY

The public hearing to consider the rezoning application of Chawla Real Estate Inc. to rezone 5.5 acres in Turtlecreek Township from Rural Residence "R-1" to General Business "B-2" but amended to request a planned unit development overlay was convened this 22nd day of May 2007, in the Commissioners' Meeting Room.

Robert Craig, Regional Planning Commission, stated that the RPC reviewed the application prior to the request for a planned unit development overlay. He explained the location of the property and the surrounding zones. He then stated the RPC Executive Committee's recommendation to deny the rezoning application.

There was discussion relative to the applicant's agreeability to a planned unit development overlay.

Mike Yetter, Zoning Inspector, stated the Rural Zoning Commission's recommendation to approve the rezoning application as modified subject to the standard six conditions.

Dr. Singh, property owner, stated he is planning some type of professional office. He stated he is not firm on what it will be yet.

Michael Dougherty, adjacent property owner, stated his concern of what may be constructed adjacent to him if the property is rezoned. He stated that the owner does not have any firm plans and he is opposed to the rezoning application.

Ray Benza, adjacent property owner, stated he is a business owner on Fujitec Drive where it is clearly a business zone. He stated this is a very rural area and he is highly opposed to the zone change.

Commissioner Kilburn stated he is ready to deny this application or take the matter under advisement.

Commissioner Young questioned where it makes sense for retail/business to go in and stated his desire to visit the site to get a better understanding of the surroundings. He then acknowledged receipt of a letter from the Turtlecreek Township Trustees in opposition to the rezoning application.

Upon further discussion, the Board resolved (Resolution #07-765) to continue the public hearing to May 24, 2007, at 5:15 p.m.

Tom Maloney, Building Department, was present to discuss foundation problems at a home under construction at 5299 Appaloosa Circle in Hamilton Township.

Mr. Maloney explained that the foundation is eight inches off and that a bearing wall is not sitting on the foundation.

Mr. Kilburn stated his frustration with a builder to continue construction even though major problems occur. He stated that the Building Department should not have had to issue a stop work order. The builder should have contacted the inspector at first notification of the problem.

There was discussion relative to the desire of the Board for all builders to be held to the same standard regardless of who they are. They then requested Mr. Maloney to follow this situation closely to ensure that the problem is fixed correctly.

Richard Renneker, Sanitary Engineer, was present to discuss the establishment of non-participation changes for the State Route 73 water project.

Bruce McGary, Chief Deputy Prosecutor, was present and stated the need to approve an Amendment to the 1986 and 1988 Sewer Service Agreements for the Shaker Creek Drainage Area with the Butler County Board of County Commissioners thereby amending the Shaker Creek Sewer Improvement Area to add lots 1-95 of the Estates of Keever Creek and releasing said property to Butler County to provide sanitary sewer service; and, correcting the Southern Boundary of the Shaker Creek-Miller's Run Sewer Service Area and the Northern Boundary of the Shaker Creek-Miller's Run Drainage Area (aka The Dick's Creek Sewer Improvement Area). He stated the need for this amendment is part of the settlement agreement with J-II Enterprises.

Mr. McGary then requested the Board's approval to "loan" a zoning inspector to investigate a zoning complain in Hamilton Township that involves property owned by Township Trustees.

The Board stated their agreement to the request.

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

On motion, upon unanimous call of the roll, the Board entered into executive session at 11:38 a.m. to discuss personnel matters pursuant to Ohio Revised Code Section 121.22 (G)(1) and exited at 12:45 p.m.

Upon motion the meeting was adjourned.

David G. Young, President

Pat Arnold South

C. Michael Kilburn

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 May 22, 2007, in compliance with Section 121.22 O.R.C.

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