



**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 – December 1, 2009**

The Board met in regular session pursuant to adjournment of the November 24, 2009, meeting.

C. Michael Kilburn - present

David G. Young - present

Pat Arnold South - present

Tina Davis, Clerk - present

- 09-1667      A resolution was adopted to approve various Refunds. Vote: Unanimous
- 09-1668      A resolution was adopted to authorize and direct the Clerk to Publish Notice of a Hearing on Necessity for the Construction of Improvements to the State Route 122 and Hart Road Water Improvement Area, Warren County Water District. Vote: Unanimous
- 09-1669      A resolution was adopted to declare various items within Parks as surplus and authorize the disposal of said items. Vote: Unanimous
- 09-1670      A resolution was adopted to approve Extension to Service Agreement with the Humane Association of Warren County, Inc. Vote: Unanimous
- 09-1671      A resolution was adopted to approve a Subdivision Public Improvement Performance and Maintenance Security Agreement Release Stone Ridge Development, Ltd. for Country Brook North Section Six in Clearcreek Township. Vote: Unanimous
- 09-1672      A resolution was adopted to approve Supplemental Appropriation into Municipal Court Victim Witness Fund 255-1150. Vote: Unanimous

- 09-1673 A resolution was adopted to approve Appropriation Adjustments within Prosecutor Funds #101-1150, 245-2450 and 255-1150. Vote: Unanimous
- 09-1674 A resolution was adopted to approve Appropriation Adjustments within Emergency Services / Communications Center Fund #101-2850, Emergency Services / EMA Fund #264, and Emergency Services / HazMat Fund #290. Vote: Unanimous
- 09-1675 A resolution was adopted to approve Appropriation Adjustments within the Water Revenue Fund No. 510. Vote: Unanimous
- 09-1676 A resolution was adopted to approve Appropriation Adjustment within County Court Fund #283. Vote: Unanimous
- 09-1677 A resolution was adopted to authorize Payment of Bills. Vote: Unanimous
- 09-1678 A resolution was adopted to approve the Road Name Change of Hickory Lane to Buckeye Court in Clearcreek Township. Vote: Unanimous
- 09-1679 A resolution was adopted to enter into a Water Resource Restoration Sponsor Program Sponsorship Agreement with the Tecumseh Land Preservation Association. Mrs. South - yea; Mr. Young - yea; Mr. Kilburn - nay
- 09-1680 A resolution was adopted to approve One Time Waiver of a Portion of the Late Fee and Penalty Associated with Section 5 of the Warren County Hotel Lodging Excise Tax Code of Regulations for Ramada Limited in Deerfield Township. Mrs. South - yea; Mr. Young - yea; Mr. Kilburn - absent
- 09-1681 A resolution was adopted to approve Appropriation Adjustment within Workers Comp Self Insurance Fund #636. Vote: Unanimous

#### DISCUSSIONS

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On motion, upon unanimous call of the roll, the Board entered into executive session at 9:34 a.m. to discuss personnel matters within Building Services pursuant to Ohio Revised Code Section 121.22 (G)(1) and pending litigation pursuant to Ohio Revised Code Section 121.22 (G)(3) and exited at 10:43 a.m.

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

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PUBLIC HEARING

ROAD NAME CHANGE OF HICKORY LANE TO BUCKEYE COURT IN CYPRESS  
RIDGE SUBDIVISION PHASE 6 IN CLEARCREEK TOWNSHIP

The public hearing to consider the road name change requested from the developer of Cypress Ridge Subdivision Phase 6 in Clearcreek Township to rename Hickory Lane to Buckeye Court was convened this 1<sup>st</sup> day of December 2009, in the Commissioners' Meeting Room.

The Clerk stated that the developer has requested the road name change at the request of the only homeowner living on the road. She stated that there is a similar street in the area. She then stated that the County Engineer has stated, via email, that he has no objection to the request.

Upon further discussion, the Board resolved (Resolution #09-1678) to approve the road name change of Hickory Lane to Buckeye Court in Clearcreek Township.

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Chris Brausch, Sanitary Engineer, was present to explain the Tecumseh Land Trust Sponsorship Agreement requested by the OEPA relative to the low interest loan being received to help finance the construction of the Lower Little Miami Wastewater Treatment Plant Expansion.

Mr. Brausch explained that with this sponsorship agreement, a portion of the interest paid by Warren County would be utilized to fund the purchase of conservation easements on behalf of the Tecumseh Land Trust.

Upon discussion, the Board resolved (Resolution #09-1679) to enter into a Water Resource Restoration Sponsor Program Sponsorship Agreement with the Tecumseh Land Preservation Association with Mr. Kilburn voting nay.

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Chris Brausch, Sanitary Engineer, was present for a work session to discuss the following matters:

1. Lower Little Miami Waste Water Treatment Plant Sludge Hauling Disposal Bid—Mr. Brausch is recommending that bids be rejected and the project be re-bid in order to include an alternate of larger dumpsters which may reduce the cost of the bid.
2. We would like to construct an emergency water interconnection that includes a water meter with the City of Springboro in order to connect to their water supply during the painting of the water tower next summer. The approximate cost is \$35,000. The Board requested Mr. Brausch to explore engineering and construction the project in-house to reduce expenditures.
3. It has been discovered that the Renaissance Commons at Long Meadow Drive near Union Road in the City of Middletown has connected to the Warren County Water System without paying a tap-in fee for three of the five buildings that have been constructed. Mr. Brausch estimated that the developer owes approximately \$100,000 to Warren County. The Board requested Mr. Brausch to seek collection of the funds due through the City of Middletown.

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Atul Patel, owner of Ramada Limited in Deerfield Township, was present along with Chris Watkins, Deputy Prosecutor, and Erynn Hartmann, OMB, for the Board to consider the request of Mr. Patel to waive the penalty and late filing fee for his May and July 2009 Lodging Tax in the amount of \$445.74.

Commissioner Kilburn stated his opinion that he does not have any interest in waiving any late fees or penalties unless there are extenuating circumstances.

Mr. Patel stated that the site management company that is responsible for payment of rooms from out of town construction workers filed bankruptcy and they did not receive payment for the renting of those rooms but were still responsible for the payment of the lodgings tax associated with the rooms.

Commissioner Kilburn moved to deny the request, the motion died for the lack of a second.

Commissioner Kilburn briefly exited the meeting.

Mrs. South stated she is not opposed to a one-time waiver of one half of the payment due.

Upon discussion, the Board resolved (Resolution #09-1680) to approve one time waiver of a portion of the late fee and penalty associated with Section 5 of the Warren County Hotel Lodging Excise Tax Code of Regulations for Ramada Limited in Deerfield Township with Mr. Kilburn being absent from the vote.

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Commissioner Young stated he was at Kroger in Butler County over the weekend and notices they had “holiday evergreens” for sale. He then invited all of Southwest Ohio to come to Warren County and purchase a “Christmas Tree” rather than Butler County for a “holiday evergreen”.

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Upon motion the meeting was adjourned.

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C. Michael Kilburn, President

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David G. Young

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Pat Arnold South

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 December 1, 2009, in compliance with Section 121.22 O.R.C.

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