



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

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***TOM GROSSMANN  
PAT ARNOLD SOUTH  
DAVID G. YOUNG***

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

**MINUTES: Regular Session – December 27, 2016**

The Board met in regular session pursuant to adjournment of the December 20, 2016, meeting.

David G. Young – present

Pat Arnold South – present

Tom Grossmann – present

Laura Lander, Deputy Clerk – present

Minutes of the December 20, 2016 meeting were read and approved.

- 16-2065      A resolution was adopted to approve reclassification of Amy Hensley from the position of Administrative Support to the position of Administrative Assistant within the Water and Sewer Department. Vote: Unanimous
- 16-2066      A resolution was adopted to temporarily reclassify Ronald Sempstrott to the position of Building and Electrical Supervisor within the Department of Building and Zoning. Vote: Unanimous
- 16-2067      A resolution was adopted to establish January 9, 2017 at 9:00A.M. as the time and date for the Annual Organizational Meeting. Vote: Unanimous
- 16-2068      A resolution was adopted to waive building permit fee for Harvest Bible Chapel in Deerfield Township. Vote: Unanimous
- 16-2069      A resolution was adopted to adjust billing method for 359 East Pike Street Morrow Ohio Account (0105052). Vote: Unanimous
- 16-2070      A resolution was adopted to approve notices of intent to award bid to Brown Construction and Paving Corp. for the Warren County Fairgrounds Post Frame Barn H Project. Vote: Unanimous

- 16-2071 A resolution was adopted to approve notice of intent to award bid to Porginski Contractors LLC for the Warren County Fairgrounds Post Frame Barn 1 Project. Vote: Unanimous
- 16-2072 A resolution was adopted to authorize Pat South to sign, as a collaborative partner, the City of Lebanon's Grant Application to the State of Ohio relative to Redevelopment Funds made available due to the relocation of the Harness Racing from the Warren County Fairgrounds. Vote: Unanimous
- 16-2073 A resolution was adopted to authorize and direct the Water and Sewer Department to prepare a public announcement for the procurement of profession engineering services related to the design of water treatment plant upgrades and softening facilities. Vote: Unanimous
- 16-2074 A resolution was adopted to acknowledge termination of Agricultural Lease with the State of Ohio for the County's 16.00 acre parcel located at 1146 Union Road, Turtlecreek Township. Vote: Unanimous
- 16-2075 A resolution was adopted to amend (Addendum #1) Lease Agreement with the Warren County Agricultural Society. Vote: Unanimous
- 16-2076 A resolution was adopted to enter into Lease Agreement with the Warren County Career Center. Vote: Unanimous
- 16-2077 A resolution was adopted to approve extension to the Service Agreement with the Humane Association of Warren County, Inc. Vote: Unanimous
- 16-2078 A resolution was adopted to approve extension to agreement for intake, assessment and case management functions with Council on Aging of Southwestern Ohio on behalf of Warren County Elderly Services. Vote: Unanimous
- 16-2079 A resolution was adopted to approve Agreement for Administrative Functions with Council on Aging of Southwestern Ohio relative to Warren County Elderly Services. Vote: Unanimous
- 16-2080 A resolution was adopted to approve and authorize President of the Board to enter into Perpetual Easement to the State of Ohio and Agreement relative to the Community Correction Facility of Butler, Clermont and Warren Counties. Vote: Unanimous
- 16-2081 A resolution was adopted to enter into Agreement with MTM Technologies on behalf of Warren County Telecommunications. Vote: Unanimous
- 16-2082 A resolution was adopted to enter into Agreement with MTM Technologies on behalf of Warren County Telecommunications. Vote: Unanimous

- 16-2083 A resolution was adopted to approve and enter into a contract with Lorraine M. Search, Attorney at Law, on behalf of the Warren County Juvenile Court as CASA Staff Attorney, an Independent Contractor. Vote: Unanimous
- 16-2084 A resolution was adopted to approve and authorize the processing of various purchase orders. Vote: Unanimous
- 16-2085 A resolution was adopted to approve voucher add on. Vote: Unanimous
- 16-2086 A resolution was adopted to affirm "Then and Now" requests pursuant to Ohio Revised Code 5705.41 9D) (1). Vote: Unanimous
- 16-2087 A resolution was adopted to approve bond reduction for Highlands One, LLC for completion of improvements in Highlands at Heritage Hill situated in Union Township. Vote: Unanimous
- 16-2088 A resolution was adopted to enter into Street and Appurtenances Security Agreement with Windfield Estates, LLC for installation of certain improvements in Windfield Estates situated in Wayne Township. Vote: Unanimous
- 16-2089 A resolution was adopted to enter into Street and Appurtenances Security Agreement with Hopewell Valley Development, LLC for the installation of certain improvements in the Villages of Hopewell Valley, Section Four situated in Hamilton Township. Vote: Unanimous
- 16-2090 A resolution was adopted to Sidewalk Security Agreement with Hopewell Valley Development, LLC for installation of certain improvements in the Villages of Hopewell Valley, Section Four situated in Hamilton Township. Vote: Unanimous
- 16-2091 A resolution was adopted to enter into a Subdivision Public Improvement Performance and Maintenance Security Agreement with Hopewell Valley Development, LLC for installation of certain improvements in Village of Hopewell Valley Subdivision, Section Four situated in Hamilton Township. Vote: Unanimous
- 16-2092 A resolution was adopted to approve the following record plats. Vote: Unanimous
- 16-2093 A resolution was adopted to declare a surplus of funds in the Clerk of Courts' Certificate of Title Administration Fund #250, approve supplemental appropriations into Fund #250 and Fund #101 and approve operating transfer from Fund #250 to General Fund #101 and from General Fund #101 into the County Wide Financial Software Fund #401, Juvenile Court Clerk Computer Fund #278 and the Warren County Jail Construction Project Fund #497. Vote: Unanimous

- 16-2094 A resolution was adopted to approve supplemental appropriation into #101 and operating transfer into Common Pleas Court Construction Fund #494, Telecommunication Construction Fund #492, Facilities Management Construction Fund #467, Probate Juvenile Court Expansion Fund #499, Jail Expansion Fund #497, Park Fund #938, Board of Elections Technology Fund #217 and Children Services Fund #273. Vote: Unanimous
- 16-2095 A resolution was adopted to accept amended certificate for Motor Vehicles Fund 202. Vote: Unanimous
- 16-2096 A resolution was adopted to approve appropriation adjustment from Commissioners General Fund #101-111- into Juvenile Probation Fund #101-2500. Vote: Unanimous
- 16-2097 A resolution was adopted to approve appropriation adjustment from Commissioners General Fund #101-1110 into Facilities Management Fund #101-1600. Vote: Unanimous
- 16-2098 A resolution was adopted to approve appropriation adjustments within Mary Haven Fund #270. Vote: Unanimous
- 16-2099 A resolution was adopted to approve appropriation adjustment within Telecommunications Department Fund #492. Vote: Unanimous
- 16-2100 A resolution was adopted to approve an appropriation adjustment within Prosecutors Fund 101-1150. Vote: Unanimous
- 16-2101 A resolution was adopted to authorize payment of bills. Vote: Unanimous
- 16-2102 A resolution was adopted to accept amended allocation of final special assessments on properties benefited by the Caesar Creek Estates Sewer Improvement 01-01001-0275. Vote: Unanimous
- 16-2103 A resolution was adopted to grant a variance of conditions required for an Access Permit onto Springboro Road in Clearcreek Township to owners/applicants, William and Jennifer Danishek subject to certain conditions. Vote: Unanimous
- 16-2104 A resolution was adopted to authorize County Administrator to sign Settlement Agreement on behalf of the Warren County Board of Commissioners and Warren County Dispatch Association regarding overtime grievances. Vote: Unanimous
- 16-2105 A resolution was adopted to authorize County Administrator to sign Settlement Agreement on behalf of the Warren County Board of Commissioners and Warren County Dispatch Association and Elizabeth Hollon, Emergency Communications Operator. Vote: Unanimous

- 16-2106 A resolution was adopted to approve appropriation adjustments within Lebanon Municipal Fund #101-1272. Vote: Unanimous
- 16-2107 A resolution was adopted to approve appropriation adjustment within Dog and Kennel Fund #206. Vote: Unanimous
- 16-2108 A resolution was adopted to approve appropriation adjustment within Veterans Fund #101-5210. Vote: Unanimous
- 16-2109 A resolution was adopted to approve appropriation adjustment within Common Pleas Court Smart Grant Fund #289. Vote: Unanimous
- 16-2110 A resolution was adopted to approve appropriation adjustment within Garage Funds #619-1110. Vote: Unanimous

#### DISCUSSIONS

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

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#### ADMINISTRATIVE HEARING

##### CONSIDER VARIANCE AND APPEAL OF CONDITIONS REQUIRED FOR AN ACCESS PERMIT OF WILLIAM AND JENNIFER DANISHEK IN CLEARCREEK TOWNSHIP

The Board met this 27<sup>th</sup> day of December 2016, in the Commissioners' Meeting Room for the administrative hearing related to the Variance and Appeal of Conditions for an Access Permit filed by William and Jennifer Danishek, owners of record on November 29, 2016.

Commissioner Young swore those present desiring to speak and/or give testimony during today's administrative hearing.

Neil Tunison, County Engineer stated that the County Engineer's Office had approved the Applicant's proposed access permit with the following comments and conditions of approval:

Comments: Creating one (1) 30.1209 acres parcel that includes the existing residence #6070 (Tract 1) and one (1) 27.6470 acre parcel (Tract 2). The existing driveway (blacktop) on Tract 1 will remain as residential and agricultural use only. Any future agri-tourism use on this property will require a driveway culvert permit from the office,

requiring a new/temporary driveway to be installed at a location that meets sight distance requirements and blocking all use of the existing blacktop driveway. Otherwise, no new driveways will be permitted. The driveway on Tract 2 will remain with no new driveways permitted.

- One single family residence, max, per parcel. The owner will need to reapply for a development of greater density
- Driveway Culvert permit application required prior to any drive being constructed.
- Ditching as determined by the County Engineer
- Driveway culvert permit required for any new address assignment request.

Mr. Tunison further explained that the Applicant is proposing a lot split with the current use for both tracts being Agri-Tourism. He stated that the Applicant desires to sell Tract 1 to a buyer that plans to reside on the 30.1209 acre parcel. The remaining parcel, Tract 2, (27.6470 acres) will become the new residence for the Applicant. The current access includes two (2) driveways, one on each tract of land, but the driveway for Tract 1 does not provide adequate site distance as required in the Access Management Regulations.

William Danishek, Applicant, stated that the bulk of the traffic from the agri-tourism use was from hayrides which will no longer be happening. He further stated that the sale of the property is contingent upon the new owner not having to install a new driveway onto Tract 2.

There was discussion relative to signage for the agri-tourism usage.

Commissioner Young questioned whether signage could be used to warn drivers of possible traffic backups.

Commissioner South questioned if an agreement could be reached between the owners of the two tracts to allow usage of both driveways during a larger event.

Mr. Tunison stated that neither of those options would comply with the current access management regulations.

Upon further discussion, the Board resolved (Resolution #16-2103) to grant a Variance of Conditions Required for and Access Permit onto Springboro Road in Clearcreek Township to owners/applicants, William and Jennifer Danishek, subject to certain conditions.

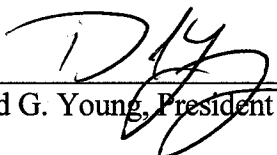
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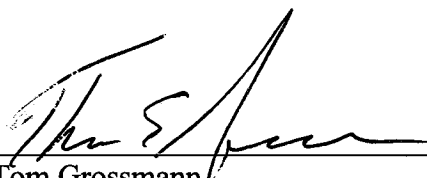
Commissioners Young and Grossmann thanked outgoing Commissioner Pat South for her many years of service to the citizens of Warren County and wished her well in her retirement.

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On motion, upon unanimous call of the roll, the Board entered into executive session at 9:57 a.m. to discuss Union Negotiations within Emergency Services pursuant to Ohio Revised Code Section 121.22 (G)(4) and exited at 10:40 a.m.

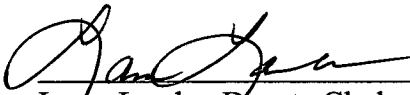
Upon motion the meeting was adjourned.

  
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David G. Young, President

  
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Tom Grossmann

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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 27, 2016, in compliance with Section 121.22 O.R.C.

  
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Laura Lander, Deputy Clerk  
Board of County Commissioners  
Warren County, Ohio