



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

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TOM ARISS

PAT ARNOLD SOUTH

DAVID G. YOUNG

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

MINUTES: Regular Session – January 24, 2013

The Board met in regular session pursuant to adjournment of the January 22, 2013, meeting.

Tom Ariss - present

David G. Young - absent

Pat Arnold South - present

Tina Davis, Clerk - present

Minutes of the January 10, 2013, January 14, 2013, January 15, 2013, January 17, 2013 and January 22, 2013 meetings were read and approved.

- 13-0157 A resolution was adopted to accept Resignation of Kenneth Combs, Water Treatment Plant Operator III, within the Warren County Water and Sewer Department, effective January 22, 2013. Vote: Unanimous
- 13-0158 A resolution was adopted to amend Resolution 12-1810 approving Salary Increases relative to Commissioners' Employees. Vote: Unanimous
- 13-0159 A resolution was adopted to authorize the internal posting for "Custodial Foreman" position, within the Facilities Management Department, in accordance with Warren County Personnel Policy Manual, Section 2.02(a).
Vote: Unanimous
- 13-0160 A resolution was adopted to authorize the posting for temporary "Custodial Worker I" position, within the Facilities Management Department, in accordance with Warren County Personnel Policy Manual, Section 2.02(a).
Vote: Unanimous

- 13-0161 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
- 13-0162 A resolution was adopted to approve and authorize the submission of a Chemical Emergency Planning and Community Right-to-Know Fund Grant to the State Emergency Response Commission / Ohio Environmental Protection Agency on behalf of the Warren County Department of Emergency Services.
Vote: Unanimous
- 13-0163 A resolution was adopted to Waive Permit Fees associated with the construction of dugout at Thornton Park in Salem Township. Vote: Unanimous
- 13-0164 A resolution was adopted to approve emergency repair of the Hatfield Tower Site Air Conditioning System. Vote: Unanimous
- 13-0165 A resolution was adopted to approve the Destruction of the following Warren County Sheriff's Office Equipment. Vote: Unanimous
- 13-0166 A resolution was adopted to approve Cash Advance from the General Fund #101 into TASC Grant Fund #284. Vote: Unanimous
- 13-0167 A resolution was adopted to approve Appropriation Adjustments within Prosecutor Fund #101-1150. Vote: Unanimous
- 13-0168 A resolution was adopted to approve Appropriation Adjustment within the Workforce Investment Act Fund 258. Vote: Unanimous
- 13-0169 A resolution was adopted to approve Appropriation Adjustment within Sheriff's Office Funds #101-2200 and #630. Vote: Unanimous
- 13-0170 A resolution was adopted to authorize payment of Bills. Vote: Unanimous

DISCUSSIONS

On motion, upon unanimous call of the roll, the Board entered into executive session at 4:03 p.m. to deliberate relative to a decision on the site plan review application of Sisters, Ltd./Pilot Flying J in Turtlecreek Township and exited at 5:00 p.m.

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

The Board met this 24th day of January 2013, to render a decision relative to the site plan review application of Sisters, Ltd./Pilot-Flying J in Turtlecreek Township.

Commissioners Ariss provided a short recap stated that the public hearing was opened on November 15, 2012, and continued in progress on January 10, 2013, where this Board voted to close the public hearing and began deliberations. He stated that on January 10, 2013, this Board stated they would reconvene on this 24th day of January 2013, to render a decision.

Commissioner Ariss then stated that the Board has been deliberating in an effort to reach a decision and on January 22, 2013, this Board received a letter on behalf of numerous opponents requesting that the public hearing be re-opened in order to take additional testimony, evidence and closing arguments. He then stated that he will entertain a motion of his colleague at this time on the request to re-open the public hearing.

Commissioner South stated she does not support re-opening the public hearing for additional testimony or evidence. She stated that everyone was given ample opportunity to be heard, and in fact before this Board closed the public hearing for public comment on January 10th, there were no other persons present that wanted to give testimony.

Commissioner South stated that she is not opposed to allowing limited written summations by the Applicant, Proponents and Opponents; however, she does believe that the Applicant is entitled to have this Board make a decision within a reasonable period of time, and the originally filing date of the application was in September of 2012.

Commissioner South made a motion to allow anyone who gave testimony during the public hearing before it was closed on January 10, 2013, as the Applicant, a Proponent or an Opponent, or their attorney, a period of 7 days from today to submit to the Clerk of this Board a written summation limited to the law and its application to the testimony and evidence accepted by this Board during the public hearing on November 15th and January 10th. Any such filing shall be a public record and anyone wishing to file a reply or responsive summation may obtain a copy of what is filed within the 7 day period, and they will have another 7 days to file their reply or responsive summation with the Clerk of this Board. Thereafter, this Board shall render its decision in writing no later than 30 days from today, and the decision will be mailed to the Applicant and any Proponent or Opponent, or their attorney, that files a written summation. She also stated that this Board will post its Decision on the County Website under both the Commissioners and Zoning Dept's links.

Commissioner Ariss seconded Commissioner South's motion and upon call of the roll, the motion was approved with a unanimous vote.

Upon motion the meeting was adjourned.



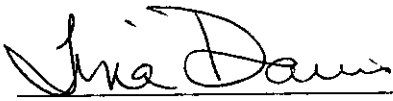
Tom Ariss, President



Pat Arnold South

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 January 24, 2013, in compliance with Section 121.22 O.R.C.



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