



BOARD OF COUNTY COMMISSIONERS

WARREN COUNTY, OHIO

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LARRY CRISENBERY

C. MICHAEL KILBURN

PAT ARNOLD SOUTH

BOARD OF COUNTY COMMISSIONERS

WARREN COUNTY, OHIO

MINUTES: Regular Session--July 16, 2002

The Board met in regular session pursuant to adjournment of the July 11, 2002, meeting.

C. Michael Kilburn - present Larry Crisenbery - present

Pat Arnold South - present Tina Davis, Clerk - present

02-1082 A resolution was adopted to Advertise for Bids for the purchase of 4000 Tons of Bulk Ice Control Salt with the option to purchase up to an Additional 4000 Tons. Vote: Unanimous

02-1083 A resolution was adopted to approve Amendment #2 to the Agreement with County Line Vending. Vote: Unanimous

02-1084 A resolution was adopted to Advertise and Set Public Hearing for Calendar Year 2003 Transit Operating and Capital Assistance Application. Vote: Unanimous

02-1085 A resolution was adopted to Designate Family and Medical Leave of Absence to Connie Bledsoe, Emergency Communications Operator, within the Department of Emergency Services. Vote: Unanimous

02-1086 A resolution was adopted to approve Notice of Intent to Award Contract for the State Route 48 Water Main Relocation Project to J.R. Herdman Excavating. Vote: Unanimous

02-1087 A resolution was adopted to approve End of 120-day Probationary Period and approve a Pay Increase for Lenna Ann Torino, Business Advocate, within the Warren County One Stop. Vote: Unanimous

- 02-1088 A resolution was adopted to Order for Annexation of 10.4196 acres to the City of Springboro, Michael Schepers, agent, pursuant to the Ohio Revised Code Section 709.002. Vote: Unanimous
- 02-1089 A resolution was adopted to approve Request for Partial Distribution of Funds for County Commissioners' Association of Ohio Deferred Compensation Program Case #01-02. Vote: Unanimous
- 02-1090 A resolution was adopted to approve Appropriation Adjustment within Building Services Fund #101-1600. Vote: Unanimous
- 02-1091 A resolution was adopted to approve Appropriation Adjustment within Building Services Fund #467. Vote: Unanimous
- 02-1092 A resolution was adopted to approve Appropriation Adjustment within Building Services Fund #467. Vote: Unanimous
- 02-1093 A resolution was adopted to approve an Appropriation Adjustment within the Water Construction Projects, Fund No. 583. Vote: Unanimous
- 02-1094 A resolution was adopted to approve Appropriation Adjustments within Engineer Fund #202. Vote: Unanimous
- 02-1095 A resolution was adopted to approve Annexation of 205.071 acres to the Village of South Lebanon, J. William Duning, agent, pursuant to Ohio Revised Code Section 709.023 [aka expedited type 2 annexation] subject to receipt of a Maintenance Agreement between the Village of South Lebanon and the County Engineer. Vote: Unanimous
- 02-1096 A resolution was adopted to Close Public Hearing relative to the Annexation of 51.587 acres to the Village of Harveysburg and render a decision July 18, 2002, at 5:15 p.m. Vote: Unanimous
- 02-1097 A resolution was adopted to establish Bo-Monthly Billing for Ball Property within the Butler-Warren Road Water Improvement Area. Vote: Unanimous
- 02-1098 A resolution was adopted to authorize payment of Bills. Vote: Unanimous

DISCUSSIONS

BID OPENING – FY2001 WAYNE TOWNSHIP PARK SIDEWALK CDBG
PROJECT

On motion, bids were closed at 10:15 a.m. this 16th day of July, 2002, and the following bids were received, opened and read aloud for the FY2001 Wayne Township Park Sidewalk CDBG Project for the Warren County Office of Grants Administration:

Wm. Light Paving Company Amelia, Ohio	\$ 56,045.00
C.W. Walker Loveland, Ohio	\$ 49,702.79

Jerry Haddix, Coordinator, Warren County Office of Grants Administration, will review bids for a recommendation at a later date.

On motion, bids were closed at 10:30 a.m. this 16th day of July, 2002, and the following bids were received, opened and read aloud for the 2002 Resurfacing Project, Phase II for the Warren County Water and Sewer Department:

Barrett Paving Cincinnati, Ohio	\$ 362,249.13
John R. Jurgensen Cincinnati, Ohio	\$ 324,204.33
Armrel Byrnes Cincinnati, Ohio	\$ 368,631.95

Richard Renneker, Sanitary Engineer, Warren County Water and Sewer District, will review bids for a recommendation at a later date.

PUBLIC HEARING

CONTINUATION OF PROPOSED CHANGES TO THE
WARREN COUNTY TRANSIT SYSTEM

The continuation of the public hearing to consider changes to the Warren County Transit System was convened this 16th day of July 2002, in the Commissioners' Meeting Room.

Jerry Haddix, Grants Coordinator, stated reviewed the events of the meeting, which he attended with all of the local transportation providers and stated the gaps and overlaps which occur in service for the area.

A representative from Universal Transportation was present and reviewed the ridership of the Dayton route from June 1, 2002, to July 15, 2002.

Commissioner Kilburn stated his concern of the cost to operate the Dayton route verses the amount of ridership.

Theresa Tackett, transit user, was present and stated without this route, her inability to continue her education at a Dayton college.

Sandra Kowler, transit user, spoke in support of the city/county bus routes.

The Board stated the need for an advisory board to analyze the system and make recommendations.

The Board directed Jerry Haddix to work out the "bugs" in the program.

Upon further discussion, the public hearing was closed.

PUBLIC HEARING

ANNEXATION PETITION OF 205.942 ACRES TO THE
VILLAGE OF SOUTH LEBANON
J. WILLIAM DUNING, AGENT

The public meeting to consider the annexation petition of J. William Duning, agent to annex 205.942 acres to the Village of South Lebanon was convened this 16th day of July 2002, in the Commissioners' Meeting Room.

Commissioner Crisenbery swore those desiring to give testimony.

Mr. Duning, agent for petitioners, stated all legal requirements have been complied with and requested the Board approve the annexation petition as required in ORC 709.023.

John Quinn, Attorney for South Lebanon, stated that by agreement, the Village will take over maintenance of Zoar Road.

Warren Ritchey, Attorney for Hamilton Township, stated that an island is created by this annexation and that the only way to access the property if the annexation is approved is through a steep ravine unless you go through the Village of South Lebanon.

Commissioner Kilburn and Commissioner Crisenbery both stated their disagreement with the island statement of Mr. Ritchey due to the wording stating "completely surrounded" and the property would not be completely surrounded.

Becky Ehling, Hamilton Township Trustee, stated that the island creates a policing problems for the Township.

Clyde Baston, Hamilton Township Trustee, stated his efforts to keep the Developer in the Township.

O.T. Bishop, Hamilton Township Trustee, asked for clarification relative to annexation reform and taxes.

Commissioner Kilburn stated concern of rapid growth in the Little Miami School Distract and the need for an impact fee for Warren County to allow the schools to keep up with the residential growth.

Upon further discussion, the Board resolved (Resolution #02-1095) to approve the annexation petition subject to receipt of a maintenance agreement with South Lebanon and the County Engineer for Zoar Road.

Jim LeFevers, County Treasurer, was present along with Jim Spaeth for a meeting of the Investment Advisory Board and presented the following information:

Total Invested as of 6/30/02:

Total invested	\$104,046,996.75
CD	40,000,000.00
US Gov. Agencies	14,156,140.32
5/3 Management	29,964,210.82
Star Ohio	19,926,645.61
Average weighted yield	3.84
Average days to maturity	318
Total interest to General Fund	\$ 2,142,726.08

General Huey, Franklin Township Resident, was present to request the Board's support of "The Leader in Flight" with an airplane logo as license tags for the County owned vehicles.

Upon discussion, the Board agreed to take the request under advisement.

PUBLIC HEARING

ANNEXATION PETITION OF CLYDE LAMB, AGENT
TO ANNEX 51.587 ACRES TO THE VILLAGE OF HARVEYSBURG

The continuation of the public hearing to consider the annexation petition of Clyde Lamb, Agent for Petitioners, to annex 51.587 acres to the Village of Harveysburg was reconvened this 16th day of July 2002, in the Commissioners' Meeting Room.

Commissioner Kilburn reviewed the events of the previous public hearing and questioned if any resolution had been reached between the property owners and Township Trustees.

Sean Peterson, attorney for the Lamb family, stated that the majority of the property owners have signed the annexation petition, with the exception of Mr. Stingley, and desire to be annexed. He then stated several reasons for their decision to annex.

Mr. Roberts, Village Administrator, stated the need for growth within the Village to held the community grow. He then stated that the City income tax is on the ballot for this fall and that the Village will be more than capable of handling maintenance and upkeep of Harveysburg Road.

Commissioner South questioned if the agent is willing to withdraw the road right-of-way from the annexation petition.

Mr. Peterson stated that without annexing the road right-of-way, the Village could not reduce the speed limit.

Tedd Rodgers, attorney for Massie Township, presented the follow testimony:

- The annexation petition should have been filed under the new annexation law.
- One property owner as well as the Massie Township Trustees object to the annexation.
- The Village of Harveysburg is not capable of financially servicing this area.
- The Township Trustees object to the annexation with or without the road right-of-way being included.

Mr. Stingley, Township Trustee, stated his opposition to the annexation as a property owner as well as a Township Trustee.

Commissioner South stated her opinion that the roadway should not be included in the annexation petition.

Mr. Peterson stated that the agent does not desire to amend the petition to delete the road right-of-way.

Commissioner South stated her desire to take the matter under advisement.

Upon further discussion, the Board closed the public hearing and established July 18, 2002, at 5:15 p.m. as the time and date to render a decision relative to the annexation petition.

Neil Tunison, County Engineer, was present along with Richard Renneker, Sanitary Engineer, to discuss the paving of the roadways within the Hunter Sewer Project.

Upon motion the meeting was adjourned.

C. Michael Kilburn, President

Larry Crisenbery

Pat Arnold South

I hereby certify that the foregoing is a true and correct copy of the minutes of the regular meeting of the Board of County Commissioners held on July 16, 2002, in compliance with Section 121.22 O.R.C.

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