



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 – August 31, 2010

The Board met in regular session pursuant to adjournment of the August 24, 2010, meeting.

David G. Young - present

Pat Arnold South - present

C. Michael Kilburn - present

Tina Davis, Clerk - present

Minutes of the July 27, 2010, August 3, 10, and 24, 2010, meetings were read and approved.

- 10-1242 A resolution was adopted to accept Resignation of Thomas M. Caffrey, Court Liaison, within the Warren County Department of Children Services, effective September 6, 2010. Vote: Unanimous
- 10-1243 A resolution was adopted to authorize the Posting of the "Court Liaison" position, within the Department of Job and Family Services, Children Services Division, in accordance with the Warren County Personnel Policy Manual, Section 2.02(a).
Vote: Unanimous
- 10-1244 A resolution was adopted to remove Kimm Coyner from the Tax Incentive Review Council due to resignation and appoint Martin Russell as said replacement. Vote: Unanimous
- 10-1245 A resolution was adopted to Waive Permit Fees associated with the St. Margaret of York Ministry Fair. Vote: Unanimous
- 10-1246 A resolution was adopted to approve and enter into a Contract between the Warren County Commissioners and Mini University, Inc. on behalf of the Warren County Department of Human Services. Vote: Unanimous

- 10-1247 A resolution was adopted to authorize President of the Board to sign an OPWC Cooperation Agreement between the Warren County Commissioners, the Warren County Engineer and the City of Springboro for the West Factory Road Improvement Project. Vote: Unanimous
- 10-1248 A resolution was adopted to affirm "Then and Now" Requests pursuant to Ohio Revised Code 5705.41(D)(1). Vote: Unanimous
- 10-1249 A resolution was adopted to approve and enter into Waterline & Appurtenance Easement Agreement with C. David McConnell for the Operation and Maintenance of a Waterline along Union Road. Vote: Unanimous
- 10-1250 A resolution was adopted to approve and enter into Waterline & Appurtenance Easement Agreements for the Old Route 122 and Utica Road Waterline Improvements Project. Vote: Unanimous
- 10-1251 A resolution was adopted to enter into an Easement Agreement with A. June Shafor, Individually and A. June Shafor, Successor Trustee of the Kenneth W. Shafor Agreement of the Trust dated May 13, 1998, for a Permanent Drainage Easement and a Temporary Construction Easement for the Greentree Road Project. Vote: Unanimous
- 10-1252 A resolution was adopted to declare various items within Telecommunications as surplus and authorize the disposal of said items. Vote: Unanimous
- 10-1253 A resolution was adopted to approve various Refunds. Vote: Unanimous
- 10-1254 A resolution was adopted to approve Bond Release for Shawhan Associates, Ltd., for completion of improvements in Shawhan Trails, Phase III & IV, situated in Union Township. Vote: Unanimous
- 10-1255 A resolution was adopted to approve a Street and Appurtenances Bond Release for Gallenstein Brothers, Inc. for completion of improvements in the Reserves at Indian Lake, Section 6 situated in Hamilton Township. Vote: Unanimous
- 10-1256 A resolution was adopted to approve a Sidewalk Bond Release for Gallenstein Brothers, Inc., for completion of improvements in the Reserves at Indian Lake, Section 7 situated in Hamilton Township. Vote: Unanimous
- 10-1257 A resolution was adopted to approve Delaware Drive at the Reserves at Indian Lake, Section 6 for Public Maintenance by Hamilton Township. Vote: Unanimous

- 10-1258 A resolution was adopted to approve a Sidewalk Bond Release for Gallenstein Brothers, Inc., for completion of improvements in the Reserves at Indian Lake, Section 7 situated in Hamilton Township. Vote: Unanimous
- 10-1259 A resolution was adopted to approve a Street and Appurtenances Bond Release for Gallenstein Brothers, Inc. for completion of improvements in the Reserves at Indian Lake, Section 7 situated in Hamilton Township. Vote: Unanimous
- 10-1260 A resolution was adopted to approve Bannock Drive and Erie Drive at the Reserves at Indian Lake, Section 7 for Public Maintenance by Hamilton Township. Vote: Unanimous
- 10-1261 A resolution was adopted to approve a Street and Appurtenances Bond Release for Gallenstein Brothers, Inc. for completion of improvements in the Reserves at Indian Lake, Section 8 situated in Hamilton Township. Vote: Unanimous
- 10-1262 A resolution was adopted to approve a Sidewalk Bond Release for Gallenstein Brothers, Inc., for completion of improvements in the Reserves at Indian Lake, Section 8 situated in Hamilton Township. Vote: Unanimous
- 10-1263 A resolution was adopted to approve Coyote Drive and Erie Drive at the Reserves at Indian Lake, Section 8 for Public Maintenance by Hamilton Township. Vote: Unanimous
- 10-1264 A resolution was adopted to approve a Street and Appurtenances Bond Release for Welsh Development Co. Inc. for completion of improvements in Trails of Shaker Run, Section One situated in Turtlecreek Township. Vote: Unanimous
- 10-1265 A resolution was adopted to approve a Sidewalk Bond Release for Welsh Development Co. Inc., for completion of improvements in Trails of Shaker Run, Section One situated in Turtlecreek Township. Vote: Unanimous
- 10-1266 A resolution was adopted to approve Greentree Meadows Drive, Prairie Clover Drive, Prairie Smoke Court, Meadowsweet Drive, Windflower Court, and Coveflower Court at Trails of Shaker Run, Section One for public maintenance by Turtlecreek Township. Vote: Unanimous
- 10-1267 A resolution was adopted to approve a Street and Appurtenances Bond Release for Welsh Development Co. Inc. for completion of improvements in Trails of Shaker Run, Section Two situated in Turtlecreek Township. Vote: Unanimous
- 10-1268 A resolution was adopted to approve a Sidewalk Bond Release for Welsh Development Co. Inc., for completion of improvements in Trails of Shaker Run, Section Two situated in Turtlecreek Township. Vote: Unanimous

- 10-1269 A resolution was adopted to approve Prairie Smoke Court and Lantana Drive at Trails of Shaker Run, Section Two for Public Maintenance By Turtlecreek Township. Vote: Unanimous
- 10-1270 A resolution was adopted to approve a Street and Appurtenances Bond Release for Welsh Development Co. Inc. for completion of improvements in Trails of Shaker Run, Section Three situated in Turtlecreek Township. Vote: Unanimous
- 10-1271 A resolution was adopted to approve a Sidewalk Bond Release for Welsh Development Co. Inc., for completion of improvements in Trails of Shaker Run, Section Three situated in Turtlecreek Township. Vote: Unanimous
- 10-1272 A resolution was adopted to approve Prairie Clover Drive at Trails of Shaker Run, Section Three for public maintenance by Turtlecreek Township. Vote: Unanimous
- 10-1273 A resolution was adopted to enter into Street and Appurtenances (including Sidewalks) Security Agreement with Welsh Development Co., Inc. for installation of certain improvements in Trails of Shaker Run, Section Five "A" situated in Turtlecreek Township. Vote: Unanimous
- 10-1274 A resolution was adopted to enter into a Subdivision Public Improvement Performance and Maintenance Security Agreement with Welsh Development Company, Inc., to install certain water and/or sanitary sewer improvements in the Trails of Shaker Run, Section 5-A situated in Turtlecreek Township. Vote: Unanimous
- 10-1275 A resolution was adopted to approve following Record Plats. Vote: Unanimous
- 10-1276 A resolution was adopted to Rescind Resolution #10-1107 approving Expense Adjustment within the Workforce Investment Act Fund #258. Vote: Unanimous
- 10-1277 A resolution was adopted to approve Expense Adjustment within the Workforce Investment Act Fund #258. Vote: Unanimous
- 10-1278 A resolution was adopted to approve Supplemental Appropriation into Warren County Board of Developmental Disabilities. Vote: Unanimous
- 10-1279 A resolution was adopted to approve Appropriation Adjustments within Warren County Bond of Developmental Disabilities Fund #205. Vote: Unanimous
- 10-1280 A resolution was adopted to approve Appropriation Adjustment from Commissioners General Fund #101-1110 into Juvenile Detention Center Fund #101-2600. Vote: Unanimous

- 10-1281 A resolution was adopted to approve Appropriation Adjustments from Commissioners' General Fund #101-1110 into County Court Fund #101-1280. Vote: Unanimous
- 10-1282 A resolution was adopted to approve Appropriation Adjustments within the Clerk of Courts General Fund #101-1260. Vote: Unanimous
- 10-1283 A resolution was adopted to approve Appropriation Adjustment within County Court Fund #101-1280. Vote: Unanimous
- 10-1284 A resolution was adopted to approve Appropriation Adjustment within Grants Administration Fund #265. Vote: Unanimous
- 10-1285 A resolution was adopted to approve an Appropriation Adjustment within the Workforce Investment Act Fund #258. Vote: Unanimous
- 10-1286 A resolution was adopted to approve Appropriation Adjustments within Children Services Fund #273. Vote: Unanimous
- 10-1287 A resolution was adopted to approve Appropriation Adjustments within Treasurer's Office Fund #101-1130, Probate/Juvenile Fund #277 and Coroner's Office Fund #101-2100. Vote: Unanimous
- 10-1288 A resolution was adopted to authorize payment of Bills. Vote: Unanimous
- 10-1289 A resolution was adopted to authorize the submittal of Proposals with the Ohio Department of Transportation for Grants through the US DOT Federal Transit Administration (FTA), as authorized under Federal Transit Laws, as Codified, 49 USC Section 5311, Financial Assistance for other than Urbanized Areas and funds available from the Ohio Public Transportation Grant Program and executing a contract with the Ohio Department of Transportation upon grant proposal acceptance. Vote: Unanimous
- 10-1290 A resolution was adopted to approve and authorize the President of this Board to sign a Lien Subordination Agreement for Steven Bunch. Vote: Mrs. South - yea; Mr. Young - yea; Mr. Kilburn - nay
- 10-1291 A resolution was adopted to acknowledge payment of Bills. Vote: Mrs. South - yea; Mr. Young - yea; Mr. Kilburn - nay
- 10-1292 A resolution was adopted to approve and authorize the President of this Board to enter into Loan Agreement with Derek and Rachel West relative to the Warren County Homebuyer Assistance Program. Vote: Mrs. South - yea; Mr. Young - yea; Mr. Kilburn - nay

- 10-1293 A resolution was adopted to enter into an Agreement with Lexon Insurance Company whereby the Board accepts Lump Sum Payments to be applied toward the completion of the Streets and Appurtenances and Erosion Control Items Associated with the Providence Subdivision Section 1, Phases I and II located in Hamilton Township, and whereby the Board also releases Lexon Insurance Company of any further obligations outlined in Security Agreement No.'s 06-029 (P), 07-040 (P), (Resolution 07-2114 - Erosion Control), and 08-003 (P).
Vote: Unanimous
- 10-1294 A resolution was adopted to accept Assignment of the Purchase Agreement between the Warren County Board of Developmental Disabilities and Mental Health Recovery Services for the purchase of the Real Estate located at 107 Oregonia Road, Lebanon, Ohio. Vote: Unanimous
- 10-1295 A resolution was adopted to approve Appropriation Adjustment within Sheriff's Office Fund #630. Vote: Unanimous
- 10-1296 A resolution was adopted for Selection of an Engineering Firm for the Hartz Mountain Sanitary Sewer Project. Vote: Unanimous

DISCUSSIONS

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

The Board observed a moment of silence in honor of Sgt. James C. Robinson who was killed in Afghanistan on September 4, 2010, and also for Tony Wallace, the former Franklin resident who was a police officer in Anchorage, Alaska killed in the line of duty August 28, 2010.

Michael Schepers, Warren County United Way, was present along with staff and Board members for the ceremonial “throwing of the switch” by the Board for the newly expanded 2-1-1 system.

On motion, bids were closed at 9:15 a.m. this 31st day of August and the following bids were received, opened and read aloud for Butterworth Road Water Main Extension for the Warren County Water and Sewer Department:

Smith & Brown Const. Harrison, Ohio	\$ 282,448.00
Milicon Troy, Ohio	\$ 313,038.00
Adleta Const. Cincinnati, Ohio	\$ 324,406.84
Mt. Pleasant Blacktop Fairfield, Ohio	\$ 317,475.00
Trend Cincinnati, Ohio	\$ 279,781.00
Nelson Stark Cincinnati, Ohio	\$ 388,735.40
Plainview Equip & Rental Miamisville, Ohio	\$ 280,268.00
J. Daniel Co. Loveland, Ohio	\$ 350,551.66
Diggit Exc. Lebanon, Ohio	\$ 306,362.06
Freeze Underground LLC Goshen, Ohio	\$ 158,741.00

Chris Brausch, Sanitary Engineer, will review bids for a recommendation at a later date.

The Board interviewed the top three ranked engineering firms relative to the Hartz Mountain, Inc. Sanitary Sewer Extension Project in Harlan Township.

The Board conducted interviews with CDS Associates, Inc., Woolpert, Inc. and McGill Smith Punschon.

Upon conclusion of the interviewing process, upon discussion, the Board resolved (Resolution #10-1296) to select CDS Associates, Inc. as the engineering firm to begin negotiations relative to the Hartz Mountain Sanitary Sewer Project.

James Aumann, County Treasurer, was present along with James L. Spaeth, Clerk of Courts, for a meeting of the Investment Advisory Board and presented the following information as of June 30, 2010:

Total Agency Securities	\$ 62,087,547
Total Bank CD's	\$ 24,000,000
LCNB	\$ 22,969,739
5/3 Bank	\$ 24,290,038
S.T.A.R. Ohio	\$ 23,661,003
Various Purpose Special Assessment GO Bonds	\$ 2,586,816
Total Accounts	\$159,595,144
Total YTD Interest to General Fund	\$ 2,011,856

Mr. Aumann stated that he believes his revised estimate of his anticipated receipt for 2010 of interest to the General Funds given in July to be too high. He stated he is revising his anticipated revenue down by an additional \$500,000 for a revised number estimated to be \$ 3.5 million.

Chris Brausch, Sanitary Engineer, stated that the Board had authorized him to begin negotiations with Jones Warner Engineers relative to the Bethany Road Water Main Relocation Project. He stated that he, as well as the City of Mason, has been in negotiations and are unable to obtain an agreeable dollar amount. He stated that Jones Warner is requesting double the cost of what KZF, Inc. will cost. He requested the Board to authorize him to begin negotiations with KZF, Inc.

Upon discussion, the Board stated they are in agreement to begin negotiations with KZF, Inc.

On motion, upon unanimous call of the roll, the Board entered into executive session at 11:23 a.m. to discuss imminent litigation pursuant to Ohio Revised Code Section 121.22 (G) (3) and acquisition of property pursuant to Ohio Revised Code Section 121.22 (G) (2) and exited at 12:15 p.m.

Upon motion the meeting was adjourned.



David G. Young, President

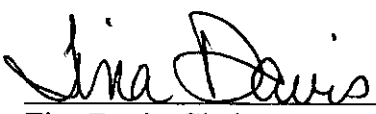


Pat Arnold South



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 August 31, 2010, in compliance with Section 121.22 O.R.C.



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