



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

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***TOM GROSSMANN
SHANNON JONES
DAVID G. YOUNG***

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

MINUTES: Regular Session – October 13, 2020

The Board met in regular session pursuant to adjournment of the October 6, 2020 meeting.

David G. Young – present

Shannon Jones – present

Tom Grossmann – present

Tina Osborne, Clerk – present

Minutes of the September 22, 2020, and September 29, 2020, meeting were read and approved.

- 20-1433 A resolution was adopted to appropriate perpetual highway and temporary easements during construction upon lands owned by Stephanie H. Roeder, 8939 Red Lion Five Points Road, Clearcreek Township, Warren County, Ohio, necessary for the Lytle- Five Points/Bunnell Hill Road Intersection Roundabout Project and relocation of Red Lion Five Points and Bunnell Hill Road Intersection, and further authorizing the execution and filing of certain pleadings, and approving the voucher for funds to be deposited with the Clerk of Courts relating thereto. Vote: Unanimous
- 20-1434 A resolution was adopted to appropriating a perpetual highway and a temporary easement upon lands owned by Norma Jean Stanley, 8956 Bunnell Hill Road, Clearcreek Township, Warren County, Ohio, necessary for the Lytle-Five Points/Bunnell Hill Road Intersection Roundabout Project and relocation of Red Lion Five Points and Bunnell Hill Road Intersection, and further authorizing the execution and filing of certain pleadings, and approving the voucher for funds to be deposited with the Clerk of Courts relating thereto. Vote: Unanimous
- 20-1435 A resolution was adopted to hire Cody Keller as Water Treatment Plant Technician, within the Warren County Water and Sewer Department. Vote: Unanimous
- 20-1436 A resolution was adopted to hire Kimberly McKinney as an Administrative Support within Warren County Telecommunications. Vote: Unanimous

- 20-1437 A resolution was adopted to authorize the posting of the “Social Service Worker II” position, within the Department of Job and Family Services, Human Services Division, in accordance with Warren County Personnel Policy Manual, Section 2.02 (A). Vote: Unanimous
- 20-1438 A resolution was adopted to amend Resolution #20-0022 approving the hire of Jessica Lyons within Warren County Building and Zoning. Vote: Unanimous
- 20-1439 A resolution was adopted to approve and enter into a Memorandum of Understanding between the Warren County Board of Commissioners and Lebanon City School District on behalf of Warren County Grants Administration. Vote: Unanimous
- 20-1440 A resolution was adopted to declare various items within Building & Zoning, Common Pleas Court- General Division, Drug Task Force, Engineer’s Office, Facilities Management, Mental Health Recovery Services, Water 7 Sewer – Sewer, Sheriff’s Office and Water & Sewer- Water as surplus and authorize the disposal of said items. Vote: Unanimous
- 20-1441 A resolution was adopted to advertise for bids for Warren County Engineer’s Office Generator System Project. Vote: Unanimous
- 20-1442 A resolution was adopted to approve Amendment #2 to the engineering contract with Strand Associates, Inc. for stormwater support services on behalf of the Warren County Engineer’s Office. Vote: Unanimous
- 20-1443 A resolution was adopted to enter into agreement with Procter & Gamble for donation of certain items on behalf of Warren County Emergency Services. Vote: Unanimous
- 20-1444 A resolution was adopted to acknowledge approve of financial transactions. Vote: Unanimous
- 20-1445 A resolution was adopted to acknowledge receipt of September 2020 Financial Statement. Vote: Unanimous
- 20-1446 A resolution was adopted to acknowledge payment of bills. Vote: Unanimous
- 20-1447 A resolution was adopted to approve a street and appurtenances bond release for Wendy’s International, LLC, for completion of improvements of the southbound left turn lane extension on Kings Island Drive situated in Deerfield Township. Vote: Unanimous
- 20-1448 A resolution was adopted to enter into subdivision public improvement performance and maintenance security agreement with Village on the Green, Ltd. To install certain water and/or sanitary sewer improvements in Village on the Green Section Seven, Phase C, situated in Hamilton Township. Vote: Unanimous

- 20-1449 A resolution was adopted to approve various record plats. Vote: Unanimous
- 20-1450 A resolution was adopted to approve operating transfer from Sewer 5580 (surplus) into 5575 Sewer Revenue Projects. Vote: Unanimous
- 20-1451 A resolution was adopted to accept an amended certificate for Coronavirus Relief Fund #2210. Vote: Unanimous
- 20-1452 A resolution was adopted to accept an amended certificate and approve a supplemental appropriation for P & G TIF Road Construction Fund 4484. Vote: Unanimous
- 20-1453 A resolution was adopted to approve supplemental appropriation into Board of Elections Fund 11011300. Vote: Unanimous
- 20-1454 A resolution was adopted to approve supplemental appropriation in the Auditor's Real Estate Fund 2237. Vote: Unanimous
- 20-1455 A resolution was adopted to approve supplemental appropriation into Common Pleas Court Community Based Corrections #2289. Vote: Unanimous
- 20-1456 A resolution was adopted to approve appropriation adjustment from Commissioners General Fund #11011110 into Court Services Fund #11011223. Vote: Unanimous
- 20-1457 A resolution was adopted to approve appropriation adjustment within Probate Court Fund #10111250. Vote: Unanimous
- 20-1458 A resolution was adopted to approve appropriation adjustment within Juvenile Detention Center Fund #10112600. Vote: Unanimous
- 20-1459 A resolution was adopted to approve appropriation adjustments within Records Center and Archives #11011500. Vote: Unanimous
- 20-1460 A resolution was adopted to approve appropriation adjustments within Facilities Management #11011600. Vote: Unanimous
- 20-1461 A resolution was adopted to approve appropriation adjustment within Telecommunications Department Fund #11012810. Vote: Unanimous
- 20-1462 A resolution was adopted to approve appropriation adjustments within Board of Elections Fund #11011300. Vote: Unanimous
- 20-1463 A resolution was adopted to approve appropriation adjustments within Board of Elections Fund #2209. Vote: Unanimous

- 20-1464 A resolution was adopted to approve appropriation adjustment within Common Pleas Court Community Based Corrections #2289. Vote: Unanimous
- 20-1465 A resolution was adopted to approve appropriation adjustments within Common Pleas Court Community Based Corrections #2289. Vote: Unanimous
- 20-1466 A resolution was adopted to approve appropriation adjustment within the Auditor's County Wide Financial Software Fund 4401. Vote: Unanimous
- 20-1467 A resolution was adopted to approve requisitions and authorize County Administrator to sign documents relative thereto. Vote: Unanimous
- 20-1468 A resolution was adopted to approve and authorize the President and/or Vice-President of this Board to sign an Award Agreement on behalf of the Warren County Board of Elections. Vote: Unanimous
- 20-1469 A resolution was adopted to continue public hearing for the rezoning application of Creek Song LLC to rezone 70.39 acres from Planned Unit Development "PUD" to Planned Unit Development "PUD". Vote: Unanimous
- 20-1470 A resolution was adopted to continue administrative hearing to consider the PUD Preliminary Site Plan (stage 2) application of Creek Song LLC in Turtlecreek Township. Vote: Unanimous

DISCUSSIONS

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

Molly Conley, Warren County Soil and Water Conservation District, was present along with Neil Tunison, County Engineer, and Chuck Petty, Assistant County Engineer, for a work session to discuss Municipal Separate Storm Sewer System (MS4) within Warren County.

Ms. Conley presented the attached PowerPoint presentation explaining the MS4 definition, EPA requirements associated with the Clean Water Act (1972) outlined in the National Pollutant Discharge Elimination System Program (NPDES), and the permitting process that the County Engineer and Soil and Water Conservation District administers on behalf of the County Commissioners.

Ms. Conley discussed the various services they provide for the County and various townships and municipalities including public education and outreach, public involvement and participation, illicit discharge detection and elimination, construction site stormwater runoff control, post construction services, pollution prevention, permit enforcement and all required reporting.

Ms. Conley then discussed the budget information including costs of service and the state matching funds they receive.

The Board thanked Ms. Conley for the informative presentation and also recognized October 18 – 24, 2020, as Stormwater Awareness Week.

PUBLIC HEARING CONTINUATION

REZONING APPLICATION OF CREEK SONG LLC TO REZONE 70.39 ACRES IN
TURTLECREEK TOWNSHIP FROM PLANNED UNIT DEVELOPMENT “PUD” TO
PLANNED UNIT DEVELOPMENT “PUD” FOR THE PURPOSE OF REVISING
DEVELOPMENT STANDARDS AND MAP

The public hearing to consider the rezoning application of Creek Song LLC to rezone 70.39 acres located at 2260 N. Route 48 in Turtlecreek Township (Parcel # 0932300010) from Planned Unit Development “PUD” to Planned Unit Development “PUD” for the purpose of revising the development standards and map was reconvened this 13th day of October, 2020, in the Commissioners’ Meeting Room and via video conference.

The Board acknowledged receipt of a request to continue this public hearing for 30 days from the applicant.

Upon discussion, the Board resolved (Resolution #20-1130) to continue the public hearing to November 10, 2020, at 9:30 a.m.

ADMINISTRATIVE HEARING CONTINUATION

PUD PRELIMINARY SITE PLAN (STAGE 2) APPLICATION FOR CREEK SONG LLC IN
TURTLECREEK TOWNSHIP

The administrative hearing to consider the PUD preliminary site plan (Stage 2) Application of Creek Song LLC in Turtlecreek Township was reconvened this 13th day of October, 2020, in the Commissioners' Meeting Room and via video conference.

Due to the rezoning hearing being continued, it is necessary to continue this administrative hearing.

Upon further discussion, the Board resolved (Resolution #20-1131) to continue the administrative hearing to November 10, 2020 at 10:00 a.m.

Commissioners Grossmann stated his desire to follow-up on the discussion relative to the Duke utility pole site distance complaint at Heritage Club Drive along Butler-Warren Road.

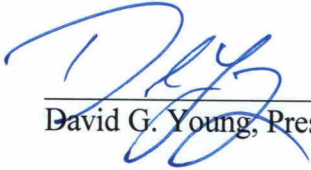
Mr. Grossmann stated that upon investigation, you must pull up over the painted stop line on Heritage Club Drive in order to safely see beyond the pole. He stated his concern relative to young drivers in the area and requested the County Engineer's Office consider moving the line.

Upon discussion, Neil Tunison, County Engineer, stated he would work with the City of Mason on relocating the line.

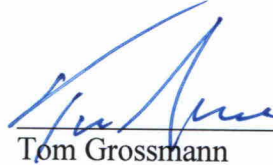
Neil Tunison, County Engineer, presented an update of various projects throughout Warren County.

On motion, upon unanimous call of the roll, the Board entered into executive session at 9:50 a.m. to discuss acquisition of property pursuant to Ohio Revised Code Section 121.22 (G)(2) and exited at 10:35 a.m.

Upon motion the meeting was adjourned.



David G. Young, President



Tom Grossmann

Shannon Jones

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 13, 2020, in compliance with Section 121.29 O.R.C.



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

Warren County MS4 Services ...and beyond

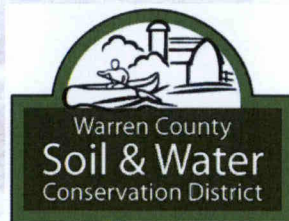
WCSWCD

Molly Conley

Engineer's Office

Neil F. Tunison

Chuck Petty



NEIL F. TUNISON, P.E., P.S. WARREN COUNTY ENGINEER
WARREN COUNTY
Engineer's Office

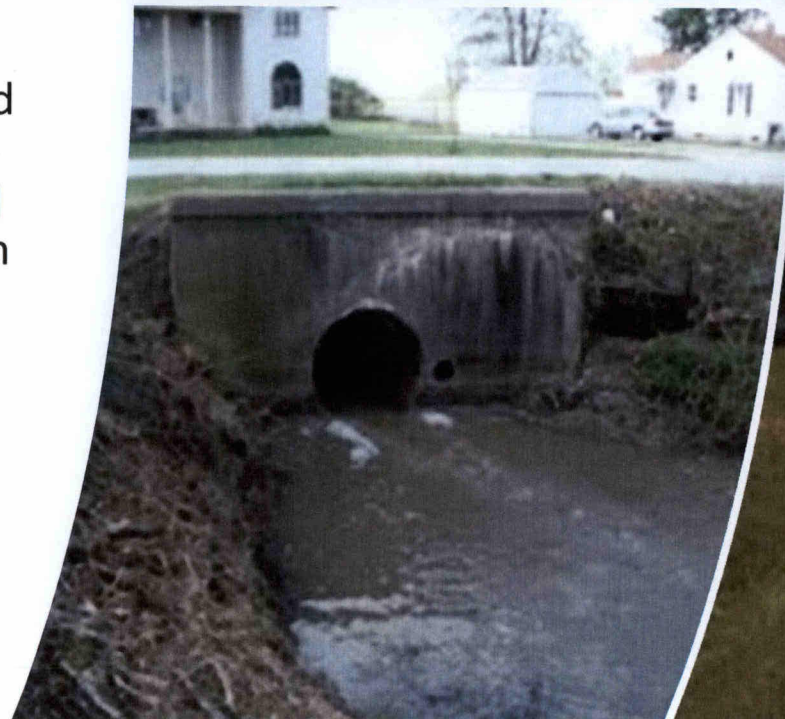


What is a MS4?

Municipal Separate Storm Sewer System

A conveyance or system of conveyances (including roads, catch basins, curbs, gutters, ditches, man-made channels, or storm drains):

- Owned or operated by a public body
- Designed and used for collecting storm water
- Is not a combined sewer (storm + sanitary)
- Is not part of a Publicly Owned Treatment Works (POTW)



NPDES MS4 Permit Overview

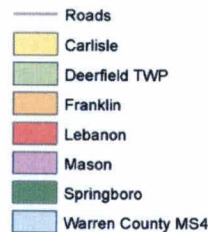
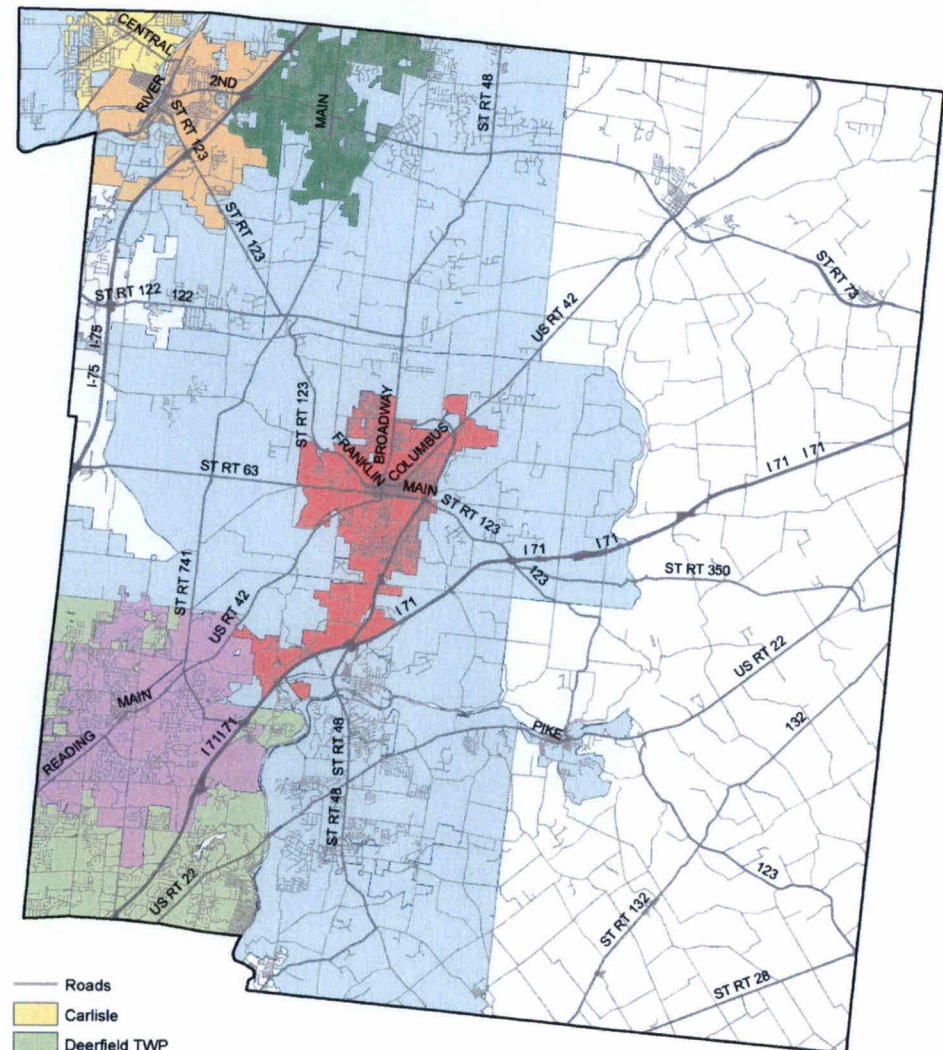


- What is the MS4 Permit?
 - Clean Water Act (1972) outlined the National Pollutant Discharge Elimination System program (NPDES) for the US
 - This program gave authority to state Environmental Protection Agencies (OEPA) to administer the permitting required for municipalities to be covered under the NPDES program
 - OEPA created multiple permits under the NPDES, but stormwater permit is the Small MS4 General Permit
 - MS4 permit allows owners or operators of MS4s approval to discharge stormwater to lakes, rivers, streams and wetlands in Ohio
 - In Warren County, the Engineer's Office and Warren SWCD oversees this permit on behalf of the Commissioners who own the MS4 and hold the permit

MS4 Permits in Warren County

- Current Stand Alone Permits in Warren County
 - Warren County & Co-permittees
 - City of Carlisle
 - City of Franklin
 - City of Mason
 - Deerfield Twp
 - City of Lebanon
 - City of Springboro (Only MS4 that SWCD/Engineer's Office does NOT provide MS4 service)

MS4 Permits Located In Warren County, Ohio



0 1.5 3 6 Miles



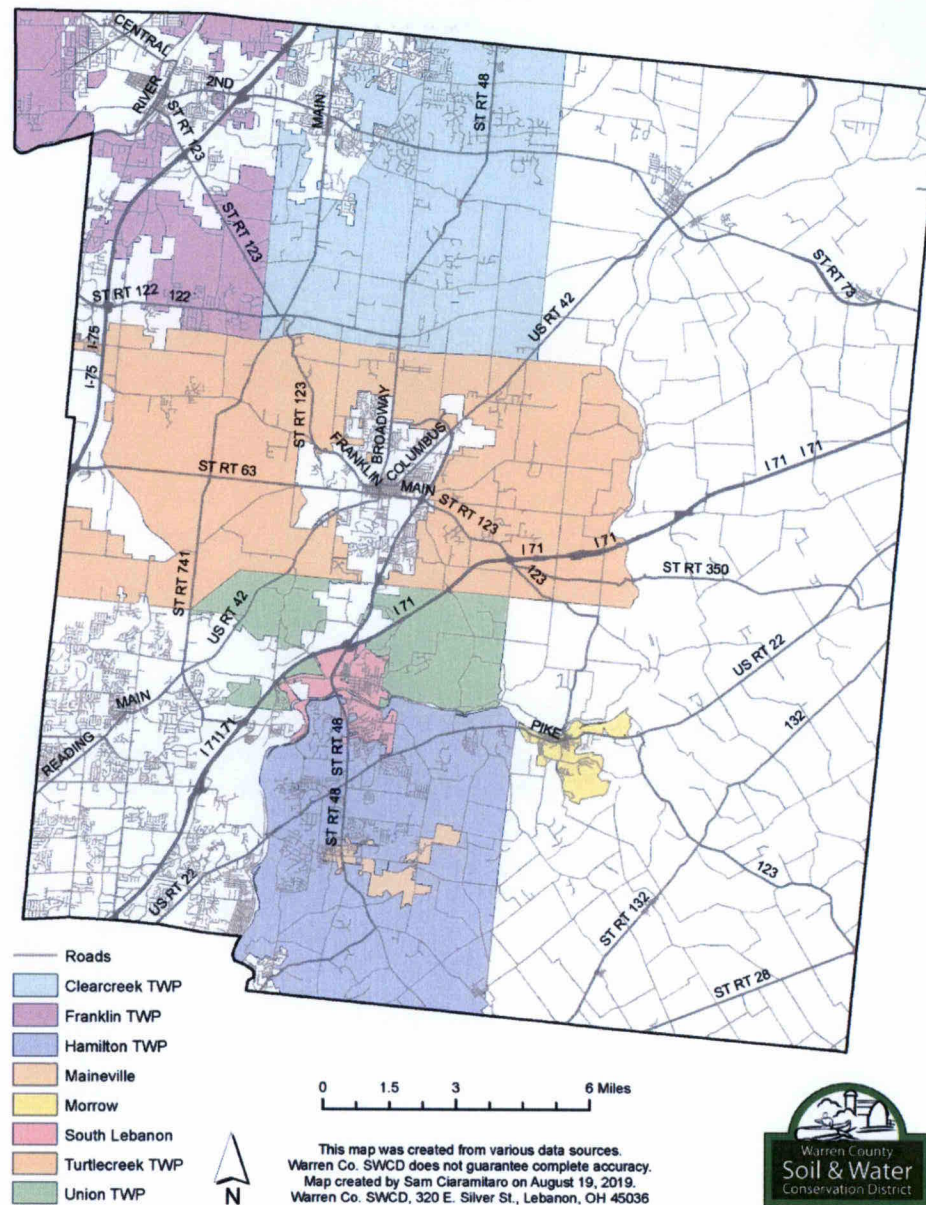
This map was created from various data sources.
Warren Co. SWCD does not guarantee complete accuracy.
Map created by Sam Ciaramitaro on August 19, 2019.
Warren Co. SWCD, 320 E. Silver St., Lebanon, OH 45036



Warren County MS4 Co-Permittees

- Clearcreek Twp
- Franklin Twp
- Hamilton Twp
- Village of Maineville
- Village of Morrow
- Village of South Lebanon
- Turtlecreek Twp
- Union TWP

Warren County Commissioners and Co-Permittees MS4 Areas

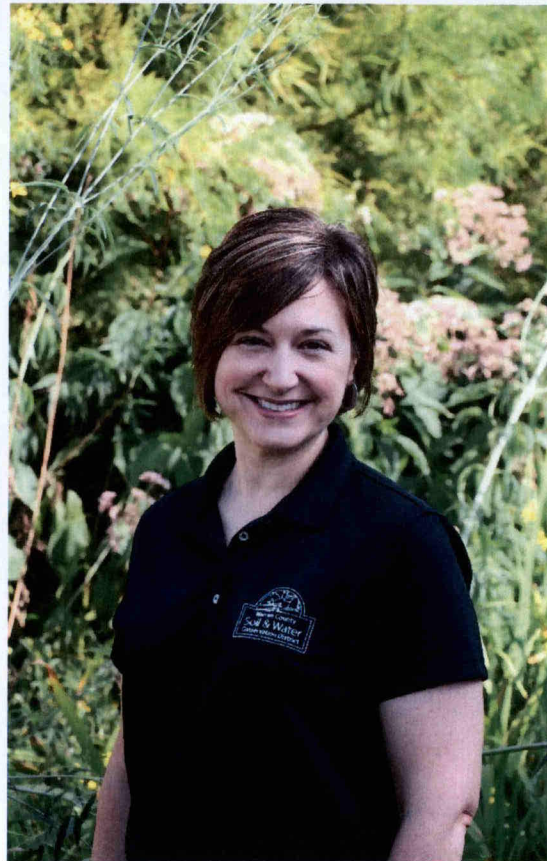


MS4 Permit Requirements 6 Minimum Control Measures (MCM)

- MCM 1 – Public Education & Outreach
- MCM 2 – Public Involvement & Participation
- MCM 3 – Illicit Discharge Detection and Elimination
- MCM 4 – Construction Site Storm Water Runoff Control
- MCM 5 – Post-Construction
- MCM 6 – Good Housekeeping & Pollution Prevention



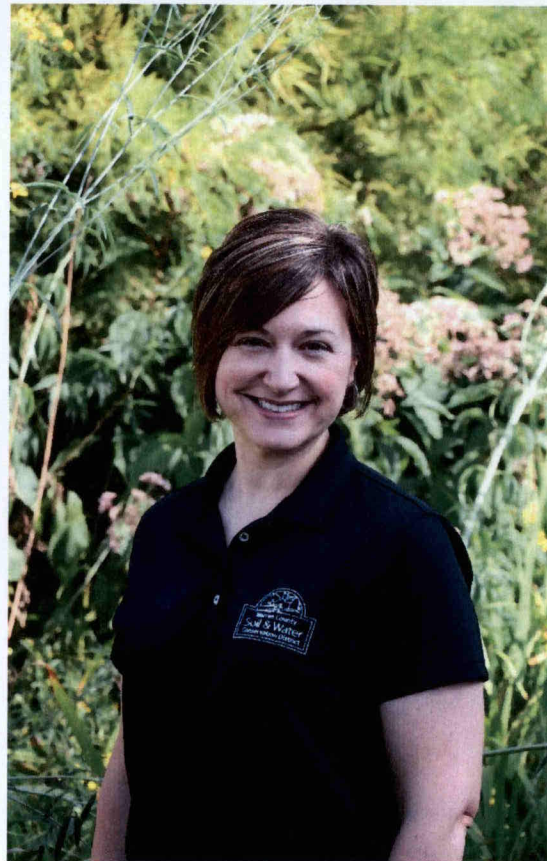
MCM 1: Public Education & Outreach



MCM 1 work involves increasing public stormwater awareness in demographics of all ages.

- K-12 classroom lessons
- Virtual lessons
- Lending library for educators
- Scout, church, club, etc. presentations
- Conservation/Stormwater workshops for all ages
- Website
- Quarterly newsletter
- Bi-weekly e-news blasts
- Conservation/Stormwater fact sheet library

MCM 2: Public Involvement & Participation



MCM 2 aims to involve the public in stormwater related activities; including taking actions that improve stormwater at home, work and in the community.

- River Clean Ups
- Tree Seedling Sale
- Rain Barrel Construction Workshops
- Conservation/Stormwater Trainings
- Water Trailer visits to public events
- Informational/educational table at public events
- Scholarships for youth development

MCM 3: Illicit Discharge Detection and Elimination (IDDE)



MCM 3 involves keeping pollutants out of the separate storm sewer systems.

- Warren SWCD created and heads the IDDE Advisory Committee within the County
- Administer County IDDE regulations and enforcement procedures
- Work closely with Warren Co Health District for home septic treatment system (HSTS) tracking, inspecting and homeowner communication
- Maintain GIS database on all stormwater outfall points
- SWCD interns (4) inspect all points once per permit term (3685 points total)
- Inspect/investigate/test potential illicit discharge (dumping of oil, paint, other pollutants) and coordinate with OEPA for remediation



**Warren County
Health District**



Public Health

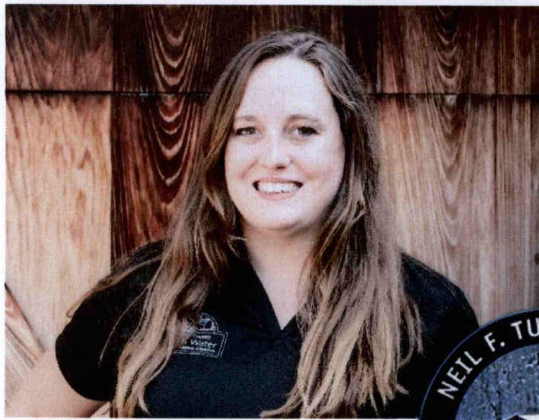
MCM 4: Construction Site Stormwater Runoff Control



MCM 4 involves administering the Earth Disturbing Permit (EDP) Program

- Administer County Erosion and Sediment Control Regulations and enforcement
- Review construction plans for sediment and erosion control design compliance
- Work with County Engineer for stormwater compliance
- Inspect all active construction sites on a monthly basis (160 active sites)
- Communicate maintenance needs with developers/contractors
- Issue Notice of Violations, follow up with enforcement per permit requirements
- Mediate drainage issues between new development and existing
- Provide 3 trainings on EDP/yr for developers, engineers, contractors

MCM 5: Post Construction



MCM 5 involves work to ensure the function of stormwater control features

- Administer County Stormwater Regulations and enforcement
- Maintain County Stormwater Design Manual
- Review construction plans for stormwater design compliance
- Maintain GIS database on all stormwater control basins
- Inspect and approve newly constructed stormwater controls for permit compliance
- SWCD interns (4) inspect all existing stormwater control basins on a yearly basis (1921 Total)
- Work with basin owners to maintain and repair basins
- Mediate drainage issues between new development and existing

MCM 6: Good Housekeeping & Pollution Prevention



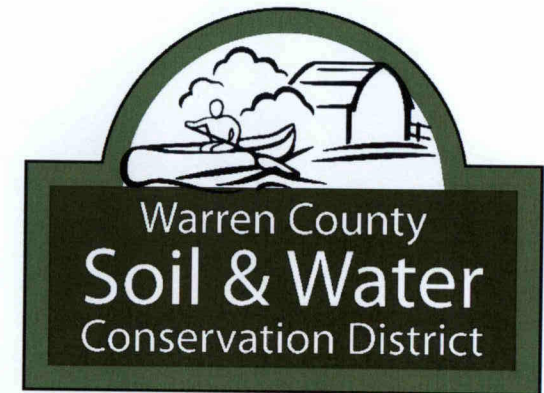
MCM 6 requires reducing stormwater pollution at the facilities owned by the municipality or MS4 permit holder. This MCM must include municipal staff training on pollution prevention measure and techniques.

- Developing & updating facility Stormwater Pollution Prevention Plans (SWPPPs)
- Working with facility to improve facility and operations for stormwater protection
- Training facility staff on monthly inspections and record keeping requirements
- Inspecting facilities annually
- Producing training for facility staff
- Administer/fund leaf collection program
- Annual reporting to EPA

Permit Enforcement

- 3 areas of MS4 permit which require enforcement
 - Sediment and Erosion Control
 - Stormwater Control
 - Illicit Discharge
- Enforcement is unique to type of municipality based on enabling ORC section which dictates the prosecuting authority
 - 503 – Statutory with county prosecutor
 - 504 – Home Rule with law director
 - 703 – Statutory but with law director
- Warren SWCD works with Warren Co Engineer's office for initial program enforcement. As issues escalate, Warren Co Prosecutor's office becomes involved
- EPA requires detailed reporting on all program enforcement
- Types of program enforcement:
 - Verbal/written communication
 - Notice of Violations
 - Follow up inspections/visits/communication
 - Stop Work Orders
 - Injunctions
 - Fines

David P. Fornshell
WARREN COUNTY PROSECUTOR



MS4 Required Reporting



Storm Water Management Plan (SWMP)

- Outlines how MS4 plans to comply with permit
- Sets goals for each MCM for the 5-year permit cycle

Annual Report

- What MS4 did to comply with permit
- Details accomplishments, projects, inspections, population served for all MCMs
- SWCD complies and formulates report and all information for all MS4s
- Engineer's Office submits to OEPA

Stormwater Pollution Prevention Plan for Individual Facilities (SWPPP)

- SWCD develops SWPPPs for facilities
- Facility managers inspects and reports on a monthly/quarterly basis
- SWCD trains facility staff and inspects and reports on a yearly basis

MS4 Services Meetings

SWCD holds meetings each year in August to review the Working Agreements and Cost of Services with all MS4 municipalities in Warren County

- Working Agreements are between Warren SWCD and each municipality who is a co-permittee and a stand alone MS4
 - Warren SWCD has a Working Agreement with Warren Co Engineer's Office to collaborate on items requiring a stormwater engineer
- Review programs, administration, deliverables, reporting and any items that may need to change or update for next year
- Review and agree on cost of services based on stormwater fee set by Commissioners





Cost of Services

Annual Cost

- Warren Co Commissioners set Stormwater Fee to be assessed on tax bill in unincorporated areas
 - \$12 for 2021
- Currently billing \$12 per developed lot in all unincorporated areas and townships on tax bill
 - 60% or \$7.20 goes to SWCD
 - 40% or \$4.80 goes to Engineer's
- SWCD is currently billing \$12 per developed lot directly to co-permittee Villages where taxes can not be assessed
- Stand alone MS4s can select any or all MCM services from SWCD
 - \$12 is divided between MCM 1-6 depending on effort and assessed per developed lot

Benefit of Local \$\$



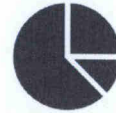
MATCHING
FUNDING

Ohio Department of Agriculture matches all local dollars coming directly from co-permittees and stand alone MS4 contracts.

State match money is used as a cost savings to MS4 municipalities to help pay for part of their MS4 services fees.

State match varies between 60% and 80% each year depending on the state budget set by the governor.

SWCD Budget Info



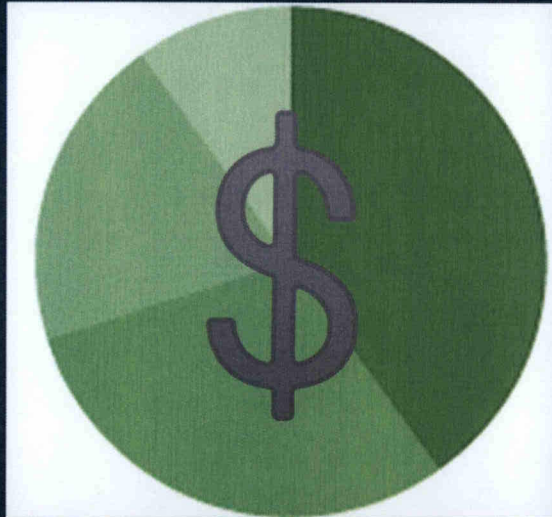
In simple terms, SWCD's budget consists of MS4 service fees, 60% of stormwater tax, Warren Co Commissioners appropriation and state match.



Warren Co Commissioners supports SWCD each year with a lump sum appropriation which is approx. 30% of budget.



ODA matches MS4 services fees and commissioner's appropriation at a rate of between 60-80%.



MS4 Services comprise approximately 70% of the work that Warren SWCD performs each year.



SWCD employs 10 full time staff and 4 interns each year.

SWCD Mission

The Warren County Soil and Water Conservation District's mission is to promote wise stewardship of our natural resources through cooperative partnerships, educational programs and technical assistance in land and water management.

More than just
MS4 work...



Director: *Molly Conley*

SWCD Work Profile

MS4 Services

Urban Technical Assistance

Agricultural Technical Assistance

NRCS Partnership Assistance

Farmland Preservation

Conservation Education/Outreach

Stormwater GIS Database

Warren Co Regional Planning Commission Seat

Stream Monitoring

Local/State Representation for Various Agencies/Boards

Watershed Management

Public Programs/Public Involvement

*Thank you for your
support of the MS4
and conservation
work in Warren
County!*

