



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

*406 Justice Drive, Lebanon, Ohio 45036*

*www.co.warren.oh.us*

*commissioners@co.warren.oh.us*

*Telephone (513) 695-1250*

*Facsimile (513) 695-2054*

**TOM GROSSMANN**

**SHANNON JONES**

**DAVID G. YOUNG**

**GENERAL SESSION AGENDA**

*July 18, 2023*

- #1**                      *Clerk — General*
- #2**     **9:00**            *Work Session — Megan Manual, Warren County Board of  
Developmental Disabilities Superintendent*
- #3**     **9:15**            *Work Session — Neil Tunison, County Engineer, Relative to Roadway  
and Streets Construction Standards*
- #4**     **9:30**            *Beemok/ Tennis Tournament Discussion*
- #5**     **9:35**            *Executive Session — Acquisition of Property Pursuant to ORC  
121.22 (G)(2)*

The Board of Commissioners' public meetings can now be streamed live at [Warren County Board of Commissioners - YouTube](#)

APPROVE REQUISITIONS AND AUTHORIZE DEPUTY COUNTY ADMINISTRATOR TO SIGN DOCUMENTS RELATIVE THERETO

BE IT RESOLVED, to approve requisitions as listed in the attached document and authorize Martin Russell, Deputy County Administrator, to sign on behalf of this Board of County Commissioners.

M moved for adoption of the foregoing resolution being seconded by M. Upon call of the roll, the following vote resulted:

M  
M  
M

Resolution adopted this 20<sup>th</sup> day of June 2023.

BOARD OF COUNTY COMMISSIONERS

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Tina Osborne, Clerk

/tao

cc: Commissioners' file

## REQUISITIONS

Department	Vendor Name	Description	Amount
FAC	RJE BUSINESS INTERIORS CINCINNATI OH INC	FAC TRAINING ROOM FURNITURE	\$ 25,511.56
WAT	M/I HOMES OF CINCINNATI, LLC	WAT REIMB TO RELOCATE 12" WATER LINE	\$ 153,114.00
TEL	MARKETING SALES SOLUTIONS INC	TEL BCS ECC ADD ON FOR CHILDRE	\$ 6,910.00
WAT	CINCYAUTOS INC	2023 FORD RANGER XLT SUPERCAB	\$ 38,935.00
WAT	SMITHCORP INC	WAT MORELAND ACRES WATER REPLACEMENT	\$ 607,119.80
ENG	HARVEYSBURG CORP	ENG CVT VILLAGE OF HARVEYSBURG STORM	\$ 20,848.16
ENG	DONNA D FRIES	ENG TEMP EASE ROACH COZ RD BRDG	\$ 599.00
BOC	FORD DEVELOPMENT CORP	BOC AIRPORT RUNWAY & APRON PROJECT	\$ 369,217.78

Department	Vendor Name	Description	Amount
TEL	MOTOROLA SOLUTIONS INC	RADIO PARTS FOR RESALE	\$ 2,196.00 INCREASE
ENG	LBJ INC	STEPHENS RD BRIDGE REPLACEMENT PROJECT	\$ 34,097.10 DECREASE
ENG	EAGLE BRIDGE CO	KING AVENUE BRIDGE IMPROVEMENT PROJECT	\$ 1,686,677.56 DECREASE

7/18/2023 APPROVED:

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Martin Russell, Deputy County Administrator

CONSENT AGENDA\*

July 18, 2023

*Approve the minutes of the June 27, 2023, Commissioners' Meeting.*

PERSONNEL

- 1. Accept resignation of Michaela Simmons, Water and Sewer Utility Clerk I within W/S and Allyson Willshaw, Administrative Assistant within Facilities Management*
- 2. Hire Annaliese Poweleit as Protective Services Caseworker I within Children Services, Michael Morris as Custodial Worker I within Facilities Management, and Ray Dratt as Zoning Inspector within Building and Zoning*
- 3. Approve promotion of Alan Higgins to Residential Building Official within Building and Zoning and Brittany Smith to Protective Services Supervisor within Children Services*
- 4. Designate FMLA to Virginia Books within Emergency Services, Joy Harrison within Facilities Management, and Ken Malicote within W/S*
- 5. Approve reclassification of Wayne Click and William David from the positions of HVAC Tech I to the positions of HVAC Tech II within Facilities Management*
- 6. Approve lateral transfer of Laura Russell from the position of Protective Services Caseworker I to Assessment Investigative Caseworker I within Children Services*
- 7. Approve end of 365-day probationary period and pay increase for Alyssa Hardin and Sara Swierk within Emergency Services*
- 8. Amend Resolution #23-0739 to reflect the correct resignation date of Stephanie Austin within Building and Zoning*

GENERAL

- 9. Recommend members to the Local Emergency Planning Committee*
- 10. Approve appointment to the Mental Health Recovery Board*
- 11. Enter into contract with Ford Development Corporation for the Warren County Airport South Taxiway and Apron Reconstruction and Taxiway Marking Project*
- 12. Advertise for Request for Qualifications for Design Build Services for the New Warren County Court Project*
- 13. Authorize Director of Facilities Management to initiate contract negotiations with Champlain Architecture relative to the Warren County Criminal Suppression Headquarters Project*
- 14. Authorize Request for Proposals for FY21 Village of Morrow Train Depot Renovations CDBG Project on behalf of the Office of Grants Administration*
- 15. Advertise for bids for the FY23 Union Township, Warren County- Highland Park Repaving Phase 2 CDBG Project and the FY23 City of Franklin- Mackinaw Paving CDBG Project on behalf of the Office of Grants Administration and the As Needed Sanitary Point Liner Repairs Project Re-Bid, and the Waynesville Sewer Collection Systems Improvements, Phase 3 Project on behalf of W/S*
- 16. Enter into contract with SmithCorp Inc. for the Moreland Acres Water Main Replacement Project*
- 17. Issue Request for Qualifications and appoint a review committee for the procurement of professional engineering services relative to the design improvements to the Dale Acres Wastewater Treatment Plant*
- 18. Approve CVT project for the Village of Harveysburg*
- 19. Approve emergency replacement of the sweep antenna system to the Lytle Tower Site*

20. *Approve agreements and addenda to home placement agreement with Choices, Inc. and Legacy Residential Homes, Inc. on behalf of Children Services*
21. *Enter into Memorandum of Understanding with Kinnect and Warren County Court Appointed Special Advocates on behalf of Children Services*
22. *Enter into exclusive temporary easements with Donna D. Fries for the Roachester-Cozaddale Bridge Rehab Project*
23. *Enter into contract with Fishbeck Inc. and Erbeck Development Company, LTD. on behalf of the Engineer*
24. *Enter into OPWC agreement with Deerfield Township and Deerfield Regional Stormwater District on behalf of the Engineer*
25. *Enter into contract with Warren County Transit on behalf of Human Services*
26. *Enter into subgrant agreement with the Ohio Department of Job and Family Services and the Ohio Department of Medicaid on behalf of Human Services*
27. *Approve contract with Clermont County Commissioners on behalf of Juvenile Court*
28. *Approve contract with Choices, Inc. on behalf of Juvenile Court*
29. *Enter into youth worksite agreement with Sophia Learning Center on behalf of OMJ*
30. *Enter into agreement with Mental Health Recovery Board Serving Warren and Clinton Counties relative to disbursement of grant funds on behalf of Sheriff*
31. *Authorize Sheriff to sign agreement with Axon Enterprise Inc. relative to in car camera system and storage*
32. *Authorize acceptance of quotes from Business Communication Specialists, Central Square, and Secure Cyber Defense, LLC on behalf of Telecommunications*
33. *Authorize President of the Board to sign mobile data proposal with RJE Business Interiors on behalf of Telecommunications*
34. *Approve extension to agreements with Dimalanta Design Group and JobWorks Inc. on behalf of the WIB*
35. *Approve agreement with Easter Seals Tristate, LLC on behalf of the WIB*
36. *Declare various items as surplus and authorize disposal through internet auction*
37. *Acknowledge receipt of financial statement*
38. *Acknowledge approval of financial transactions*
39. *Acknowledge payment of bills*
40. *Approve various performance bond agreements, releases, and street acceptances*
41. *Approve various final plats*

#### FINANCIAL

42. *Accept amended certificate and supplemental appropriation and supplemental appropriation for County Wide Financial Software 4401*
43. *Approve operational transfers from General Fund into W/S funds for interest earnings*
44. *Approve supplemental appropriation into Airport 4479*
45. *Approve appropriation adjustment from Commissioners 11011110 into Sheriff's 11012210*

*\*Please contact the Commissioners' Office at (513) 695-1250 for additional information or questions on any of the items listed on the Consent Agenda*

## **FOR CONSIDERATION NOT ON CONSENT AGENDA**

1. Amend Resolution #23-0858 to further authorize the County Administrator to execute a joint application with the County Prosecutor to apply for a court order from Common Pleas authorizing the Board to employ legal counsel for PFAS Litigation
2. Amend Warren County Assigned Counsel Fee Schedule

AMEND RESOLUTION NO. 23-0858 TO FURTHER AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE A JOINT APPLICATION WITH THE COUNTY PROSEUCTOR TO APPLY FOR AN ORDER FROM THE COURT OF COMMON PLEAS AUTHORIZING THE BOARD OF COUNTY COMMISSONERS TO EMPLOY LEGAL COUNSEL ON A CONTINGENT FEE BASIS FOR PFAS LITIGATION

WHEREAS, on June 27, 2023, this Board adopted Resolution No. 23-0858 approving and authorizing the County Administrator to execute a legal services agreement with Baron & Budd PC, Cossich Sumich Parsiola & Taylor LLC, Markovits Stock & DeMarco LLC, McNamee and McNamee LLP, and Oths Heiser Miller Waigand & Clagg LLC; and

WHEREAS, upon further consideration, the County Prosecutor has recommended that he and the Board should apply to the Court of Common Pleas, pursuant to R.C. 305.14(A), for an order authorizing the Board to employ the aforementioned legal counsel. A copy of the Joint Application is attached hereto and made a part hereof; and

NOW THEREFORE BE IT RESOLVED, by the Board of County Commissioners of Warren County, Ohio, at least a majority of all its members casting a vote concur as follows:

- 1) The Board approves and further authorizes the County Administrator to execute the joint application with the County Prosecutor, pursuant to R.C. 305.14(A), to apply for an Order from the Warren County Court of Common Pleas authorizing this Board to employ the aforementioned legal counsel on a contingent fee basis for PFAS litigation.
- 2) The findings made by the Board in the above whereas clauses are adopted as a part of these resolving paragraphs.
- 3) All action taken relating hereto and this Resolution is an administrative act.
- 4) All action taken relating hereto to and this Resolution occurred in an open meeting of the Board in compliance with the Ohio Open Meetings Act, Section 121. 22, et seq. of the Ohio Revised Code.

M. moved for adoption of the foregoing resolution being seconded by M. Upon call of the roll, the following vote resulted:

M  
M  
M

Resolution adopted this 18<sup>th</sup> day of July 2023.

BOARD OF COUNTY COMMISSIONERS

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Tina Osborne, Clerk

CERTIFICATION

I hereby certify that the foregoing is a true, accurate, and complete copy of Resolution No. 23-\_\_\_\_ adopted July 18, 2023, by the Board of Commissioners of Warren County, Ohio.

BOARD OF COUNTY COMMISSIONERS

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Tina Osborne, Clerk

cc: David Fornshell, Prosecutor  
Bruce McGary, Asst. Prosecutor  
C/A—Baron & Budd, P.C.  
Cossich, Sumich, Parsiola & Taylor LLC  
Markovits, Stock & DeMarco, LLC  
McNamee & McNamee, LLP  
Oths, Heiser, Miller, Waigand & Clagg, LLC



**STATE OF OHIO, WARREN COUNTY  
IN THE COURT OF COMMON PLEAS  
GENERAL DIVISION**

IN RE: APPLICATION FOR AN ORDER : Case No. \_\_\_\_\_  
AUTHORIZING THE BOARD OF : (JUDGE \_\_\_\_\_)  
COUNTY COMMISSIONERS TO  
EMPLOY LEGAL COUNSEL  
PURSUANT TO R.C. 305.14(A) : **APPLICATION FOR AN ORDER  
AUTHORIZING THE BOARD OF COUNTY  
COUNTY COMMISSIONERS TO EMPLOY  
LEGAL COUNSEL PURSUANT TO  
R.C. 305.14(A)**

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Now come DAVID P. FORNSHELL, Warren County Prosecuting Attorney (the “County Prosecutor”) and the Board of County Commissioners of Warren County, Ohio (the “Board of County Commissioners”), or jointly the “Applicants”, pursuant to R.C. 305.14, and hereby jointly apply for an Order from this Court authorizing the Board of County Commissioners to employ legal counsel [1] on a contingency fee basis to prosecute an action and proceeding in which the Board of County Commissioners will be a party and has an interest in an official capacity.

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1 Baron & Budd, P.C., 3102 Oak Lane Ave. Suite 100, Dallas, TX 75319; Cossich, Sumcuh, Parsiola & Taylor, LLC, 8397 Highway 23, Suite 100, Belle Chasse, LA 70037; Markovits, Stock & DeMarco, LLC, 119 E. Court Street, Suite 530, Cincinnati, OH 45202; McNamee & McNamee, LLP, 2625 Common Blvd., Beavercreek, OH 45231; and, Oths, Heiser, Miller, Waigand & Clagg, LLC, 16 E. Broadway Street, Wellston, OH 45692.

The following memorandum is offered in support hereof.

MEMORANDUM

Pursuant to R.C. 309.09(A), the county prosecuting attorney serves as statutory legal advisor to the board of county commissioners and all other county officers and boards, and “shall prosecute and defend all suits and actions that any such officer \* \* \* is a party, and no county officer may employ any other counsel or attorney at the expense of the county, except as provided in [R.C. 305.14.]” In accordance with R.C. 305.14(A), the court of common pleas, upon the application of the prosecuting attorney and the board of county commissioners, may authorize the board of county commissioners to employ legal counsel to assist the board of county commissioners in the prosecution of any action or proceeding in which such board is a party or has an interest, in its official capacity.

The necessity for this application involves a matter of public health and safety. The Board of County Commissioners owns and operates five public water systems that supply potable water to over 34,000 customers across the service area in Warren County. These systems include two water treatment plants that treat water from wells along the Little Miami and Great Miami Buried Valley aquifers, and five different well fields with 24 production wells. The Board of County Commissioners has been notified by the U.S. EPA that test results have indicated there are levels of per- and polyfluoroalkyl substances (PFAS) in Warren County’s potable water supply that exceed the U.S. EPA guidelines. The Board of County Commissioners hired a consultant to evaluate what measures Warren County will be required to take to comply with U.S. EPA guidelines. A preliminary assessment by the consultant estimates the cost to Warren County will be \$30 million for construction of needed technology, and \$300,000 to \$600,000 annual operating costs to manage and dispose of the toxic chemicals as such toxins do not biodegrade and pose a

significant risk to human health and safety.

Presently, there is multi-district litigation (MDL) being filed in courts across the United States against the manufacturers of PFAS. Some of the largest manufacturers are anticipated to settle these cases imminently and others will litigate. The law firms of Barron & Budd of Dallas Texas, and Cossich, Sumcih, Parsiola & Taylor of Belle Chasse, LA have been retained by approximately 200 clients from the east to the west coasts to represent such clients including governmental entities and public water suppliers to pursue litigation against the manufactures of these toxic chemicals. Barron and Budd's lead attorney, Scott Summy, is a member of the Executive Committee in the multi-district litigation (MDL) and one of three attorneys appointed to be lead counsel for plaintiffs in the MDL. The law firms of Markovits Stock & DeMarco LLC of Cincinnati Ohio, McNamee & McNamee of Beavercreek Ohio, and Oths, Heiser, Miller, Waigand & Clagg of Wellston Ohio, are serving as local counsel for the aforementioned out of state firms in several cases filed in common pleas courts in Ohio. The employment of the aforementioned law firms will be on a contingency fee in the event of recovery by Warren County. No fee or costs of litigation would be paid out of the County treasury.

It is in the best interest of the citizens of Warren County and the County treasury to pursue all available legal recourse against the responsible manufacturers of the PFAS contamination in the Warren County potable water supply. The Board of County Commissioners has determined it is prudent to employ the aforementioned law firms given their expertise and experience in PFAS litigation. Accordingly, Applicants request that this Court grant an order authorizing the Board of County Commissioners to employ the said legal counsel to prosecute an action and proceeding in which the Board of County Commissioners will be a party and has an interest in its official capacity.

Respectfully submitted,

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DAVID P. FORNSHELL (0071582)  
WARREN COUNTY PROSECUTING ATTORNEY  
Warren County Prosecutor's Office  
570 Justice Drive, 2<sup>ND</sup> Floor  
Lebanon, OH 45036  
Ph. (513) 695-1325  
Fax (513) 695-2962

BOARD OF COUNTY COMMISSIONERS:  
WARREN COUNTY, OHIO

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Tiffany Zindel, County Administrator  
Per authorizing Resolution No. 2023-\_\_\_\_\_

Required Per  
ORC 120.33(D)

**AMEND WARREN COUNTY ASSIGNED COUNSEL FEE SCHEDULE TO INCREASE  
THE HOURLY RATE FOR TIME IN AND OUT OF COURT – CAPITAL CASES**

WHEREAS, this Board considered the request to increase the hourly rate from \$125 for time in and out of court for death penalty (Capital) cases to \$140 per hour.

WHEREAS, this Board desires to amend the Assigned Counsel Fee Schedule to increase the hourly rate as requested; and

NOW THEREFORE BE IT RESOLVED, to amend the Warren County Warren County Assigned Counsel Fee Schedule to increase the hourly rate for both in and out of court to \$140; said amendment to be effective July 17, 2023.

M. moved for adoption of the foregoing resolution being seconded by M. Upon call of the roll, the following vote resulted:

M  
M  
M

Resolution adopted this day of July 2023.

**BOARD OF COUNTY COMMISSIONERS**

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Tina Osborne, Clerk

cc: Common Pleas Court (file)  
Auditor

## WARREN COUNTY ASSIGNED COUNSEL FEE SCHEDULE

Counsel shall be compensated at the hourly rate of \$75.00 for time In Court and Out of Court. Death Penalty trial will be compensated at the hourly rate \$140 for both In Court and Out of Court services.

Maximum fee at the above stated hourly rates for the types of cases listed below are as follows:

1. Aggravated Murder (capital cases) Counsel must submit fee form quarterly	Two Attorneys	\$ NO CAP
2. Aggravated Murder (non-capital case)	One Attorney Two Attorneys	\$ 7,000.00 \$ 9,000.00
3. Murder Felony with possible life sentence/Repeat violent offender Major Drug defender		\$4,000.00 \$ 5,000.00
4. Felony 1, 2, 3		\$2,500.00
5. Felonies 4, 5		\$2,000.00
6. Misdemeanors/pre-indictment felony		\$ 1,000.00
7. Probation, parole violations, etc.		\$ 500.00
8. Contempt proceedings		\$ 500.00
9. Juvenile proceedings – felony		\$ 1,000.00
10. Juvenile proceedings – misdemeanor		\$ 1,000.00
11. Juvenile proceedings- abuse, dependency, & neglect Per 12 month period		\$ 1,000.00
12. Juvenile proceedings – Guardian As Litem Per 12 month period		\$ 1,000.00
13. Probate proceedings-termination of parental rights		\$ 1,000.00
14. Appeals		
A. Aggravated Murder (death sentence imposed) Two Attorneys		\$NO CAP
B. Aggravated Murder (sentence other than death)		\$ 4,500.00
C. Murder (or any felony with life sentence)		\$2,000.00
D. Felony		\$ 1,500.00
E. Misdemeanor		\$ 1,000.00

**All fees are subject to review and approval by the courts of Warren County.**

June 2023



# Office of the Ohio Public Defender

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*Timothy Young, State Public Defender*

## **MEMORANDUM**

**DATE:** June 28, 2023  
**TO:** County Commissioners, County Public Defenders, Court  
Appointed Counsel, Judges, Auditors  
**FROM:** State Public Defender Tim Young  
**RE:** Capital Fee Rate

I write today to provide notice that the Capital Case Attorney Fee Council has conducted their annual review of the compensation rate for attorneys who represent indigent defendants, pursuant to Ohio Revised Code 120.33(D), and the Council has changed the rate for capital representation to \$140 per hour effective July 17, 2023. The \$140 per hour rate is to be paid to counsel representing indigent defendants in death penalty cases at all stages of a capital case, including but not limited to trial, appeal, and post-conviction proceedings.

The Office of the Ohio Public Defender (OPD) will be updating our Standards and Guidelines on Reimbursement in the coming months, including the State Fee Schedule. In the interim, this memo will serve as confirmation that the State Fee Schedule is updated effective July 17, 2023 to reflect the new \$140 per hour rate in capital cases.

If you have any questions, please contact the OPD's Policy & Outreach Division via email ([outreach@opd.ohio.gov](mailto:outreach@opd.ohio.gov)) or by phone (614.466.5394). Thank you.



**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 – June 27, 2023**

*This is a summary of actions and discussions of the meeting. You may view this meeting through our YouTube Channel at <https://www.youtube.com/channel/UC1ELh0jGpXd4VV2DTgsugPA> or by contacting our office.*

The Board met in regular session pursuant to adjournment of the June 20, 2023, meeting.

Shannon Jones – present

Tom Grossmann – present

David G. Young – present

Tina Osborne, Clerk – present

Minutes of the June 13, 2023 and June 20, 2023 meetings were read and approved.

- 23-0811 A resolution was adopted to accept resignation of Kirsten Stover, Protective Services Supervisor, within the Warren County Department of Job and Family Services, Children Services Division, effective July 12, 2023. Vote: Unanimous
- 23-0812 A resolution was adopted to accept resignation of Sarah Orr, Emergency Communications Operator, within the Warren County Emergency Services Department, effective June 22, 2023. Vote: Unanimous
- 23-0813 A resolution was adopted to accept resignation of Sarah Moore, Emergency Communications Operator, within the Warren County Emergency Services Department, effective June 22, 2023. Vote: Unanimous
- 23-0814 A resolution was adopted to approve lateral transfer of Amanda Rauh from the position of Protective Services caseworker III to Assessment Investigative Caseworker III, within the Warren County Department of Job and Family Services, Children Services Division. Vote: Unanimous
- 23-0815 A resolution was adopted to approve pay increase for Jayden Flannery within the Warren County Water and Sewer Department. Vote: Unanimous



- 23-0816 A resolution was adopted to hire Christopher Morgan as Emergency Communications Operator within the Warren County Emergency Services Department. Vote: Unanimous
- 23-0817 A resolution was adopted to hire Tiffany Baldwin as Emergency Communications Operator within the Warren County Emergency Services Department. Vote: Unanimous
- 23-0818 A resolution was adopted to approve reclassification of Daniel Young from the position of Custodial Worker I to the position of Custodial Worker II. Vote: Unanimous
- 23-0819 A resolution was adopted to approve end of 365- day probationary period and approve a pay increase for Matthew Atkins within the Warren County Facilities Management Department. Vote: Unanimous
- 23-0820 A resolution was adopted to administer disciplinary action against Tom Barnes within the Water and Sewer Department. Vote: Unanimous
- 23-0821 A resolution was adopted to advertise for bids for purchase of one (1) 2023 or newer Chevrolet Tahoe for the Warren County Prosecutor's Office. Vote: Unanimous
- 23-0822 A resolution was adopted to appoint an evaluation committee relative to the Request for Qualifications associated with Criteria Architect Services for the Warren County Criminal Suppression Headquarters Project. Vote: Unanimous
- 23-0823 A resolution was adopted to approve modification to Combined Regional and Local Plan on behalf of the Local Area 12 Workforce Development Board. Vote: Unanimous
- 23-0824 A resolution was adopted to authorize the President of this Board to sign a funding approval/ agreement between Warren County and the U.S. Department of Housing and Urban Development relative to the Fiscal year 2022 Community Development Block Grant (CDBG). Vote: Unanimous
- 23-0825 A resolution was adopted to transfer vehicle partitions no longer being utilized by the Warren County Sheriff's Office to the Village of Waynesville. Vote: Unanimous
- 23-0826 A resolution was adopted to authorize President of the Board to enter into an agreement with Motorola Solutions, Inc. on behalf of Warren County Telecommunications. Vote: Unanimous
- 23-0827 A resolution was adopted to approve various Memorandum of Understanding agreements relative to electronic monitoring services to various courts within Warren County. Vote: Unanimous

- 23-0828 A resolution was adopted to approve and enter into a Memorandum of Understanding with the Undersigned Community Partners on behalf of Warren County Children Services (WCCS or the Agency). Vote: Unanimous
- 23-0829 A resolution was adopted to approve and enter into a subgrant agreement between the Ohio Department of Job and Family Services (ODJFS), the Ohio Department of Medicaid (ODM), the Warren County Board of Commissioners, and Warren County Children Services (Board). Vote: Unanimous
- 23-0830 A resolution was adopted to approve agreements and addendums with various providers relative to home placement and related services on behalf of Warren County Children Services. Vote: Unanimous
- 23-0831 A resolution was adopted to approve and enter into contract with the Child Advocacy Center of Warren County on behalf of the Warren County Department of Human Services. Vote: Unanimous
- 23-0832 A resolution was adopted to enter into contract with Valley Transport, LLC for non-emergency transportation for Warren County Medicaid consumers. Vote: Unanimous
- 23-0833 A resolution was adopted to authorize Warren County Engineer to prepare and submit an application to participate in the Ohio Public Works Commission State Capital Improvement Program relative to the Mason-Morrow-Millgrove Road Bridge #38-0.37 Replacement Project. Vote: Unanimous
- 23-0834 A resolution was adopted to approve Change Order No. 6 to the contract with Building Crafts, Inc. for the RAR Water Treatment Plant Membrane Softening Upgrades Project, Purchase Order No. 21001689. Vote: Unanimous
- 23-0835 A resolution was adopted to authorize Amendment No. 1 to the engineering agreement with RA Consultants, LLC increasing Purchase Order No. 22002692 for the Moreland Acres Water Replacement Project. Vote: Unanimous
- 23-0836 A resolution was adopted to declare various items within Board of Developmental Disabilities, Common Pleas Court (General), Facilities Management, Probate Court, Sheriff's Office, and Telecom as surplus and authorize the disposal of said items through internet auction. Vote: Unanimous
- 23-0837 A resolution was adopted to acknowledge payment of bills. Vote: Unanimous
- 23-0838 A resolution was adopted to approve a subdivision public improvement performance and maintenance security release with Soraya Farms, LLC for Soraya Farms, Section Eight situated in Clearcreek Township. Vote: Unanimous
- 23-0839 A resolution was adopted to approve various record plats. Vote: Unanimous

- 23-0840 A resolution was adopted to accept amended certificate for Sheriff's Office Fund #6630 and approve supplemental appropriations into Sheriff's Office Fund #6630. Vote: Unanimous
- 23-0841 A resolution was adopted to approve supplemental appropriation into Fund #1101112 and an operational transfer for Property Casualty Insurance #6637. Vote: Unanimous
- 23-0842 A resolution was adopted to approve a supplemental appropriation into Property Insurance Fund #6637. Vote: Unanimous
- 23-0843 A resolution was adopted to approve supplemental appropriation into Pass Through Fund #2261. Vote: Unanimous
- 23-0844 A resolution was adopted to approve supplemental appropriation into Airport Fund #4479. Vote: Unanimous
- 23-0845 A resolution was adopted to approve appropriation adjustment from Commissioners' General Fund #1101110 into Records Center Fund #1101500. Vote: Unanimous
- 23-0846 A resolution was adopted to approve appropriation adjustment within Recorder's Fund #1101160. Vote: Unanimous
- 23-0847 A resolution was adopted to approve appropriation adjustment within Facilities Management #11011600. Vote: Unanimous
- 23-0848 A resolution was adopted to approve appropriation adjustment within Sheriff's Office Fund #11012200 and from #11012210 into #11012200. Vote: Unanimous
- 23-0849 A resolution was adopted to approve appropriation adjustment within Children Services Fund #2273. Vote: Unanimous
- 23-0850 A resolution was adopted to approve requisitions and authorize County Administrator to sign documents relative thereto. Vote: Unanimous
- 23-0851 A resolution was adopted to approve appropriation adjustment within Common Pleas Court #11011220. Vote: Unanimous
- 23-0852 A resolution was adopted to approve appropriation adjustment within Probate Court Fund #10111250. Vote: Unanimous
- 23-0853 A resolution was adopted to approve intent to appoint Martin Russell to the position of County Administrator. Vote: Unanimous
- 23-0854 A resolution was adopted to approve intent to appoint Krystal Powell to the position of Clerk to the Board of County Commissioners. Vote: Unanimous

- 23-0855 A resolution was adopted to authorize County Administrator to execute Amendment No. 1 to a license and indemnification agreement with CFPN Ohio, LLC for the purposes of the temporary construction entrance and access across County owned vacant land to the C5 75 Logistics Center. Vote: Unanimous
- 23-0856 A resolution was adopted to authorize posting for Deputy County Administrator position, within the Warren County Commissioners' Office, in accordance with Warren County Personnel Policy Manual, Section 2.02 (A). Vote: Unanimous
- 23-0857 A resolution was adopted to adopt Warren County Tax Budget for Year 2024. Vote: Unanimous
- 23-0858 A resolution was adopted to approve and authorize County Administrator to execute legal services agreement Baron & Budd, P.C., Cossich, Sumich, Parsiola, & Taylor, LLC, Markovits, Stock, & DeMarco, LLC, McNamee & McNamee, LLP, and Oths, Heiser, Miller, Waigand, & Clagg, LLC. Vote: Unanimous

## DISCUSSIONS

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

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## PUBLIC HEARING

### 2024 TAX BUDGET

The Board met this 27<sup>th</sup> day of June 2023, for the public hearing to consider the adoption of the 2024 Tax Budget.

Martin Russell, Deputy County Administrator, reviewed the purpose of the tax budget being to certify that funds are sufficient for planned expenditures. He then reviewed the following information:

- 2024 Tax Budget for the general fund appropriate requests = \$97,938,181.80
- 13.8% over 2023 annual appropriation of \$86,027,129
- 55.2% public safety, 40.19% general operating, 3.66% social service, .89% = Misc. & debt

**Current Overview**

- 2023 mid-year revenue looks different than 2022 with the end of the Tax Holiday
  - Sales tax revenue is strong – currently up 3.18% over this time in 2022
  - Revenue vs. expenditures (would be at 41% through May)
    - Revenue based off anticipated receipts is at 53% (47.4MM/90.4MM)
      - After first-half collection (\$13MM of the \$24MM anticipated)
    - 36% (41% target) on expenditures (\$32MM/\$88MM)
    - Receiving more than anticipated and spending less than budgeted
  - Investment income
    - Nearing 2022 totals through ½ of 2023 (3.1M compared to 3.6M)
    - Adjusted portfolio to match rising interest rates – continue to monitor weighted maturity average
  - Continued low percentage of delinquencies
  - Building permits are equal to 2022 (1100) and revenue is up nearly \$200k
- Infrastructure Bank Discussion
  - Evaluate in the fall, but full intention to maintain \$10MM for 2024
  - Rainy day fund established in 2020 - \$12 million (evaluate as only can by 16.6% of expenditures)
- Non-general is also before you, their anticipated revenue supports their appropriation request (225,884,109.98)

There was discussion relative to the high percentage increase over 2023 approved budget.

Mr. Russell explained that the tax budget is a “wish list” and he will work with departments and officials to bring that percentage into a reasonable amount for the annual budget in the fall.

Upon further discussion, the Board resolved (Resolution #23-0857) to approve and adopt the 2024 Tax Budget.

---

David Fornshell, Warren County Prosecutor, was present along with Johnathan Deters, Markovits, Stock & DeMarco, LLC, to present an engagement letter to enter into a legal services agreement with various law firms relative to a class action lawsuit associated with PFAS and PFOS pollutants.

Mr. Fornshell stated that this agreement would allow Warren County to become a party to the litigation as it related to pollutants in drinking water, groundwater, surface water, soil, and real property owned, operated and/or utilized by the County.

Upon discussion, the Board resolved (Resolution #23-0858) to approve and authorize the County Administrator to execute legal services agreement Baron & Budd, P.C., Cossich, Sumich, Parsiola, & Taylor, LLC, Markovits, Stock, & DeMarco, LLC, McNamee & McNamee, LLP, and Oths, Heiser, Miller, Waigand, & Clagg, LLC.

Upon motion the meeting was adjourned.

\_\_\_\_\_  
Shannon Jones, President

\_\_\_\_\_  
David G. Young

\_\_\_\_\_  
Tom Grossmann

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 June 27, 2023, in compliance with Section 121.22 O.R.C.

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



# Proclamation

*From the Office of the Board of County Commissioners  
Warren County, Ohio*

**PROCLAIM AUGUST 21, 2023, AS  
"FENTANYL PREVENTION AND AWARENESS DAY"  
IN WARREN COUNTY**

*WHEREAS, fentanyl poisoning is the leading cause of death for adults aged 18 to 45 in the United States, with one death occurring every nine minutes; and*

*WHEREAS, National Fentanyl Prevention and Awareness Day was established to remember those lost to fentanyl poisoning and to acknowledge the devastation this drug has brought to hundreds of thousands of affected family members and friends; and*

*WHEREAS, it is a day of coordinated response from fentanyl awareness organizations and affected families sharing their lived experiences to warn and inform our youth, public, and the unsuspecting; and*

*WHEREAS, the Substance Abuse Prevention Coalition (SAPC) of Warren County collaborates with various organizations and families impacted by fentanyl to educate the public about the dangers of the drug; and*

*WHEREAS, SAPC strives to drive cultural transformation and deliver sustainable solutions through providing empathy, education, leadership, connections, and resources for parents, youth, and community members; and*

*WHEREAS, prevention and education are definite powers to help others make informed decisions to end the abuse of fentanyl; and*

*NOW THEREFORE BE IT RESOLVED, by this Board of Warren County Commissioners, that August 21, 2023, be proclaimed as*

**"FENTANYL PREVENTION AND AWARENESS DAY"**

*in Warren County to increase awareness of the dangers of the illicit use of fentanyl.*

*IN WITNESS WHEREOF, we hereunto subscribed our names and caused the seal of Warren County to be affixed at Lebanon this 18<sup>th</sup> day of July, in the Year of our Lord, Two Thousand Twenty-Three.*

**BOARD OF COUNTY COMMISSIONERS**

\_\_\_\_\_  
*Shannon Jones, President*

\_\_\_\_\_  
*David G. Young*

\_\_\_\_\_  
*Tom Grossmann*





**REQUEST FOR AUTHORIZATION TO ATTEND ASSOCIATION MEETING,  
CONVENTION OR TRAINING SEMINAR/SESSION**

This form is to be completed by Department Head/Elected Official requesting authorization to attend an Association Meeting or Convention or Training Seminar/Session sponsored by an Association as required by O.R.C. Section 325.20. Additionally, authorization is required for any training seminar/session held more than 250 miles from county campus;

\*NAME OF ATTENDEE: Thomas Howard DEPARTMENT: CSEA

\*POSITION: Director DATE: 6/27/23

REQUEST FOR AUTHORIZATION FOR THE ABOVE-NAMED EMPLOYEE/ELECTED OFFICIAL TO ATTEND THE FOLLOWING:

ASSOCIATION MEETING      CONVENTION      ASSOCIATION SPONSORED TRAINING SEMINAR/SESSION   
TRAINING MORE THAN 250 MILES

PURPOSE:

Ohio Child Support Directors Association Leadership Retreat

LOCATION:

Newark, Ohio

DATE(S): August 29th and 30th

TYPE OF TRAVEL: (Check one)

AIRLINE      STAFF CAR       PRIVATE VEHICLE      OTHER

LODGING: Cherry Valley Hotel, 2299 Cherry Valley Road, Newark, Ohio

ESTIMATED COST OF TRIP: \$2,287.10

I CERTIFY THAT DIRECTION HAS BEEN GIVEN TO ALL EMPLOYEES ATTENDING THIS FUNCTION, THAT IT IS EXPECTED OF THEM TO ATTEND APPLICABLE SESSIONS.

DEPARTMENT HEAD/ELECTED OFFICIAL REQUESTING AUTHORIZATION:

[Signature]      Director      6/27/23  
Signature/Title      Date

BOARD OF COMMISSIONERS' APPROVAL:

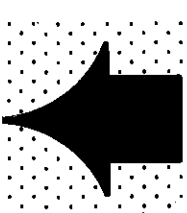
\_\_\_\_\_  
Commissioner      Date

\_\_\_\_\_  
Commissioner      Date

\_\_\_\_\_  
Commissioner      Date

\*If additional employees will be attending the Association Meeting, Convention or Training Seminar/Session please list names and positions here:

Kim Reisinger, Human Resources Coordinator; Dana Puckett, Financial Manager; Liz McClain, Tech Support Specialist; Danielle Garrett, Legal Coordinator







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\*NAME OF ATTENDEE: KRISTY TAYLOR DEPARTMENT: COMMON PLEAS COURT

\*POSITION: QUALITY ASSURANCE OFF DATE: 6/23/23

REQUEST FOR AUTHORIZATION FOR THE ABOVE-NAMED EMPLOYEE/ELECTED OFFICIAL TO ATTEND THE FOLLOWING:

ASSOCIATION MEETING CONVENTION ASSOCIATION SPONSORED TRAINING SEMINAR/SESSION  
TRAINING MORE THAN 250 MILES

PURPOSE:  
2023 COSSUP NATIONAL FORUM

LOCATION:  
WASHINGTON DC

DATE(S): 8/28-8/31/23

TYPE OF TRAVEL: (Check one)

AIRLINE  STAFF CAR  PRIVATE VEHICLE  OTHER

LODGING:

Hyatt Regency \$590 (\$172 per night + Tax)

ESTIMATED COST OF TRIP:

Meals \$277, Mig \$43.00, Flight \$350, Parking \$80, Transport DC \$250  
*Bus pass \$100*

\$1,690.60 per person

I CERTIFY THAT DIRECTION HAS BEEN GIVEN TO ALL EMPLOYEES ATTENDING THIS FUNCTION, THAT IT IS EXPECTED OF THEM TO ATTEND APPLICABLE SESSIONS.

DEPARTMENT HEAD/ELECTED OFFICIAL REQUESTING AUTHORIZATION:

[Signature] 6/28/23  
Signature Title Date

BOARD OF COMMISSIONERS' APPROVAL:

\_\_\_\_\_  
Commissioner Date

\_\_\_\_\_  
Commissioner Date

\_\_\_\_\_  
Commissioner Date

\*If additional employees will be attending the Association Meeting, Convention or Training Seminar/Session please list names and positions here:

JUDGE DONALD E ODA II, VICTORIA BILLMAN, JENNIFER BURNSIDE, AMANDA GRAZIANO, ADRIENE JUSTICE Hillary Evans (1P)



**REQUEST FOR AUTHORIZATION TO ATTEND ASSOCIATION MEETING,  
CONVENTION OR TRAINING SEMINAR/SESSION**

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\*NAME OF ATTENDEE: ROBERT FISCHER DEPARTMENT: County Court

\*POSITION: JUDGE DATE: July 5, 2023

REQUEST FOR AUTHORIZATION FOR THE ABOVE-NAMED EMPLOYEE/ELECTED OFFICIAL TO ATTEND THE FOLLOWING:

ASSOCIATION MEETING      CONVENTION      ASSOCIATION SPONSORED TRAINING SEMINAR/SESSION  
TRAINING MORE THAN 250 MILES

PURPOSE: 2023 Annual Meeting

LOCATION: HILTON COLUMBUS AT EASTON

DATE(S): September 14-15, 2023

TYPE OF TRAVEL: (Check one)

AIRLINE      STAFF CAR      PRIVATE VEHICLE      OTHER

LODGING: HILTON COLUMBUS AT EASTON

ESTIMATED COST OF TRIP: reg\$375; hotel, \$384; mileage \$90=aprx \$849 x2

I CERTIFY THAT DIRECTION HAS BEEN GIVEN TO ALL EMPLOYEES ATTENDING THIS FUNCTION, THAT IT IS EXPECTED OF THEM TO ATTEND APPLICABLE SESSIONS.

DEPARTMENT HEAD/ELECTED OFFICIAL REQUESTING AUTHORIZATION:

Melissa Mandy Ct Adm.      7/5/23  
Signature/Title      Date

BOARD OF COMMISSIONERS' APPROVAL:

\_\_\_\_\_  
Commissioner      Date

\_\_\_\_\_  
Commissioner      Date

\_\_\_\_\_  
Commissioner      Date

\*If additional employees will be attending the Association Meeting, Convention or Training Seminar/Session please list names and positions here:

Judge Gary Loxley



**REQUEST FOR AUTHORIZATION TO ATTEND ASSOCIATION MEETING,  
CONVENTION OR TRAINING SEMINAR/SESSION**

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\*NAME OF ATTENDEE: Estes, Gary DEPARTMENT: Telecom

\*POSITION: Deputy Director DATE: 2023.07.13

REQUEST FOR AUTHORIZATION FOR THE ABOVE-NAMED EMPLOYEE/ELECTED OFFICIAL TO ATTEND THE FOLLOWING:

ASSOCIATION MEETING                      CONVENTION                      ASSOCIATION SPONSORED TRAINING  
TRAINING MORE THAN 250 MILES                       SEMINAR/SESSION

PURPOSE:

Warren County Chamber Alliance Fly-In

LOCATION:

Washington, D.C. | 806 15th Street NW

DATE(S): 9/17 to 9/20

TYPE OF TRAVEL: (Check one)

AIRLINE                      STAFF CAR                      PRIVATE VEHICLE                       OTHER

LODGING:                      \$1005.29

ESTIMATED COST OF TRIP:                      \$2000.00

I CERTIFY THAT DIRECTION HAS BEEN GIVEN TO ALL EMPLOYEES ATTENDING THIS FUNCTION, THAT IT IS EXPECTED OF THEM TO ATTEND APPLICABLE SESSIONS.

DEPARTMENT HEAD/ELECTED OFFICIAL REQUESTING AUTHORIZATION:

                     \_\_\_\_\_  
Signature/Title                      Date

BOARD OF COMMISSIONERS' APPROVAL:

\_\_\_\_\_  
Commissioner                      Date

\_\_\_\_\_  
Commissioner                      Date

\_\_\_\_\_  
Commissioner                      Date

\*If additional employees will be attending the Association Meeting, Convention or Training Seminar/Session please list names and positions here:

\_\_\_\_\_



**REQUEST FOR AUTHORIZATION TO ATTEND ASSOCIATION MEETING,  
CONVENTION OR TRAINING SEMINAR/SESSION**

This form is to be completed by Department Head/Elected Official requesting authorization to attend an Association Meeting or Convention or Training Seminar/Session sponsored by an Association as required by O.R.C. Section 325.20. Additionally, authorization is required for any training seminar/session held more than 250 miles from county campus;

\*NAME OF ATTENDEE: Traci Stivers DEPARTMENT: WIB (BCW/Workforce)

\*POSITION: Director of Community Relations DATE: July 3, 2023

REQUEST FOR AUTHORIZATION FOR THE ABOVE-NAMED EMPLOYEE/ELECTED OFFICIAL TO ATTEND THE FOLLOWING:

ASSOCIATION MEETING      CONVENTION      ASSOCIATION SPONSORED TRAINING SEMINAR/SESSION  
TRAINING MORE THAN 250 MILES

PURPOSE:

Warren County Washington DC FlyIn

LOCATION:

Washington DC

DATE(S): Sept. 18-20, 2023

TYPE OF TRAVEL: (Check one)

AIRLINE  STAFF CAR      PRIVATE VEHICLE      OTHER

LODGING: Sofitel (806 15th Street NW, Washington DC).

ESTIMATED COST OF TRIP: \$2,500

I CERTIFY THAT DIRECTION HAS BEEN GIVEN TO ALL EMPLOYEES ATTENDING THIS FUNCTION, THAT IT IS EXPECTED OF THEM TO ATTEND APPLICABLE SESSIONS.

DEPARTMENT HEAD/ELECTED OFFICIAL REQUESTING AUTHORIZATION:

Betty Ehling Exec Dir.      7-3-23  
Signature      Title      Date

BOARD OF COMMISSIONERS' APPROVAL:

\_\_\_\_\_  
Commissioner      Date

\_\_\_\_\_  
Commissioner      Date

\_\_\_\_\_  
Commissioner      Date

\*If additional employees will be attending the Association Meeting, Convention or Training Seminar/Session please list names and positions here:

\_\_\_\_\_

SET PUBLIC HEARINGS RELATIVE TO THE ADOPTION OF NEW REQUIREMENTS AND STANDARDS FOR THE DESIGN AND CONSTRUCTION OF STREETS AND ROADWAY FACILITIES IN WARREN COUNTY

WHEREAS, pursuant to Ohio Revised Code Section 307.37, this Board has the authority to adopt Requirements and Standards for the Design and Construction of Streets and Roadway Facilities in Warren County; and

WHEREAS, on July 14, 2023, this Board received the draft submittal of the Requirements and Standards for the Design and Construction of Streets and Roadway Facilities in Warren County from the Warren County Engineer and desires to establish public hearings necessary for the adoption of said regulations; and

NOW THEREFORE BE IT RESOLVED, to set public hearings relative to the adoption of new Requirements and Standards for the Design and Construction of Streets and Roadway Facilities in Warren County in accordance with Ohio Revised Code Section 307.37; public hearing #1 to be held \_\_\_\_\_, at \_\_\_\_\_ a.m. in the Commissioners' Meeting Room and public hearing #2 to be held \_\_\_\_\_, at \_\_\_\_\_ a.m. in the Commissioners' Meeting Room; and

BE IT FURTHER RESOLVED, that at least 30 days prior to the first public hearing, the County Engineer send a copy of the regulations and a request for written comments and be sent to various elected officials, government agencies and professional groups as required by the Ohio Revised Code.

\_\_\_\_\_ moved for adoption of the foregoing resolution, being seconded by \_\_\_\_\_. Upon call of the roll, the following vote resulted:

M  
M  
M

Resolution adopted this \_\_\_\_ day of July, 2023

BOARD OF COUNTY COMMISSIONERS

\_\_\_\_\_  
Tina Osborne, Clerk

cc: Engineer (certified) (file)  
Design and Construction of Streets and Roadway Facilities file