



**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 – June 26, 2007

The Board met in regular session pursuant to adjournment of the June 21, 2007, meeting.

David G. Young - present

Pat Arnold South - present

C. Michael Kilburn - present

Tina Davis, Clerk – present

- 07-967 A resolution was adopted to approve and authorize Application for the FY 2007 Community Development Block Grant (CDBG) Formula Program and authorize the President and/or Vice President of this Board to sign documents relative thereto. Vote: Unanimous
- 07-968 A resolution was adopted to authorize payment of Bills. Vote: Unanimous
- 07-969 A resolution was adopted to approve and enter into a Maintenance Agreement with TDC Group, on behalf of the Warren County Data Processing Department. Vote: Unanimous
- 07-970 A resolution was adopted to approve and enter into a Contract with Mental Health Recovery Centers of Warren County for Mental Health Services on behalf of the Warren County Department of Human Services. Vote: Unanimous
- 07-971 A resolution was adopted to enter into Contract with Neyra Construction, Inc. for the FY06 Wayne Township Street Improvements Project. Vote: Unanimous

- 07-972 A resolution was adopted to approve end of 240-day Probationary Period and approve a Pay Increase for Katherine Hartsook, Unit Support Worker II, within the Warren County Department of Job and Family Services, Human Services Division. Vote: Unanimous
- 07-973 A resolution was adopted to approve Amendment to an Agreement with Human Services Research Institute on behalf of the Warren County Department of Job and Family Services – Children Services Division. Vote: Unanimous
- 07-974 A resolution was adopted to declare various items within Water and Sewer, Child Support and Building & Zoning, as surplus and authorize the disposal of said items. Vote: Unanimous
- 07-975 A resolution was adopted to accept Resignation due to Retirement of Sandy Mandzak, Social Services Supervisor, within the Warren County Department of Family Services, Human Services Division, effective July 31, 2007. Vote: Unanimous
- 07-976 A resolution was adopted to authorize the posting of the Water and Wastewater Sample Collector I position within the Water and Sewer Department, in accordance with Warren County Personnel Policy Manual, Section 2.02 (a). Vote: Unanimous
- 07-977 A resolution was adopted to adopt Warren County Procurement Policy. Vote: Unanimous
- 07-978 A resolution was adopted to approve various Refunds. Vote: Unanimous
- 07-979 A resolution was adopted to approve a Street and Appurtenances Bond Release for Timbercreek Associates, Inc. for completion of improvements in Timbercreek III, Section Three, situated in Turtlecreek Township. Vote: Unanimous
- 07-980 A resolution was adopted to approve Golden Fox Trail and Shelterglen Court in Timbercreek III, Section Three, for public maintenance by Turtlecreek Township. Vote: Unanimous
- 07-981 A resolution was adopted to approve Appropriation Adjustment within Commissioners Fund #101. Vote: Unanimous
- 07-982 A resolution was adopted to approve Appropriation Adjustment within Commissioners Fund #101-1110. Vote: Unanimous
- 07-983 A resolution was adopted to approve the Site Plan Review Application of Welsh Development, Turtlecreek Township. Vote: Unanimous

- 07-984 A resolution was adopted to Deny Building Permit Application for the proposed Walmart in Hamilton Township until such time as applicant has Drainage approval by the Board of County Commissioners and the County Engineer.
Vote: Mr. Kilburn – yea; Mrs. South – yea; Mr. Young – nay
- 07-985 A resolution was adopted to hire Travis Allen as Water Sewer Repair Worker I, within the Warren County Department of Water and Sewer. Vote: Unanimous
- 07-986 A resolution was adopted to hire Andrew Farlino, Emergency Communications Operator, within the Warren County Emergency Services Department.
Vote: Unanimous
- 07-987 A resolution was adopted to hire Billy J. Hahn, Jr. Emergency Communications Operator, within the Warren County Emergency Services Department.
Vote: Unanimous
- 07-988 A resolution was adopted to hire Timothy Craig Roberts, Emergency Communications Operator, within the Warren County Emergency Services Department. Vote: Unanimous
- 07-989 A resolution was adopted to hire Santiago Castro, Emergency Communications Operator, within the Warren County Emergency Services Department.
Vote: Unanimous

DISCUSSIONS

On motion, upon unanimous call of the roll, the Board entered into executive session at 9:05 a.m. to discuss personnel matters pursuant to Ohio Revised Code Section 121.22 (G)(1) and exited at 10:45 a.m.

PUBLIC HEARING 2007 COMMUNITY DEVELOPMENT BLOCK GRANT FORMULA PROGRAM

The second public hearing concern the 2007 Community Development Block Grant Formula Program was convened the 26th day of June 2007 in the Commissioners Meeting Room.

Jerry Haddix, Grants Coordinator, stated the applicants received and reviewed the following projects to be included in the application as chosen by the Board:

\$90,000	Franklin Township – Street Improvements
\$57,300	Village of Harveysburg – Curbs & Sidewalks, Street Improvements
\$70,000	Village of Maineville – Street Improvements
\$52,300	Village of Pleasant Plain – Storm Sewer Improvements
\$50,200	City of Franklin – Water & Sewer Facilities
\$62,200	Administration & Fair Housing

There being no one present to speak in opposition to the proposed application, on motion, upon unanimous call of the roll, the public hearing was closed and the Board resolved (Resolution #07-967) to approve and authorize Application for the FY 2007 Community Development Block Grant (CDBG) Formula Program and authorize the President and/or Vice President of this Board to sign documents relative thereto.

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

Barry Sullivan, Zoning Inspector, was present for the site plan review application of Welsch Development relative to The Trails of Shaker Run in Turtlecreek Township.

Mr. Sullivan review the proposed site plan to construct a community swimming club within the subdivision and reviewed the comments and concerns from all departments and officials concerned. He stated that the Regional Planning Commission staff has made the recommendation to require a loop driveway for emergency vehicles access. He then stated the Zoning Department recommendation to approve the site plan review application subject to five conditions.

There was discussion relative to the condition requiring a loop driveway for emergency access. The Board determined that the township trustees did not recommend the emergency access so therefore, it must not have been a concern of theirs.

Jeff Hayes, Welsch Development, stated that if the township needs access to the facility, they will park on the road and will not pull into the parking area. He stated that the proposed loop will be very costly to construct.

Upon further discussion, the Board resolved (Resolution #07-983) to approve the site plan review application subject to four conditions, deleting the proposed condition to require an emergency access loop.

Larry Heit, Sunrise Landing resident in Hamilton Township, was present representing Sunrise Landing Subdivision as well as Willow Pond Subdivision and Indian Lakes Subdivision relative to drainage concerns from the proposed Walmart being constructed adjacent to their subdivision.

Mr. Heit stated that the proposed drainage plan from Walmart shows the outfall from their retention pond draining into the pond of Indian Lakes, which overflows into the pond of Willow Pond, then flowing into the pond of Sunrise Landing which eventually flows into Bear Run Creek. He stated his concern with the quantity as well as the quality of water proposed to be discharged and stated that the current drainage is not adequate within the subdivisions to handle additional water and also stated concerns that their ponds will eventually need to be dredged (like Landen Lake) and stated their homeowners associations cannot absorb the cost of such projects.

Mr. Heit then requested the drainage plan of Walmart to discharge directly into Bear Run Creek from the front portion of their property rather than through the three residential subdivisions.

Neil Tunison, County Engineer, stated that the proposed drainage plan of Walmart meets all the requirements of the design standards and he cannot deny their plan if the requirements are met.

Commissioner South requested the Soil and Water Conservation District as well as the County Engineer, to review the drainage plan to ensure the final approved plan will not have a negative impact on the residential subdivisions adjacent to the site.

Commissioner Young stated his concern that for any drainage plan that includes draining into privately owned lakes being a violation of private property rights. He questions how one property can put a burden on another without any type of agreement or compensation.

Commissioner Kilburn stated his desire to not allow the issuance of a building permit until the drainage plan is changed.

Upon further discussion, on motion of Mr. Kilburn, being seconded by Mrs. South, the Board resolved (Resolution #07-984) to deny any building permit application for the proposed Walmart in Hamilton Township until such time as applicant has drainage approval by this Board of County Commissioners and the County Engineer with Mr. Young voting nay.

On motion, upon unanimous call of the roll, the Board entered into executive session at 12:14 p.m. to discuss personnel matters pursuant to Ohio Revised Code Section 121.22 (G)(1) and acquisition of property pursuant to Ohio Revised Code Section 121.22 (G) (2) and exited at 1:58 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 June 26, 2007, in compliance with Section 121.22 O.R.C.

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