



**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**

***September 24, 2024***

- #1**                      ***Clerk—General***
- #2**      **9:00**              ***Consider Municipality Owned Annexation of 19.665 Acres to the City of Franklin***
- #3**      **9:05**              ***Work Session— Prosecutor Fornshell and Sheriff Sims to Discuss the Child Advocacy Center of Warren County***
- #4**      **9:30**              ***Public Hearing—Consider Text Amendments to the Subdivision Regulations***
- #5**      **9:45**              ***Executive Session—Personnel Matters to Consider the Dismissal or Discipline of a Public Employee Pursuant to ORC 121.22 (G)(1)***

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

APPROVING REQUISITIONS AND AUTHORIZING THE COUNTY ADMINISTRATOR  
TO SIGN DOCUMENTS RELATIVE THERETO

BE IT RESOLVED, to approve requisitions as listed in the attached document and authorize Martin Russell, 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    day of    2024.

BOARD OF COUNTY COMMISSIONERS

\_\_\_\_\_  
Krystal Powell, Clerk

/kp

cc:

Commissioners' file

## REQUISITIONS

Department	Vendor Name	Description	Amount
ENG	W E SMITH CONSTRUCTION	ENG.2024 HAMILTON RD DRILLED P	\$ 184,857.00 *bid project/ contract in packet
WAT	CHOICE ONE ENGINEERING	WAT KG 3246 MULB & BWAY WTRMN	\$ 57,150.00 *RFQ/ contract in packet
WAT	XYLEM WATER SOLUTIONS USA INC	SEW PUMP REPLACEMENT FOR VILLA	\$ 41,684.00 *capital purchase/ sole source
WAT	JAY V JOHNSTON	WAT KIP 740 C PRINTER FOR OFFI	\$ 25,495.00 *capital purchase/ obtained 3 quotes
ENG	DUKE ENERGY OHIO INC	ENG TOWNSHIP LINE RELOCATION O	\$ 81,239.00 *capital purchase
FAC	BBC DISTRIBUTING LLC	FAC STEAMERS FOR JAIL	\$ 42,284.94 *capital purchase/ obtained 3 quotes
TEL	VERTIV CORPORATION	TEL VERTIV UPS SERVICE RENEWAL	\$ 17,357.68 *contract in packet

## PO CHANGE ORDERS

Department	Vendor Name	Description	Amount
ENG	FISHBECK	ENG SERV CONRTCT MMM BRIDGE	\$ 10,000.00 *increase/ contract in packet
WAT	NATIONAL WATER SERVICES	WAT MIDD JNCTN DRL PROJ	\$ 13,725.00 *increase/ contract in packet

9/24/24 APPROVED BY:

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Martin Russell, County Administrator

**CONSENT AGENDA\***

***September 24, 2024***

***Approve the minutes of the September 17, 2024 Commissioners' Meeting.***

**PERSONNEL**

- 1. Approve temporary pay increase for Taylor Bishop within W/S***
- 2. Hire Gina Hineson as Custodial Worker II within Facilities Management***
- 3. Accept resignation of Jake Morrison within W/S and Nicole Torres within Children Services***

**GENERAL**

- 4. Cancel regularly scheduled Commissioners' Meeting of Thursday, September 26, 2024***
- 5. Enter into contract with W.E. Smith Construction for the 2024 Hamilton Road Drilled Pier Wall Project***
- 6. Initiate contract negotiations with Conger Construction and MSP Design relative to design-build services for the New Warren County Criminal Suppression Headquarters Project***
- 7. Authorize President of the Board to execute an agreement with Govworx on behalf of Emergency Services***
- 8. Approve Amendment No. 1 to the engineering contract with Fishbeck, Inc. on behalf of the Engineer's Office***
- 9. Approve agreement with HUD relative to CDBG FY24 funding on behalf of Grants Administration***
- 10. Approve contract with Hardin County on behalf Mary Haven***
- 11. Approve agreement with Pitney Bowes***
- 12. Approve addendum to contract with Matrix Pointe Software, LLC on behalf of the Sheriff's Office***
- 13. Authorize acceptance of quotes with Sayers and Vertiv on behalf of Telecommunications***
- 14. Approve Change Order No. 1 to the contract with National Water Services for the Middletown Junction Production Well Drilling and Construction Project***
- 15. Enter into an easement agreement with Deerfield Township Board of Trustees on behalf of W/S***
- 16. Waive plan review and inspection fees for the City of Middletown Renaissance Pointe Project***
- 17. Authorize Amendment No. 2 to the agreement with Choice One Engineering for the Mulberry and Broadway Watermain Replacement Project***
- 18. Enter into agreement with Sinclair Community College on behalf of OhioMeansJobs Warren County***
- 19. Declare various items as surplus and authorize disposal of said items***
- 20. Authorize transfer of vehicle and equipment to Harveysburg Police Department and Harlan Township***
- 21. Acknowledge payment of bills***
- 22. Enter into various performance bond agreements for Locust Grove in Clearcreek Township***
- 23. Approve final plat for Locust Grove in Clearcreek Township***

**FINANCIALS**

- 24. Approve appropriation adjustments within Prosecutor, Sheriff's, and Building and Zoning for payouts***
- 25. Approve appropriation adjustments within Commissioners', Clerk of Courts, Facilities Management, Sheriff's, Emergency Services, Human Services, Developmental Disabilities, OhioMeansJobs Warren County, Children Services, Telecommunications, and Workers Compensation***

- a. \*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. Accepting transfer and conveyance of unused real estate owned by the Deerfield Board of Trustees
2. Approving the appointment of Michelle Tegtmeier to the position of Deputy Director of Facilities Management

ACCEPT <sup>MM</sup> THE TRANSFER AND CONVEYANCE OF UNUSED REAL ESTATE OWNED BY DEERFIELD TOWNSHIP BOARD OF TRUSTEES AND ~~DIRECT THE CLERK OF THE WARREN COUNTY COMMISSIONERS TO RECORD THE DEEDS~~ <sup>Warren County Board of</sup>

WHEREAS, the ~~Board of County Commissioners~~ <sup>is Board</sup> operates and maintains the Fosters Sanitary Sewer Lift Station which is located within an easement on real estate owned by Deerfield Township; and

WHEREAS, the Warren County Water and Sewer Department will construct improvements to the lift station and sanitary sewers involving areas outside the existing easement; and

WHEREAS, to facilitate the improvements the Deerfield Township Board of Trustees has executed Quit Claim Deeds conveying two parcels to the Warren County Board of County Commissioners:

Parcel #	Auditor Account No	Area (acres)
06-10-351-006	0903329	0.48
06-10-351-007	0907685	1.10

NOW THEREFORE BE IT RESOLVED, to accept the transfer and conveyance of unused real estate owned by the Deerfield Township Board of Trustees, and ~~direct the Clerk of the County Commissioners to record the deeds.~~ <sup>authorize</sup>

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

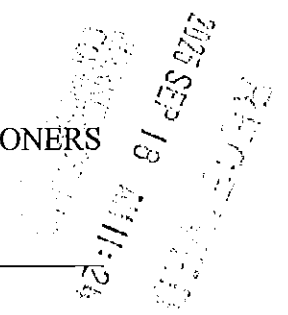
- M
- M
- M

Resolution adopted this th day of September 24, 2024.

BOARD OF COUNTY COMMISSIONERS

Krystal Powell, Clerk

cc: Water/Sewer (file)  
Recorder (certified)





## Statement of Reason for Exemption From Real Property Conveyance Fee

DTE 100EX  
Rev. 1/14

Ohio Revised Code section 319.202 and 319.54(G)(3)

FOR COUNTY AUDITOR'S USE ONLY			Date	Co. no. <b>83</b>	Number
Instr.	Tax. district no.	Tax list	Land	Bldg.	Total

DTE code number \_\_\_\_\_  Split/new plat    Remarks \_\_\_\_\_

Property located in \_\_\_\_\_ taxing district

Name on tax duplicate \_\_\_\_\_ Tax duplicate year \_\_\_\_\_

Acct. or permanent parcel no. \_\_\_\_\_ Map book \_\_\_\_\_ Page \_\_\_\_\_

Description \_\_\_\_\_

### The Following Must Be Completed by Grantee or His/Her Representative

Type or print all information. See instructions on reverse.

1. Grantor's name BOARD OF TRUSTEES OF DEERFIELD TOWNSHIP Phone (513) 314-8354
2. Grantee's name WARREN COUNTY BOARD OF COUNTY COMMISSIONERS Phone (513) 314-8354  
 Grantee's address 406 JUSTICE DRIVE
3. Address of property 7943 OLD 3<sup>C</sup> HIGHWAY, MAINEVILLE, OH 45039
4. Tax billing address 406 JUSTICE DRIVE, LEBANON, OH 45036

5. No conveyance fees shall be charged because the real property is transferred:

- a) to or from the United States, this state or any instrumentality, agency or political subdivision of the United States or this state.
- b) solely in order to provide or release security for a debt or obligation.
- c) to confirm or correct a deed previously executed and recorded.
- d) to evidence a gift, in any form, between husband and wife, or parent and child, or the spouse of either.
- e) on sale for delinquent taxes or assessments.
- f) pursuant to court order, to the extent that such transfer is not the result of a sale effected or completed pursuant to such order.
- g) pursuant to a reorganization of corporations or unincorporated associations or pursuant to the dissolution of a corporation, to the extent that the corporation conveys the property to a stockholder as a distribution in kind of the corporation's assets in exchange for the stockholder's shares in the dissolved corporation.
- h) by a subsidiary corporation to its parent corporation for no consideration, nominal consideration or in sole consideration of the cancellation or surrender of the subsidiary's stock.
- i) by lease, whether or not it extends to mineral or mineral rights, unless the lease is for a term of years renewable forever.
- j) when the value of the real property or interest in real property conveyed does not exceed \$100.
- k) of an occupied residential property being transferred to the builder of a new residence when the former residence is traded as part of the consideration for the new residence.
- l) to a grantee other than a dealer in real property, solely for the purpose of and as a step in, its prompt sale to others.
- m) to or from a person when no money or other valuable and tangible consideration readily convertible into money is paid or to be paid for the real estate and the transaction is not a gift. (must attach an affidavit of facts)
- n) to an heir or devisee, between spouses or to a surviving spouse, from a person to himself and others, to a surviving tenant, or on the death of a registered owner.
- o) to a trustee acting on behalf of minor children of the deceased.
- p) of an easement or right-of-way when the value of the interest conveyed does not exceed \$1,000.
- q) of property sold to a surviving spouse pursuant to Ohio Revised Code section (R.C.) 2106.16.
- r) to or from an organization exempt from federal income under Internal Revenue Code section 501(c)(3), provided such transfer is without consideration and is in furtherance of the charitable or public purpose of such organization.
- s) among the heirs at law or devisees, including a surviving spouse of a common decedent, when no consideration in money is paid or to be paid for the real property.
- t) to a trustee of a trust, when the grantor of the trust has reserved an unlimited power to revoke the trust.
- u) to the grantor of a trust by a trustee of the trust, when the transfer is made to the grantor pursuant to the exercise of the grantor's power to revoke the trust or to withdraw trust assets.
- v) to the beneficiaries of a trust if the fee was paid on the transfer from the grantor of the trust to the trustee or pursuant to trust provisions that became irrevocable at the death of the grantor.
- w) to a corporation for incorporation into a sports facility constructed pursuant to R.C. section 307.696[307.69.6].
- x) between persons pursuant to R.C. section 5302.18.
- y) from a county land reutilization corporation organized under R.C. section 1724 to a third party.

6. Has the grantor indicated that this property is entitled to receive the senior citizen, disabled person or surviving spouse homestead exemption for the preceding or current year?  Yes  No    If yes, complete form DTE 101.
7. Has the grantor indicated that this property is qualified for current agricultural use valuation for the preceding or current tax year?  Yes  No    If yes, complete form DTE 102.
8. Application for owner-occupancy (2.5% on qualified levies) reduction. (Notice: Failure to complete this application prohibits the owner from receiving this reduction until another proper and timely application is filed.) Will this property be grantee's principal residence by Jan. 1 of next year?  Yes  No    If yes, is the property a multi-unit dwelling?  Yes  No

I declare under penalties of perjury that this statement has been examined by me and to the best of my knowledge and belief it is a true, correct and complete statement.

Signature of grantee or representative Matt Nolan, Asst PAO

Date 09/25/2024

**MATT NOLAN, WARREN COUNTY AUDITOR**

Quit-claim deed  
(R.C. § 5302.11)

*Know All Men by These Presents,*

The BOARD OF TOWNSHIP TRUSTEES OF DEERFIELD TOWNSHIP, an Ohio township and political subdivision, the "Grantor" herein, for valuable consideration paid, grants to the WARREN COUNTY BOARD OF COUNTY COMMISSIONERS, the Grantee herein, whose tax mailing address is 406 Justice Drive, Lebanon, Ohio 45036, all rights, title and interest Grantor has in the Real Estate particularly described on Exhibit "A" attached hereto and made a part hereof.

IN EXECUTION WHEREOF, the Grantor has caused this deed to be executed by at least a majority of its Board of Trustees, on the date stated below, pursuant to Resolution Number 2024-41, adopted 8-20-24.

By: [Signature]  
Lille Luttz Hedding, Trustee

By: [Signature]  
Kristen Malhotra, Trustee

By: [Signature]  
Julie L. Seitz, Trustee



**BENJAMIN J YODER, Attorney at Law**  
Notary Public, State of Ohio  
My Commission has no expiration date.  
Section 147.03 O.R.C.

STATE OF OHIO, COUNTY OF WARREN, ss.

BE IT REMEMBERED, that on the 20th day of August, 2024, before me, the subscriber, a Notary Public, in and for said County and State, personally appeared the persons known or proven to me to be Lille Hedding, Kristen Malhotra, and Julie Seitz, Deerfield Twp. Bd. of Trs. Trustees, and whose names are subscribed hereto, and acknowledged the signing and execution of said instrument is his or her free and voluntary act and deed, and pursuant to the Board's Resolution authorizing such act. This is not a jurat. This notary is in compliance with R.C. 147.542 (D)(1).

Notary Public: [Signature]

[SEAL]

This instrument was prepared by:

DAVID P. FORNSHELL  
PROSECUTING ATTORNEY  
WARREN COUNTY, OHIO

[Signature]  
By: Bruce A. McGary, Asst. Prosecutor

EXHIBIT "A"  
[legal descriptions]

Parcel No. 16-10-351-006  
Auditor's Acct. No. 0903329  
Property Address: 7943 Old 3<sup>rd</sup> C Highway, Maineville, OH 45039

Situated in Deerfield Township, Warren County, Ohio, in fractional Section 10, Town 4, Entire Range 2, between the Miami Rivers and beginning in the center of the turnpike road, South 1° East, 30 feet from a stone and running thence from said place of beginning, South 1° East, with the center of said road, 1.18 chains to a stone in the center of said road which is 20 feet South of the store formerly on the lot by this deed conveyed; thence South 88-1/2° West, 4.12 chains to a stone; thence North 1° West, parallel with the center line of said road, 1.18 chains to a stone; thence North 88-1/2° East, 4.12 chains to the place of beginning. Containing **0.48 of an acre of land.**

Subject to easements, legal highways and rights of way; building, zoning, access management and other local laws and regulations.

Prior instrument reference: O.R. Vol. 1411, Page 355.

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Parcel No. 16-10-351-007  
Auditor's Acct No. 0907685  
Property Address: 7953 Old 3<sup>rd</sup> C Highway, Maineville, OH 45039

Situated in Section 10, Town 4 East, Range 2 North, Deerfield Township, Warren County, Ohio, bounded and described as follows:

Beginning at a spike at the intersection of the center lines of County Road No. 32 and No. 10; thence with the center of County Road No. 10, North 0°, 45' East, 159.32 feet to a spike, a corner to the lands of Herbert Hoppe; then with this line, North 89° 3' West, 275.41 feet to a stone; thence South 2° 26' West, 148.30 feet to a spike in the center of County Road No. 32; thence with the center of said road, South 74° 1' East, 99.50 feet to a spike; thence still with said road North 86° 21' East, 184.30 feet to the place of beginning. Containing **1.10 acres of land.**

Subject to easements, legal highways and rights of way; building, zoning, access management and other local laws and regulations.

Prior instrument reference: O.R. Vol. 1411, Page 355.

First Reading: August 20, 2024  
Second Reading: N/A

**RESOLUTION NO. 2024-41**

**BOARD OF TRUSTEES, DEERFIELD TOWNSHIP  
WARREN COUNTY, OHIO**

**RESOLUTION AUTHORIZING THE TRANSFER AND CONVEYANCE OF UNUSED  
TOWNSHIP-OWNED REAL PROPERTY TO THE WARREN COUNTY BOARD OF  
COMMISSIONERS NECESSARY FOR THE EXPANSION OF THE LOWER LITTLE  
MIAMI LIFT STATION AND DECLARING AN EMERGENCY**

**WHEREAS**, Ohio Revised Code 505.10(A)(5) allows Ohio boards of township trustees, having title to real property, to authorize the transfer and conveyance of such property to other Ohio political subdivisions upon any such terms as are agreeable amongst the involved political subdivision parties;

**WHEREAS**, the Deerfield Township Board of Township Trustees (the "Board") owns certain, unused real property, as further described in the attached Exhibit A (the "Unused Real Property"), necessary for the expansion of the Warren County Board of County Commissioner's (the "Warren County Commissioners") Lower Little Miami Lift Station; and

**WHEREAS**, the Board desires to authorize the transfer and conveyance of the Unused Real Property to the Warren County Commissioners upon the terms and in the manner prescribed by the documents attached hereto as Exhibit A (the "Transfer Documents");

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Trustees of Deerfield Township, Warren County, Ohio:

**SECTION 1.** The Board hereby authorizes the transfer and conveyance of the Unused Real Property to the Warren County Commissioners upon the terms and in the manner prescribed by the Transfer Documents.

**SECTION 2.** The Deerfield Township Administrator is hereby authorized to execute the Transfer Documents and any and all additional documents, and take any other actions, necessary to effectuate the Board's transfer and conveyance of the Unused Real Property to the Warren County Commissioners.

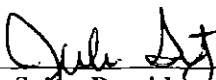
**BE IT FURTHER RESOLVED**, that this Resolution constitutes an emergency measure necessary for the immediate preservation of the public health, safety and general welfare, and for the further reason that the Board desires to expeditiously effectuate the transfer of the Unused Real

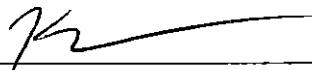
Property to the Warren County Commissioners such that construction of the Lower Little Miami Lift expansion can occur as quickly as possible.

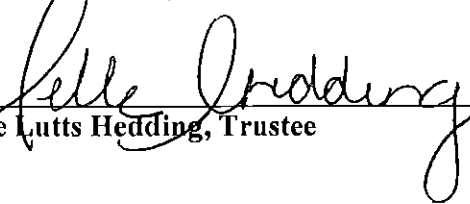
**VOTE RECORD:**

Mrs. Seitz Y      Ms. Malhotra Y      Mrs. Hedding Y

**PASSED** at the meeting of the Deerfield Township Board of Trustees on this 20th day of August, 2024.


  
\_\_\_\_\_  
Julie Seitz, President

  
\_\_\_\_\_  
Kristin Malhotra, Vice President

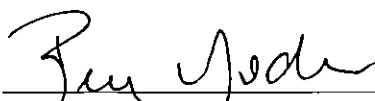
  
\_\_\_\_\_  
Lelle Lutts Hedding, Trustee

**AUTHENTICATION**

This is to certify that this Resolution was duly passed and filed with the Deerfield Township, Warren County, Ohio Fiscal Officer on this 20th day of August, 2024.

  
\_\_\_\_\_  
Dan Corey, Fiscal Officer  
Deerfield Township, Warren County, Ohio

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Benjamin J. Yoder, Law Director





APPROVING THE APPOINTMENT OF MICHELLE TEGTMEIER TO THE POSITION OF DEPUTY DIRECTOR OF FACILITIES MANAGEMENT

WHEREAS, it is the desire of this Board to appoint Michelle Tegtmeier to the position of Deputy Director within the Facilities Management Department; and

NOW THEREFORE BE IT RESOLVED, to approve the appointment of Michelle Tegtmeier to the position of Deputy Director, unclassified, full-time permanent, exempt status, Pay Range C, \$3,631.54 bi-weekly, effective pay period starting September 21, 2024.

BE IT FURTHER RESOLVED, Ms. Tegtmeier will continue to oversee the Building and Zoning Department with guidance and assistance through the end of the year, and be compensated an additional \$1,000.00 per pay.

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 September 2024.

BOARD OF COUNTY COMMISSIONERS

~~Tina Osborne, Clerk~~

*Kristal Powell*

cc: Facilities' file  
BZ file  
M. Tegtmeier 's Personnel file  
OMB – Sue Spencer



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

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**[www.co.warren.oh.us](http://www.co.warren.oh.us)**

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Telephone (513) 695-1250  
Facsimile (513) 695-2054

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

BOARD OF COUNTY COMMISSIONERS  
WARREN COUNTY, OHIO

MINUTES: Regular Session – September 17, 2024

*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/UC1ELh0jGpXd4VV2DTgsuqPA> or by contacting our office.*

The Board met in regular session pursuant to adjournment of the September 10, 2024, meeting.

David G. Young – present

Shannon Jones – present

Tom Grossmann – present

Krystal Powell, Clerk – present

Minutes of the September 10, 2024 meeting were read and approved.

- 24-1199      A resolution was adopted approving the reclassification of Joy Harrison within Facilities Management. Vote: Unanimous
- 24-1200      A resolution was adopted approving disability retirement of Michael Gates, Water and Sewer Inspector, within the Water and Sewer Department, effective September 13, 2024. Vote: Unanimous
- 24-1201      A resolution was adopted accepting the resignation of Jaden Pickett, Case Aide, within the Warren County Department of Job and Family Services, Children Services Division, effective September 11, 2024. Vote: Unanimous
- 24-1202      A resolution was adopted authorizing the President of Board to execute consent to assignment and assumption of contract with Gonzalez Companies LLC on behalf of the Water and Sewer Department. Vote: Unanimous
- 24-1203      A resolution was adopted authorizing the President of the Board to sign a Satisfaction of Mortgage for Community Housing Assistance Program Corporation. Vote: Unanimous
- 24-1204      A resolution was adopted entering into Classroom Training Agreements on behalf of OhioMeansJobs Warren County. Vote: Unanimous

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SEPTEMBER 17, 2024  
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- 24-1205 A resolution was adopted approving a Change Order with Secure Cyber Defense for the security information and event management (SIEM) on behalf of Warren County Telecommunications. Vote: Unanimous
- 24-1206 A resolution was adopted authorizing the President of the Board to accept a quote from Secure Cyber Defense on behalf of Warren County Telecommunications. Vote: Unanimous
- 24-1207 A resolution was adopted authorizing the transfer of a Knox Box Vault Key Core no longer being utilize by the Warren County Telecommunications Department to the City of Franklin Fire Department. Vote: Unanimous
- 24-1208 A resolution was adopted acknowledging payment of bills. Vote: Unanimous
- 24-1209 A resolution was adopted accepting an amended certificate for the Township Line Road Bridge #134-3.76 Rehabilitation Project Fund and approve a supplemental appropriation and a cash advance into Fund #4461. Vote: Unanimous
- 24-1210 A resolution was adopted approving an operational transfer from Commissioners Fund #1101112 into Child Support Enforcement Agency Fund #2263. Vote: Unanimous
- 24-1211 A resolution was adopted approving operational transfer of interest earnings from Commissioners Fund #1101112 into Water Funds #5510 & #5583 and Sewer Funds #5580 & #5575. Vote: Unanimous
- 24-1212 A resolution was adopted approving a supplemental appropriation into Commissioners Fund #1101110. Vote: Unanimous
- 24-1213 A resolution was adopted approving a supplemental appropriation into Facilities Management Fund #11011600. Vote: Unanimous
- 24-1214 A resolution was adopted approving a supplemental appropriation into Commissioners' General Fund #11011990. Vote: Unanimous
- 24-1215 A resolution was adopted approving a supplemental appropriation into the Clerk of Courts Computerization Fund #2282. Vote: Unanimous
- 24-1216 A resolution was adopted approving a supplemental appropriation into Common Pleas Court Community Based Corrections Donation Fund #2288. Vote: Unanimous
- 24-1217 A resolution was adopted approving a supplemental appropriation into Health Insurance Fund #6632. Vote: Unanimous
- 24-1218 A resolution was adopted approving an appropriation adjustment within Sheriff's Office Fund #6630. Vote: Unanimous

MINUTES  
SEPTEMBER 17, 2024  
PAGE 3

- 24-1219 A resolution was adopted approving an appropriation adjustment within Common Pleas Court Fund #11011223. Vote: Unanimous
- 24-1220 A resolution was adopted approving an appropriation adjustment within Common Pleas Court Fund #11011223. Vote: Unanimous
- 24-1221 A resolution was adopted approving an appropriation adjustment within Juvenile Court Fund #10111240. Vote: Unanimous
- 24-1222 A resolution was adopted approving an appropriation adjustment within Juvenile Court Fund #10111240. Vote: Unanimous
- 24-1223 A resolution was adopted approving appropriation adjustment within Telecommunications Department Fund #11012810. Vote: Unanimous
- 24-1224 A resolution was adopted approving an appropriation adjustment within Telecommunications Department Fund #11012810. Vote: Unanimous
- 24-1225 A resolution was adopted approving an appropriation adjustment within Juvenile Court Fund #2247. Vote: Unanimous
- 24-1226 A resolution was adopted approving appropriation adjustments within the OhioMeansJobs Warren County Fund #2254. Vote: Unanimous
- 24-1227 A resolution was adopted approving appropriation adjustments within Grants Administration Fund #2265. Vote: Unanimous
- 24-1228 A resolution was adopted approving an appropriation adjustment within Facilities Management Project Fund #4467. Vote: Unanimous
- 24-1229 A resolution was adopted approving appropriation adjustment within Telecommunications Department Fund #4492. Vote: Unanimous
- 24-1230 A resolution was adopted approving appropriation adjustments within the Sewer Revenue Fund #5580. Vote: Unanimous
- 24-1231 A resolution was adopted approving requisitions and authorizing the County Administrator to sign documents relative thereto. Vote: Unanimous

DISCUSSIONS

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

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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 September 17, 2024, in compliance with Section 121.22 O.R.C.

\_\_\_\_\_  
Krystal Powell, Clerk  
Board of County Commissioners  
Warren County, Ohio

# Proclamation

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

**RECOGNIZE OCTOBER 1 THROUGH OCTOBER 7, 2024 AS  
"STORMWATER AWARENESS WEEK"**

*WHEREAS, urban stormwater runoff impacts water quality in the Little Miami Watershed and the Lower Great Miami Watershed in Warren County; and*

*WHEREAS, population growth, residential and commercial development, and the resulting changes to the landscape will only increase stormwater quality and quantity concerns throughout Ohio; and*

*WHEREAS, these impacts cannot be entirely avoided or eliminated but can be minimized; and*

*WHEREAS, it is currently recognized that control of stormwater quantity and quality is most effectively implemented when people and organizations understand the related causes and consequences of polluted stormwater runoff and flooding, and the actions they can take to control these; and*

*WHEREAS, the need arises not only from the regulatory requirements of EPA General Construction and Municipal Stormwater rules, but also from the recognition that citizens and local decision makers will benefit from a greater awareness of how the cumulative impacts of decisions at home, at work and through local policies impact our water quality, stream corridors and flooding; and*

*WHEREAS, the development and implementation of effective, outcomes-based stormwater education and outreach programs will meet the related federal stormwater pollution control requirements and those of the communities they serve so that Ohio continues to be a great place to live, work and play; and*

*NOW, THEREFORE BE IT RESOLVED that the Warren Board of County Commissioners joins the Warren County Stormwater District, Warren County Soil and Water Conservation District and Communities across Ohio in recognizing the week of October 1st-7th as:*

**"STORMWATER AWARENESS WEEK"**

*IN WITNESS WHEREOF, we hereunto subscribed  
Our names and caused the seal of Warren County to  
be affixed at Lebanon this 24<sup>th</sup> day of September, in the  
Year of our Lord, Two Thousand Twenty- Four.*

**BOARD OF COUNTY COMMISSIONERS**

\_\_\_\_\_  
*David G. Young, President*

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

\_\_\_\_\_  
*Shannon Jones*



# Equipment Allocation Request



for approval from the Board of County Commissioners to allocate Telecommunications equipment to our partners.

Department Clearcreek Twp Police

Date 9/12/2024

Requested by Jason Bates Sergeant  
Name Title

Phone 513-695-5621

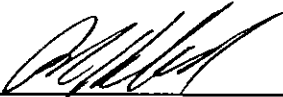
Received by Corey Burton Communications Systems Manager  
Name Title

Phone 513-695-3251

Description of Request Clearcreek Township Police will be adding an additional full time officer to their roster. They are requesting a portable radio for their use.

Requested Equipment	QTY	Unit Price	Total Price
APX6000 Radio and Charger	1	\$ -	\$ -
_____	_____	_____	\$ -
_____	_____	_____	\$ -
_____	_____	_____	\$ -
_____	_____	_____	\$ -
_____	_____	_____	\$ -
_____	_____	_____	\$ -
_____	_____	_____	\$ -
_____	_____	_____	\$ -
Estimated Total:			\$ -

Agency Meets Distribution Policy    
  Radio Usage Report Checked    
  Department's Request Letter is Attached    
  Waiting for Approval from Board of County Commissioners

<p><b>Telecommunications Department</b></p> <p><input checked="" type="checkbox"/> Approved     <input type="checkbox"/> Denied</p> <p></p> <p>Reviewed/Signed by Telecom Director</p> <p><u>9/12/24</u></p> <p>Date</p>	<p><b>Board of County Commissioners</b></p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%;"></td> <td style="width: 10%; text-align: center;">YEA</td> <td style="width: 10%; text-align: center;">NAY</td> </tr> <tr> <td>_____</td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>_____</td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>_____</td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table> <p>_____</p> <p>Reviewed/Signed by Clerk or Administrator</p> <p>_____</p> <p>Date</p>		YEA	NAY	_____	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
	YEA	NAY											
_____	<input type="checkbox"/>	<input type="checkbox"/>											
_____	<input type="checkbox"/>	<input type="checkbox"/>											
_____	<input type="checkbox"/>	<input type="checkbox"/>											



**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: Laura Schnecker DEPARTMENT: Juvenile Court

\*POSITION: Court Administrator DATE: 9/17/24

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:

2024 National Conference on Youth Justice

LOCATION:

Washington Hilton 1919 Connecticut Ave. Northwest Washington, DC 2009

DATE(S): 11.19.2024 - 11.21.2024

TYPE OF TRAVEL: (Check one)

- AIRLINE
- STAFF CAR
- PRIVATE VEHICLE
- OTHER

LODGING: Washington Hilton

ESTIMATED COST OF TRIP: \$5400(hotel)+900(registration)+1800(air)= \$8100

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] / Judge 9.17.24  
 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 Joseph Kirby, Magistrate Megan Davenport, Superintendent of JOC Rick Brewster, Director of Probation Charita Gillespie, Deputy Director of Probation Services John Monroe

The Court has part monies to pay for this conference.





**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: JENNIFER BURNSIDE DEPARTMENT: COMMON PLEAS CRT

\*POSITION: COURT ADMINISTRATOR DATE: 9/19/24

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:  
FALL COURT ADMINISTRATOR CONFERENCE - OACA

LOCATION:  
NATIONWIDE HOTEL & CONFERENCE CENTER - LEWIS CENTER  
COLUMBUS, OH

DATE(S): 10/8-10/11/24

TYPE OF TRAVEL: (Check one)

AIRLINE      STAFF CAR      PRIVATE VEHICLE       OTHER

LODGING:      \$199 PER NIGHT = TOTAL \$597

ESTIMATED COST OF TRIP: REG\$375;MLG\$96.90;MEALS\$224;PARK\$60;UBER\$50

Total  
\$ 1402.90

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:  
 9/19/24  
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: William Cornett DEPARTMENT: Telecommunications

\*POSITION: Cyber Security Analyst DATE: 9/19/24

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:

Active Directory Ethical Hacking Training at GoCyber Center

LOCATION:

GoCyber Collective, 201 Tyler Way, Moraine, OH 45439

DATE(S): November 18th & 19th

TYPE OF TRAVEL: (Check one)

AIRLINE      STAFF CAR       PRIVATE VEHICLE      OTHER

LODGING: N/A

ESTIMATED COST OF TRIP: \$8,400.00

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]*      *Dep. Dir*      2024.09.13  
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:

Joe Newton



**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: William Cornett DEPARTMENT: Telecommunications

\*POSITION: Cyber Security Analyst DATE: 9/19/24

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:

Threat Intelligence at GoCyber Center

LOCATION:

GoCyber Collective, 201 Tyler Way, Moraine, OH 45439

DATE(S): November 18th & 19th

TYPE OF TRAVEL: (Check one)

AIRLINE      STAFF CAR       PRIVATE VEHICLE      OTHER

LODGING: N/A

ESTIMATED COST OF TRIP: \$4,200.00

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]*      *Deputy DSA*      *2024.09.18*  
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: William Cornett DEPARTMENT: Telecommunications

\*POSITION: Cyber Security Analyst DATE: 9/19/24

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:

Capture the Flag Training Competition at GoCyber Center

LOCATION:

GoCyber Collective, 201 Tyler Way, Moraine, OH 45439

DATE(S): November 18th & 19th

TYPE OF TRAVEL: (Check one)

AIRLINE STAFF CAR  PRIVATE VEHICLE OTHER

LODGING: N/A

ESTIMATED COST OF TRIP: 800.00

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]* Dep. Dir 2024/09/18  
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:

Jeff Boutell, Tommy Kramer, Charles Zugaro



**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: 09/18/2024

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 Professionals Association General Membership Meeting

LOCATION:  
Columbus, Ohio

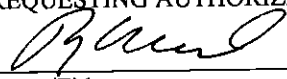
DATE(S): September 19, 2024

TYPE OF TRAVEL: (Check one)  
AIRLINE STAFF CAR PRIVATE VEHICLE  OTHER

LODGING: N/A

ESTIMATED COST OF TRIP: \$93.40 (186.8 miles x .50)

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:  
 9.18.24  
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: Thomas Howard DEPARTMENT: CSEA

\*POSITION: Director DATE: 09/18/2024

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 Professionals Association Fall Training

LOCATION:  
Columbus, Ohio

DATE(S): October 21 - 22, 2024

TYPE OF TRAVEL: (Check one)  
AIRLINE      STAFF CAR      PRIVATE VEHICLE ✓      OTHER

LODGING:      Hilton Garden Inn Columbus/Polaris

ESTIMATED COST OF TRIP:      \$1,800.00

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:  
 9.18.24  
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:  
Heather Coffman - Investigator; Stephen Kelly - Supervisor; Erika Kilburn - Investigator; Jennifer Radick - Team Lead

## Contents of Petition

The petition to annex contiguous land owned by the municipality, a county, or the state must contain the following items:

- A. The petition must set forth that under an ordinance of the municipality the territory described in the petition was authorized to be annexed.
- B. An accurate legal description of the perimeter of the territory proposed to be annexed.
- C. An accurate map or plat of the territory proposed to be annexed.

ORC 709.15

## Consideration of Petition

### A. *Petition Entered Upon Journal*

- 1. After the petition is filed, the clerk shall cause the petition to be entered upon the board's journal at its next regular session. This entry is the first official act of the board on the petition.
- 2. The board must act on the petition within 30 days after its receipt.

### B. *Action by County Commissioners*

#### 1. LAND OWNED BY A MUNICIPALITY

If the only territory to be annexed is contiguous territory owned by the municipality, the board must adopt a resolution granting the petition.

#### 2. LAND OWNED BY A COUNTY

If the only territory to be annexed is contiguous territory owned by a county, the board may grant or deny the petition, by resolution.

#### 3. LAND OWNED BY THE STATE

If the only territory to be annexed is contiguous territory owned by the state and the Director of Administrative Services has filed a written consent to the granting of the annexation, the board must grant the annexation.

- C. In all cases, the annexation shall be complete upon the entry upon the journal of a resolution granting the annexation.
- D. The clerk has no duty to forward the resolution and complete file of the annexation proceedings to the municipal clerk or auditor. However, CCAO recommends forwarding a copy of the resolution and complete record to the municipal clerk or auditor.

ORC 709.16

## Appeals

No appeal in law or in equity shall be allowed from the granting of this type of annexation.

ORC 709.16 (F)

O-24-11  
Exhibit A

PETITION FOR ANNEXATION – MUNICIPAL

2025 AUG 29 AM 10:45

We, the undersigned, being 100% of the owners of real estate in the territory hereinafter described, hereby petition for the annexation of the following described territory to the City of Franklin, Warren County, Ohio, in the manner provided for by Section 709.16 of the Revised Code of Ohio.

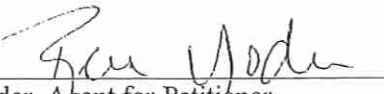
Petitioner has attached hereto and made a part of this petition a legal description of the perimeter of the territory sought to be annexed, marked as Exhibit "A".

The described territory is contiguous with the City of Franklin, Ohio, and wholly owned by the City of Franklin, Ohio. The City of Franklin's legislative authority has authorized annexation of this territory by Ordinance 0-24-11 passed on JUNE 3, 2024.

Petitioners have attached hereto and made a part of this petition, an accurate map or plat of the territory sought to be annexed, marked Exhibit "B".

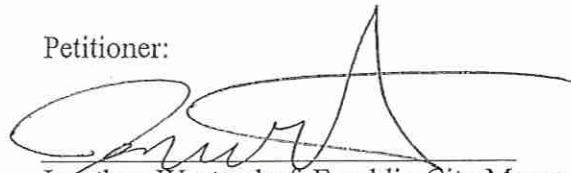
Ben Yoder, with Bricker Graydon LLP, Law Director of the City of Franklin, is hereby appointed agent for the undersigned Petitioner as required by Revised Code Section 709.02(C)(3), with full power and authority hereby granted to said agent to amend, alter, change, correct, withdraw, refile, substitute, compromise, increase or delete the area, to do any and all things essential thereto, and to take any action necessary for obtaining the granting of this Petition. Said amendment, alteration, change, correction, withdrawal, refiling, substitution, compromise, increase or deletion or other actions for granting of this Petition shall be made in the Petition, description and plat by said agent without further expressed consent of the Petitioners.

Agent:



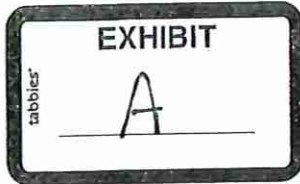
Ben Yoder, Agent for Petitioner  
2 East Mulberry St.  
Lebanon, Ohio 45036  
513-870-6024  
byoder@brickergraydon.com

Petitioner:



Jonathan Westendorf, Franklin City Manager  
1 Benjamin Franklin Way  
Franklin, Ohio 45005  
(937) 743-1101  
JWestendorf@FranklinOhio.org





## REVIEW

### LEGAL DESCRIPTION 19.6650 ACRE TRACT AREA TO BE ANNEXED TO THE CITY OF FRANKLIN, OHIO

Situated in the State of Ohio, Warren County, Franklin Township, Section 31, Town 2 Range 5, being 18.3251 acres of an 18.722 acre tract of land conveyed to The City of Franklin described in D.N. 2015-037668, being 0.8148 acres of a 1 acre tract conveyed to The City of Franklin Ohio as described in D.N. 2023-013377, all of a 0.267 acre tract, and all of a 0.1898 acre tract of land as conveyed to The City of Franklin described in D.N. 2015-037668, all of 0.0683 acre tract conveyed to The City of Franklin described in D.N. 2023-021924 of the Warren County, Ohio Recorder's Office and being more particularly described as follows:

Beginning on the northeast corner of Lot 38 of Glendell Addition-First Addition as recorded in Plat Book 4, Pg. 35

Thence along the lines of said 18.722 acre tract for the following seven (7) courses and distances;

- 1) S74°13'00"W a distance of 121.43 feet;
- 2) N85°03'00"W a distance of 115.07 feet;
- 3) N60°07'00"W a distance of 139.22 feet;
- 4) N29°53'00"E a distance of 71.02 feet;
- 5) N54°58'30"W a distance of 585.76 feet;
- 6) N16°47'45"E a distance of 350.53 feet;
- 7) N60°02'45"E a distance of 57.76 feet to southwesterly corner of a 1 acre tract conveyed to The City of Franklin Ohio described in D.N. 2023-013377;

Thence along the line of said 1 acre tract, N61°45'00"W, a distance of 117.50 feet to a point in the existing City of Franklin Corporation line;

Thence continuing along the line of said 1 acre tract and along the said existing corporation line, N57°06'04"E a distance of 213.84 feet;

Thence along the line and through said 1 acre tract and said existing corporation line, N75°33'56"E a distance of 187.47 feet to a point in the easterly line of said 1 acre tract;

Thence along the easterly line of said 1 acre tract and said existing corporation line, S01°30'00"E a distance of 117.16 feet to a point in the northerly line of said 18.722 acre tract;

Thence along the lines of said 18.722 acre tract and said existing corporation line for the following two (2) courses and distances;

- 1) S70°24'30"E a distance of 559.42 feet;
- 2) S50°22'35"E a distance of 29.77 feet;

Thence along the northeasterly line of a said 0.0683 acre tract and said existing corporation line, S48°26'41"E, 108.99 feet to the westerly line of relocated State Route 123;

Thence along the westerly line of relocated State Route 123 and continuing along the line of said 0.1898 acre tract and the aforementioned 0.267 acre tract also along said existing corporation line, S16°41'30"E a distance of 320.05 feet to the intersection of the westerly R/W line of relocated State Route 123 and the easterly line of the said 18.722 acre tract;

Thence continuing along the westerly line of State Route 123 through the said 18.722 acre tract and said existing corporation line for the following three (3) courses and distances;

- 1) S16°24'25"E a distance of 77.97 feet;
- 2) S24°09'40"E a distance of 277.47 feet;
- 3) S30°19'40"E a distance of 66.23 feet;

EXHIBIT

tabbles

A

Thence along a northerly line of Tama Lane S66°34'00"W a distance of 399.97 feet;

Thence leaving the northerly line of Tama Lane continuing along the lines of said 18.722 acre tract for the following two (2) courses and distances:

- 1) N01°54'00"E a distance of 174.04 feet;
- 2) N72°52'00"W a distance of 151.67 feet to the point of beginning.

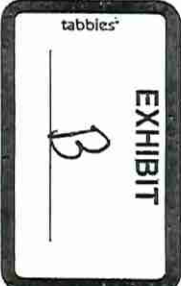
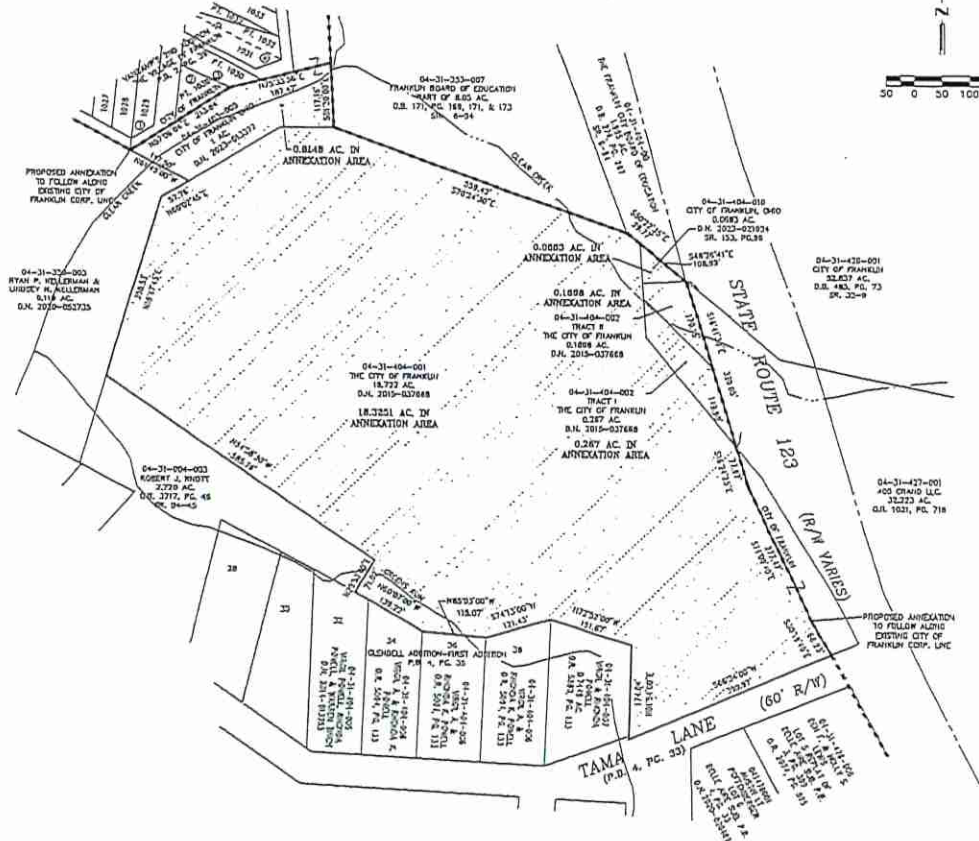
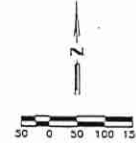
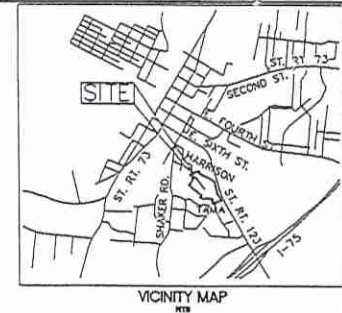
Containing 19.6650 acres more or less.

The above description is based on information of record, No Field survey was performed. by Apex Engineering & Surveying, Inc., Justin Lee Schulz, Ohio Professional Surveyor No. 8653. Bearings and Distances are based on deeds and plats of the Warren County Recorder's Office

**ANNEXATION ACREAGE BREAKDOWN**  
 TOTAL ACREAGE OF DEEDS 30,247.1 ACRES  
 18,225.1 AC. (04-31-04-001) = (0.8148 AC.) 04-31-04-002 +  
 0.287 AC. (04-31-04-001) TRACT 1 = 0.1888 AC. (04-31-04-002) TRACT 2 +  
 = 0.287 AC. (04-31-04-001)  
 TOTAL ACREAGE OF PROPOSED ANNEXATION 19.6650 ACRES  
 TOTAL ACRES OF RIGHT OF WAY 0.0000 ACRES  
 LENGTH OF CT. ROUTE 123 0.0000 ACRES  
 LENGTH OF TAMA LANE 0.0000 ACRES

PERIMETER OF ANNEXATION TERRITORY = 3,884 FEET  
 CONTIGUOUS BOUNDARY WITH THE CITY OF FRANKLIN = 1,785 FEET  
 CONTIGUITY WITH THE CITY OF FRANKLIN = 43.8%

**FRANKLIN PARK AREA ANNEXATION**  
 MAP OF AREA CONTAINING 19.6650 ACRES MORE OR LESS TO BE ANNEXED TO  
 THE CITY OF FRANKLIN, OHIO  
 SITUATED IN  
 SECTION 31, TOWN 2, RANGE 5  
 FRANKLIN TOWNSHIP  
 WARREN COUNTY, OHIO



- 04-31-03-002  
 JENNIFER TURNER &  
 LOT 1029  
 D.N. 2014-006454
- 04-31-03-004  
 KIMBERLY R. DREISS &  
 SALLY L. OPRESS  
 PT. LOT 1032  
 O.R. 672, PG. 400
- 04-31-03-003  
 MARTHA L. CRISSE  
 PT. LOT 1036  
 O.R. 497, PG. 905
- 04-31-03-003  
 RYAN P. HOLLEMAN &  
 WENDY R. HOLLOWMAN  
 S114 AC.  
 D.N. 2010-053735
- 04-31-03-002  
 VOTY LEE CRISSE  
 LOT 1431  
 PT. LOT 1032  
 O.R. 5282, PG. 359

**SURVEYOR NOTES:**  
 1) SOURCE DOCUMENTS AS NOTED.  
 2) SURVEY BASED ON WARREN COUNTY RECORDERS OFFICE DEED RECORDATIONS.  
 3) ALL BOUNDARY INFORMATION FROM RECORDS, NO FIELD SURVEY HAS BEEN PERFORMED.

**CITY OF FRANKLIN CLERK**

FILE NO. \_\_\_\_\_ DATE \_\_\_\_\_

**WARREN COUNTY COMMISSIONERS**

BE THE BOARD OF COUNTY COMMISSIONERS OF WARREN COUNTY, OHIO DO HEREBY APPROVE THIS PLAN ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_

COMMISSIONER \_\_\_\_\_ DATE \_\_\_\_\_  
 COMMISSIONER \_\_\_\_\_ DATE \_\_\_\_\_  
 COMMISSIONER \_\_\_\_\_ DATE \_\_\_\_\_

**WARREN COUNTY AUDITOR**

ORDERED FOR TRANSFER THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_

BY \_\_\_\_\_ COUNTY AUDITOR \_\_\_\_\_ AUSTON, WARREN COUNTY, OHIO

**WARREN COUNTY RECORDER**

FILE NO. \_\_\_\_\_  
 RECEIVED ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_ AT \_\_\_\_\_ M.  
 RECORDED ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_ AT \_\_\_\_\_ M.  
 ACCORDS IN PLAT BOOK NO. \_\_\_\_\_ PAGE \_\_\_\_\_ FEES \$ \_\_\_\_\_

BY \_\_\_\_\_ COUNTY RECORDER \_\_\_\_\_ AUSTON, WARREN COUNTY, OHIO



I HEREBY CERTIFY THAT THIS ANNEXATION PLAN HAS BEEN RECORDED IN THE PUBLIC RECORDS OF WARREN COUNTY, OHIO.  
**REVIEW**  
 JUSTIN L. SCHULTZ  
 OHIO PROFESSIONAL SURVEYOR NO. 8893

A CURRENT TITLE EXAMINATION/REVIEW IS NECESSARY TO DETERMINE ANY ADVERSE EASEMENTS, EASEMENTS, COVENANTS, OR ENCUMBRANCES WHICH MAY AFFECT THE LANDS HEREON.

**LEGEND**  
 [Solid Line] AREA TO BE ANNEXED  
 [Dashed Line] EXISTING CORPORATION LINE  
 [Dotted Line] PROPOSED CORPORATION LINE

SCALE 1"=100'  
 DATE DEC. 2015  
 DRAWING P.L.  
 REVISIONS  
 CHECKED: P.M.C.



PROJECT: 151718 SHEET: 1 OF 1  
 DRAWING: 151718-01



CITY OF FRANKLIN, OHIO  
ORDINANCE 2024-11

AUTHORIZING THE ANNEXATION OF 19.665 ACRES OF LAND OWNED BY THE CITY OF FRANKLIN TO THE CITY AND:  
AUTHORIZING THE LAW DIRECTOR TO PROSECUTE SUCH ACTION

WHEREAS, the City of Franklin, Ohio, an Ohio municipal corporation, is the sole owner of 19.665 acres of property currently located in Franklin Township, Ohio which property is contiguous with the City of Franklin municipal boundary; and

WHEREAS, R.C. 709.13 et seq. provides the manner and method of annexation by a municipality for municipal-owned land; and

WHEREAS, The City of Franklin, Ohio, an Ohio municipal corporation, seeks to annex such property located in Franklin Township to the City of Franklin pursuant to R.C. 709.13 et seq.; and

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FRANKLIN, WARREN COUNTY, OHIO THAT:

Section 1. The City of Franklin, Ohio, by a majority of members elected to City Council, hereby authorize the annexation of 19.665 acres of land located in Franklin Township, Ohio which is wholly owned by the City of Franklin, Ohio, to be annexed into the City of Franklin, Ohio, and City Council further directs, empowers, and authorizes the City's Law Director, Benjamin Yoder of the law firm Bricker Graydon LLP, as the certified agent for petitioner, to cause the annexation petition to be prepared, filed, and heard by the Warren County Commissioners in accordance with R.C. 709.15, and to otherwise prosecute the proceedings necessary to effect the annexation.

Section 2. That City Council hereby authorizes, empowers and directs the City Manager to sign a petition for annexation of 19.665 acres located along State Route 123 to the City of Franklin on behalf of the City (hereinafter referenced as the "Petition"). A copy of the Petition is attached hereto as Exhibit A and made a part hereof. The property to be annexed is more accurately described in Exhibits to the Petition.

Section 3. That any act of any agent, advisor, or employee of the City and of any person designated or authorized to act by the City Manager or the Law Director, which act would have been authorized by the foregoing except that such act was taken prior to the adoption of this ordinance, is hereby ratified, confirmed, approved and adopted as the act of the City.

Section 4. That this ordinance is passed pursuant to R.C. 709.14 et seq. by a majority of the members elected to the City Council of the City of Franklin, Ohio.

Section 5. Upon completion of the annexation, the clerk is authorized and directed to file the necessary documents with the Ohio Secretary of State, the county auditor, the county board of elections, and the county recorder.

Section 6. It is found that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council that resulted in this formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code, and the Rules of Council.

Section 7. This ordinance shall take effect and be in full force from and after the earliest period allowed by law.

INTRODUCED: June 3, 2024

ADOPTED: June 17, 2024

ATTEST: Khristi Dunn  
Khristi Dunn, Clerk of Council

APPROVED: Brent Centers  
Brent Centers, Mayor

CERTIFICATE

I, the undersigned Clerk of Council for the Franklin City Council, do hereby certify that the foregoing is a true and correct copy of Ordinance 2024-11 passed by that body on June 17, 2024.

Khristi Dunn  
Khristi Dunn, Clerk of Council

APPROVED AS TO FORM:

Ben Yoder  
Ben Yoder, Law Director

Final Review

WARREN COUNTY ENGINEERS OFFICE  
TAX MAP DEPARTMENT  
ANNEXATION REVIEW REPORT  
(In Accordance with O.R.C. 709.031)  
"EXHIBIT F"

Annexation to: Franklin

Date Filed: 8-29-2024

Filed by: Ben Yoder

Total Acreage: 19.6650

I. MAP CONTENTS

- a) Section-Town-Range, or Military Survey, County, and State YES NO N/A
- b) Boundary of Territory proposed for annexation to be in bold lines for ease in identification YES NO N/A
- c) Lengths and bearings of the boundary of the territory. (May be obtained from county records) YES NO N/A
- d) All roads and streets. YES NO N/A
- e) All existing corporation lines. YES NO N/A
- f) All section, quarter section or VMS lines correctly labeled. YES NO N/A
- g) All property lines. YES NO N/A
- h) Names of all allotments within the territory with plat book and page as recorded in the County plat records. YES NO N/A
- i) Lot numbers on plotted property. YES NO N/A
- j) On unplotted property, the names of owners and deed reference with the acreage and dimensions. YES NO N/A
- k) Annexation must be contiguous to 5% of existing corp. line ~46% YES NO N/A

II. LEGEND CONTENTS

- a) Formal identification of territory YES NO N/A
- b) Total acreage in annexation territory with acreage breakdown of each individual parcel. YES NO N/A
- c) Lengths of each road in territory YES NO N/A
- d) North arrow YES NO N/A
- e) Scale of map YES NO N/A
- f) Date and name of surveyor with certification, preparer of map shall state if map and description are prepared by new survey or if prepared by existing deeds and plats of records. YES NO N/A
- g) Vicinity map to designate location of annexation. YES NO N/A

III. OTHER REQUIREMENTS

- a) Map on 24" x 36" mylar or linen reproducible YES NO N/A
- b) Accurate map YES NO N/A
- c) Description accurate and in accordance with plat YES NO N/A
- d) Number of property owners in territory YES NO N/A
- e) Number of property owners signing the petition YES NO N/A
- f) Signature Block for Warren County Commissioners YES NO N/A
- g) Signature Block for City or Village Officials YES NO N/A
- h) Signature Block for Warren County Auditor YES NO N/A
- i) Signature Block for Warren County Recorder YES NO N/A
- j) List parcels within and adjacent to annexation area. Include names, addresses and parcel numbers. This list should be contained in the petition. YES NO N/A

Engineer's Office Comments: \_\_\_\_\_

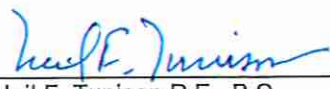
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Reviewed by: Balinda Sheppard

Date: 11 Sept. 2024

  
Neil F. Tunison P.E., P.S.  
Warren County Engineer

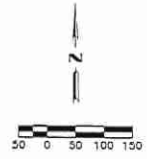
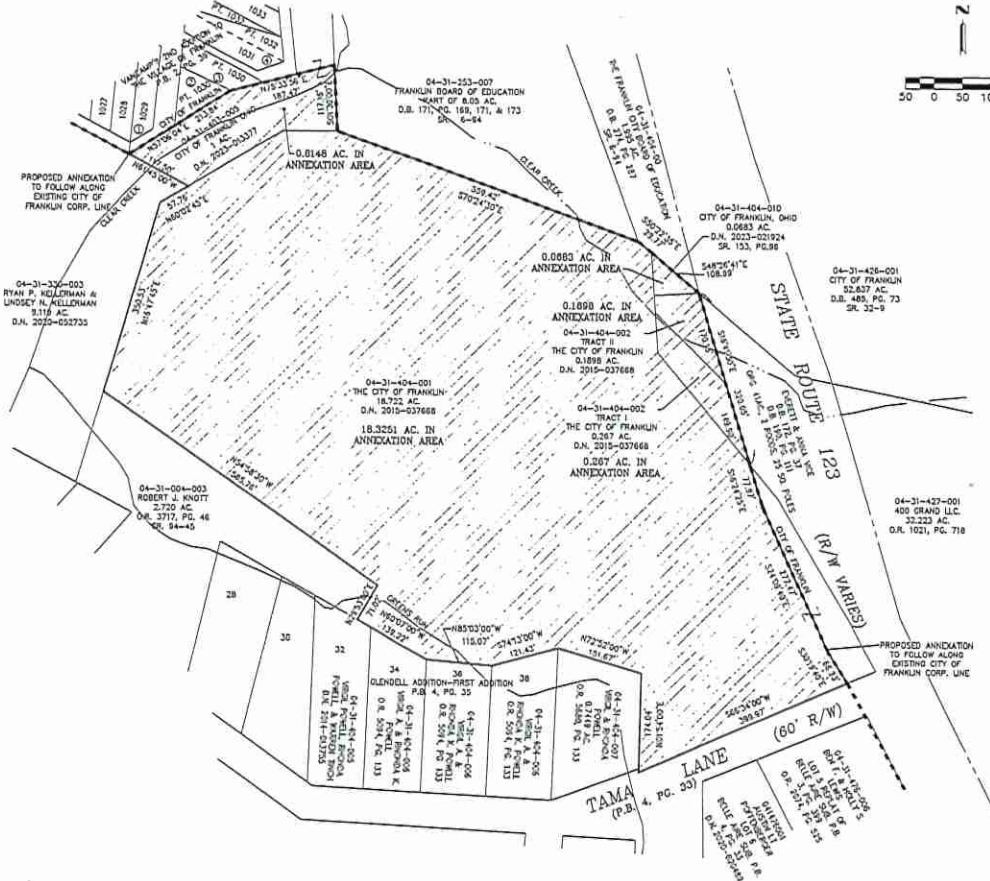
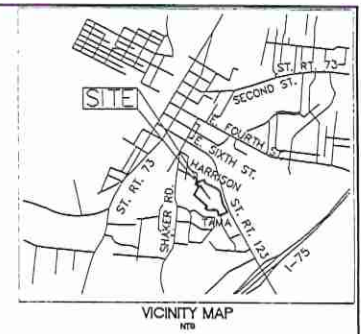


**ANNEXATION ACREAGE BREAKDOWN**

TOTAL ACREAGE OF DEEDS	29.2471 ACRES
18.3251 AC. (04-31-404-001) + (0.8148 AC.) 04-31-403-003 + 0.267 AC. (04-31-404-001) TRACT I + 0.1898 AC. (04-31-404-002) TRACT II + 0.0683 AC. (04-31-404-002)	19.6650 ACRES
TOTAL ACREAGE OF PROPOSED ANNEXATION	19.6650 ACRES
TOTAL ACRES OF RIGHT OF WAY	0.0000 ACRES
LENGTH OF ST. ROUTE 123	0.000 ACRES
LENGTH OF TAMA LANE	0.000 ACRES

PERIMETER OF ANNEXATION TERRITORY = 3,854 FEET  
 CONTIGUOUS BOUNDARY WITH THE CITY OF FRANKLIN = 1,785 FEET  
 CONTIGUITY WITH THE CITY OF FRANKLIN = 45.8%

**FRANKLIN PARK AREA ANNEXATION**  
 MAP OF AREA CONTAINING 19.6650 ACRES MORE OR LESS TO BE ANNEXED TO  
 THE CITY OF FRANKLIN, OHIO  
 SITUATED IN  
 SECTION 31, TOWN 2, RANGE 5  
 FRANKLIN TOWNSHIP  
 WARREN COUNTY, OHIO



- ① 04-31-403-002 SCHUSTER TURPIN & KEVIN S. TURPIN LOT 1029 D.N. 2014-000854
- ② 04-31-403-004 KENNETH R. GROSS & SALLY L. GROSS PT. LOT 1030 D.R. 672, PG. 405
- ③ 04-31-403-003 MARTHA L. GROSS PT. LOT 1030 D.B. 497, PG. 903 D.N. 2021-031863
- ④ 04-31-403-007 MISTY LEE GROSS LOT 1031 PT. LOT 1032 D.R. 5283, PG. 359

04-31-37-003 RYAN P. KELLERMAN & LINDSEY N. KELLENMAN 2.119 AC. D.N. 2020-052725

04-31-404-001 THE CITY OF FRANKLIN 18.722 AC. D.A. 2019-037668

04-31-404-002 THE CITY OF FRANKLIN 0.267 AC. D.A. 2019-037668

04-31-404-002 THE CITY OF FRANKLIN 0.1898 AC. IN ANNEXATION AREA D.N. 2019-037668

04-31-404-002 THE CITY OF FRANKLIN 0.0683 AC. IN ANNEXATION AREA D.N. 2023-023924 SR. 133, PG.89

04-31-426-001 THE CITY OF FRANKLIN 32.837 AC. D.B. 485, PG. 73 SR. 32-9

04-31-427-001 400 GRAND LLC 37.223 AC. D.R. 1021, PG. 718

**CITY OF FRANKLIN CLERK**  
*Maithi Datta* 07-10-2024  
 CLERK DATE

**WARREN COUNTY COMMISSIONERS**  
 WE, THE BOARD OF COUNTY COMMISSIONERS OF WARREN COUNTY, OHIO DO HEREBY APPROVE THIS PLAT ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_.

COMMISSIONER \_\_\_\_\_ DATE \_\_\_\_\_  
 COMMISSIONER \_\_\_\_\_ DATE \_\_\_\_\_  
 COMMISSIONER \_\_\_\_\_ DATE \_\_\_\_\_

**WARREN COUNTY AUDITOR**  
 ENTITLED FOR TRANSFER THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_.

BY: \_\_\_\_\_ AUDITOR, WARREN COUNTY, OHIO

**WARREN COUNTY RECORDER**

FILE NO. \_\_\_\_\_  
 RECORDED ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_ AT \_\_\_\_\_ M.  
 RECORDED ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_ AT \_\_\_\_\_ M.  
 RECORDED IN PLAT BOOK NO. \_\_\_\_\_, PAGE \_\_\_\_\_, FEE \$ \_\_\_\_\_

BY: \_\_\_\_\_ DEPUTY RECORDER RECORDED, WARREN COUNTY, OHIO

**SURVEYOR NOTES:**

- 1.) SOURCE DOCUMENTS AS NOTED.
- 2.) BEARINGS BASED ON WARREN COUNTY RECORDER'S OFFICE DEED REFERENCES
- 3.) ALL BOUNDARY INFORMATION FROM RECORDS, NO FIELD SURVEY HAS BEEN PERFORMED

**LEGEND**

- AREA TO BE ANNEXED
- - - EXISTING CORPORATION LINE
- PROPOSED CORPORATION LINE

A CURRENT TITLE EXAMINATION/REPORT IS NECESSARY TO DETERMINE ANY ADDITIONAL EASEMENTS, RESTRICTIONS, COVENANTS, CONDITIONS OR ENCUMBRANCES WHICH MAY AFFECT THE LANDS HEREON.



I HEREBY CERTIFY THAT THIS ANNEXATION PLAT AND THE BEARINGS SHOWN HEREON ARE BASED ON DEEDS AND PLATS AS RECORDED IN WARREN COUNTY

*Justin L. Schulz* 7/10/24  
 JUSTIN L. SCHULZ DATE  
 OHIO PROFESSIONAL SURVEYOR NO. 8663

SCALE 1"=100' DATE DEC. 2015 DRAWN P.L. CHECKED: KHC	<b>APEX</b> ENGINEERING & SURVEYING, INC. 1125 N. UNIVERSITY RD., WILSONVILLE, OHIO 45391 TEL: (513) 433-8995 OR (513) 432-9991 FAX: (513) 433-8995	REVISIONS: 1. 10/2023-JLS 2. 3/MARCH 2024-JLS 3. 4/APRIL 2024-JLS PROJECT: 101718 SHEET: 1 OF 1 DRAWING: 18227058
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**BOARD OF COUNTY COMMISSIONERS  
WARREN COUNTY, OHIO**

# Resolution

Number 23-1143

Adopted Date September 03, 2024

SETTING A PUBLIC HEARING CONCERNING PROPOSED AMENDMENTS TO THE  
WARREN COUNTY SUBDIVISION REGULATIONS

WHEREAS, pursuant to Ohio Revised Code Section 711.10, this Board must set a public hearing to consider amendments to the Warren County Subdivision Regulations; and

WHEREAS, this Board is in receipt of a recommendation from the Warren County Regional Planning Commissioner to amend the Warren County Subdivision Regulations.

NOW THEREFORE BE IT RESOLVED, to set September 24, 2024, at 9:30 a.m. as the date and time for the public hearing concerning proposed amendments to the Warren County Subdivision Regulations.

Mrs. Jones moved for adoption of the foregoing resolution being seconded by Mr. Grossmann. Upon call of the roll, the following vote resulted:

Mr. Young – yea  
Mr. Grossmann – yea  
Mrs. Jones – yea

Resolution adopted this 3<sup>rd</sup> day of September 2024.

BOARD OF COUNTY COMMISSIONERS

  
\_\_\_\_\_  
Krystal Powell, Clerk

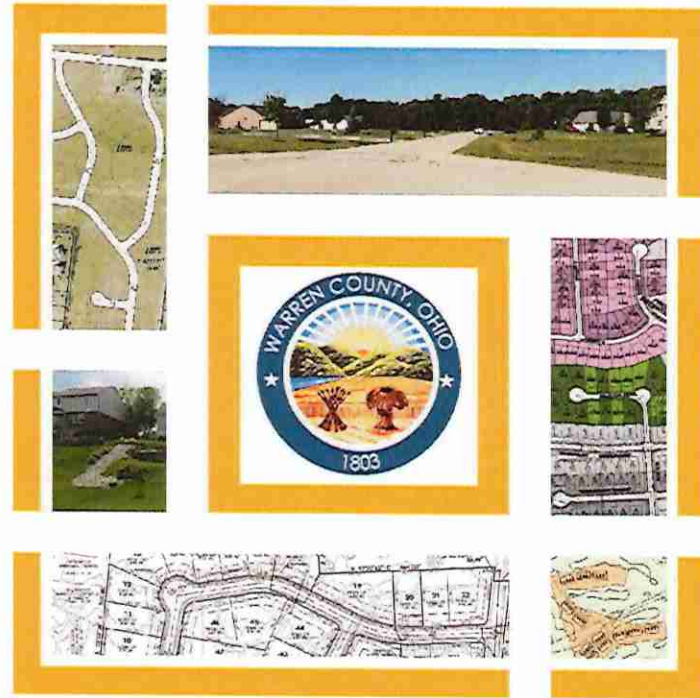
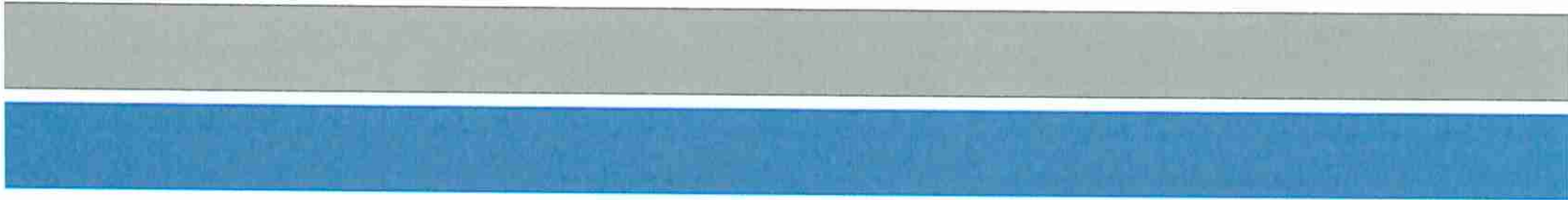
/KP

cc: RPC (file)  
Public Hearing file





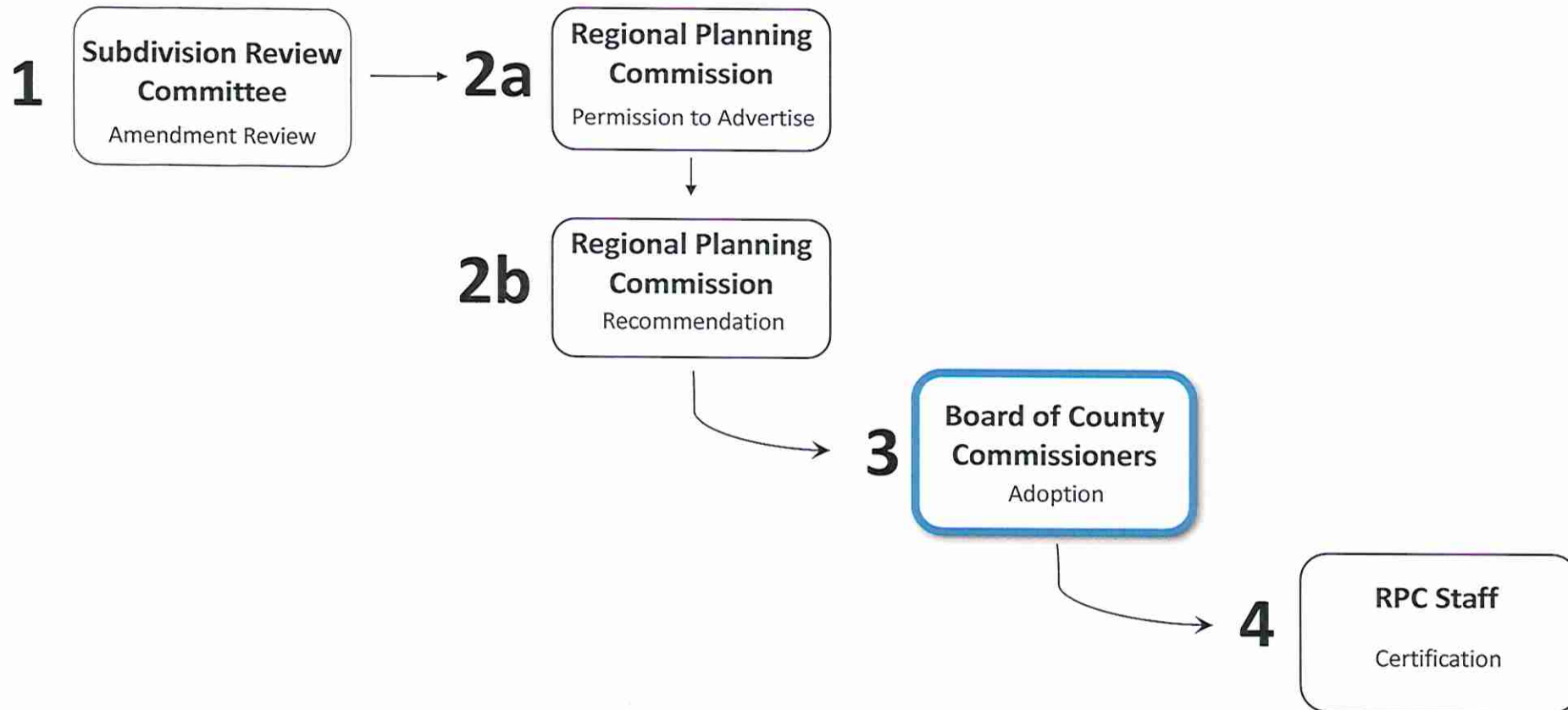
W C R P C



# Subdivision Regulations Update

September 24th, 2024

# Process



# Purpose of Amendments

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- Interpretation and clerical clarification
- Amendments to Final Plat and Preliminary Plan approval periods and extension requests
- Redefine Earth Disturbing Activities



# Subdivision Regulations

## Clerical Amendment

### Word Change: **Preliminary Plat** to **Preliminary Plan**

Final Plat Definition (Page 16)

Section 300: General Statement (Page 24)

Section 302: Concept Plan Application Requirements (E)(2) (Page 29)

Section 315: Final Plat Application Procedures (B) (Page 39)

Section 316: Approval of Final Plat (Page 40)

Section 410: Commercial Subdivision Streets (Page 54)

Section 411: Industrial Subdivision Streets (Page 55)

Section 413: Driveways and Off-Street Parking (H) (Page 56)

Section 420: Wastewater Disposal (C) (Page 56)

Section 900: Effective Date (Page 56)

## **11 Amendments**

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**Amendments Requested by**  
**Soil & Water Conservation**  
**District**

*4 Amendments*

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## Definition: Earth Disturbing Activity

<p><b>Current Language</b> (Page 15)</p>	<p><b>EARTH DISTURBING ACTIVITY</b> – Any dumping, excavating, filling, or other alteration of the earth's surface where natural or man-made ground cover is destroyed and which may result in or contribute to erosion and sediment pollution</p>
<p><b>Proposed Language</b></p>	<p><b>EARTH DISTURBING ACTIVITY</b> – Per Warren County Storm Water Regulations, Resolution 20-1623, Earth Disturbing activities include any clearing, grading, excavating, grubbing, and/or filling or other alteration of the Earth's surface where natural or man-made ground cover is destroyed, and which may result in or contribute to erosion and sediment pollution. Earth disturbing for agricultural purposes is exempt from the Earth Disturbing Permit.</p>

## Definition: Storm Water Pollution Prevention Plan (SWPPP)

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**New  
Language**  
(Page 21)

**Storm Water Pollution Prevention Plan (SWPPP) - The SWPPP is a stand-alone document required by the Warren County Storm Water Regulations and the Construction General Permit for all projects performing earth disturbing activity on one acre or more of land. The SWPPP describes all the construction site operator's activities to prevent storm water contamination, control sedimentation and erosion, and to manage post-construction storm water runoff to comply with the requirements of the Clean Water Act.**

## Section 312: Regulations Governing Improvements (A)

<p><b>Current Language</b> (Page 36)</p>	<p>The subdivider shall submit improvement plans consisting of all construction drawings and specifications for the improvements required for the subdivision. The improvement plans shall be submitted to the Warren County Engineer and the Warren County Sanitary Engineer for review. The improvement plans shall be approved prior to the approval of a final plat for the subdivision.</p>
<p><b>Proposed Language</b></p>	<p>The subdivider shall submit improvement plans consisting of all construction drawings and specifications for the improvements required for the subdivision. The improvement plans shall be submitted to the Warren County Engineer, <b>the Warren County Soil and Water Conservation District</b>, and the Warren County Sanitary Engineer for review. The improvement plans shall be approved prior to the approval of a final plat for the subdivision.</p>



## Section 312: Regulations Governing Improvements (A)(3)

<p><b>Current Language</b> (Page 36)</p>	<p>Improvement plans shall also be accompanied by the Soil and Erosion Control Plan, as submitted to the Ohio Environmental Protection Agency (OEPA) for the purpose of obtaining a National Pollution Discharge Elimination System (NPDES) permit. A copy of this permit shall be submitted to Warren County Soil and Water Conservation District prior to the start of construction.</p>
<p><b>Proposed Language</b></p>	<p>Any project performing one or more acres of earth disturbing activities will require an Earth Disturbing Permit (EDP). The EDP application shall be submitted to the Warren County Soil and Water Conservation District (WCSWCD). The EDP application shall include improvement plans, a Stormwater Pollution Prevention Plan (SWPPP) and an EDP application fee. The improvement plans and SWPPP shall also be submitted to the Ohio Environmental Protection Agency (OHIO EPA) for the purpose of obtaining a National Pollution Discharge Elimination System (NPDES) Notice of Intent (NOI) permit. A copy of the NOI or NOI number shall be submitted to WCSWCD once received. Cutting of trees at the ground surface while leaving the roots intact does not classify as an earth disturbing activity.</p>

# **Article II**

# **Definitions**

***3 Amendments***

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# Definition: Earth Disturbing Activity

<p><b>Current Language</b> (Page 15)</p>	<p><b>EARTH DISTURBING ACTIVITY</b> – Any dumping, excavating, filling, or other alteration of the earth’s surface where natural or man-made ground cover is destroyed and which may result in or contribute to erosion and sediment pollution</p>
<p><b>Proposed Language</b></p>	<p><b>EARTH DISTURBING ACTIVITY</b> – Per Warren County Storm Water Regulations, Resolution 20-1623, Earth Disturbing activities include any clearing, grading, excavating, grubbing, and/or filling or other alteration of the Earth’s surface where natural or man-made ground cover is destroyed, and which may result in or contribute to erosion and sediment pollution. Earth disturbing for agricultural purposes is exempt from the Earth Disturbing Permit.</p>

## Definition: Fire Apparatus Access Road

**New  
Language**  
(Page 16)

A road or other passageway developed to allow the passage of fire apparatus that is not necessarily intended for vehicular traffic. The passageway provides an access point to the subdivision's internal road network, and may be interpreted to mean a local subdivision street or public roadway.



# Definition: Storm Water Pollution Prevention Plan (SWPPP)

<p><b>New Language</b> (Page 21)</p>	<p>Storm Water Pollution Prevention Plan (SWPPP) - The SWPPP is a stand-alone document required by the Warren County Storm Water Regulations and the Construction General Permit for all projects performing earth disturbing activity on one acre or more of land. The SWPPP describes all the construction site operator's activities to prevent storm water contamination, control sedimentation and erosion, and to manage post-construction storm water runoff to comply with the requirements of the Clean Water Act.</p>
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# **Article III**

## **Procedures for Subdivision Approval**

*5 Amendments*

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# Section 304: Submission to Director of Transportation

<p><b>Current Language</b> (Page 29)</p>	<p>Before any plan is approved affecting any land within three hundred (300) feet of the centerline of a proposed new highway or a highway for which changes are proposed as described in the certification to local officials by the Director of the Ohio Department of Transportation or any land within a radius of five-hundred (500) feet from the point of intersection of said centerline with any public road or highway, the Regional Planning Commission shall give notice, by registered or certified mail to the Director of Transportation. The Regional Planning Commission shall not approve the plan for one hundred twenty (120) days, unless released by the Director of Transportation, from the date the notice is received by the Director of Transportation. If the Director of Transportation notifies the Regional Planning Commission that he/she shall proceed to acquire the land needed, then the Regional Planning Commission shall refuse to approve the plan. If the Director of Transportation notifies the Regional Planning Commission that acquisition at this time is not in the public interest or upon the expiration of the one hundred twenty (120) day period or any extension there-of agreed upon by the Director of Transportation and the property owner, the Regional Planning Commission shall, if the plan is in conformance with all provisions of these regulations, approve the plan. (Adapted from Section 5511.01, Ohio Revised Code)</p>
<p><b>Proposed Language</b></p>	<p>The Regional Planning Commission shall give notice, by certified mail to the Director of Transportation for any subdivisions proposed along a new or revised highway, as described in the certification by the director. Notification to the Director of Transportation is required within the following areas:</p> <ol style="list-style-type: none"> <li>1. Land within three hundred feet of the center line; or</li> <li>2. Land within a radius of five hundred feet from the point of intersection of that center line.</li> </ol> <p><del>The Regional Planning Commission shall not approve the plan for one hundred twenty (120) days, unless released by the Director of Transportation, from the date the notice is received by the Director of Transportation.</del> If the Director of Transportation notifies the Regional Planning Commission that he/she shall proceed to acquire the land needed, then the Regional Planning Commission shall refuse to approve the plan. If the Director of Transportation notifies the Regional Planning Commission that acquisition at this time is not in the public interest, <del>or upon the expiration of the one hundred twenty (120) day period or any extension there-of agreed upon by the Director of Transportation and the property owner,</del> the Regional Planning Commission shall, if the plan is in conformance with all provisions of these regulations, approve the plan. (Adapted from Section 5511.01, Ohio Revised Code)</p>



## Section 312: Regulations Governing Improvements (A)

<p><b>Current Language</b> (Page 36)</p>	<p>The subdivider shall submit improvement plans consisting of all construction drawings and specifications for the improvements required for the subdivision. The improvement plans shall be submitted to the Warren County Engineer and the Warren County Sanitary Engineer for review. The improvement plans shall be approved prior to the approval of a final plat for the subdivision.</p>
<p><b>Proposed Language</b></p>	<p>The subdivider shall submit improvement plans consisting of all construction drawings and specifications for the improvements required for the subdivision. The improvement plans shall be submitted to the Warren County Engineer, <b>the Warren County Soil and Water Conservation District</b>, and the Warren County Sanitary Engineer for review. The improvement plans shall be approved prior to the approval of a final plat for the subdivision.</p>

# Section 312: Regulations Governing Improvements (A)(3)

<p><b>Current Language</b> (Page 36)</p>	<p>Improvement plans shall also be accompanied by the Soil and Erosion Control Plan, as submitted to the Ohio Environmental Protection Agency (OEPA) for the purpose of obtaining a National Pollution Discharge Elimination System (NPDES) permit. A copy of this permit shall be submitted to Warren County Soil and Water Conservation District prior to the start of construction.</p>
<p><b>Proposed Language</b></p>	<p>Any project performing one or more acres of earth disturbing activities will require an Earth Disturbing Permit (EDP). The EDP application shall be submitted to the Warren County Soil and Water Conservation District (WCSWCD). The EDP application shall include improvement plans, a Stormwater Pollution Prevention Plan (SWPPP) and an EDP application fee. The improvement plans and SWPPP shall also be submitted to the Ohio Environmental Protection Agency (OHIO EPA) for the purpose of obtaining a National Pollution Discharge Elimination System (NPDES) Notice of Intent (NOI) permit. A copy of the NOI or NOI number shall be submitted to WCSWCD once received. Cutting of trees at the ground surface while leaving the roots intact does not classify as an earth disturbing activity.</p>



# Section 316: Approval of Final Plat

<p><b>Current Language</b> (Page 40)</p>	<p>The Regional Planning Commission staff shall approve or disapprove the final plat within thirty (30) business days after it has been officially filed or within such further time to which the applying party may voluntarily agree. Failure of the Regional Planning Commission staff to act upon the final plat within such time shall be deemed as approval of the plat. If the plat is disapproved, the grounds for disapproval shall be stated in the records of the Regional Planning Commission staff and a copy of said record shall be forwarded to the subdivider. The Regional Planning Commission staff shall not disapprove the final plat if the developer has done everything that he/she was required to do and has proceeded in accordance with the conditions and standards specified in the approved preliminary plat. If disapproved, the subdivider shall make the necessary corrections and resubmit the final plat within thirty- (30) days to the Regional Planning Commission staff for its final approval. If the Regional Planning Commission refuses a plat, the person submitting the plat may file a petition within sixty- (60) days after such refusal in the Court of Common Pleas of the county in which the land described in said plat is situated to reconsider the action of the Regional Planning Commission.</p>
<p><b>Proposed Language</b></p>	<p>The Regional Planning Commission staff shall approve, <b>conditionally approve</b>, or disapprove the final plat within thirty (30) <b>business calendar</b> days after it has been officially filed or within such further time to which the applying party may voluntarily agree. Failure of the Regional Planning Commission staff to act upon the final plat within such time shall be deemed as approval of the plat, <b>and the certificate of the Regional Planning Commission as to the date of the submission of the final plat for approval and the failure to take action on it within the thirty (30) calendar days shall be sufficient in lieu of the written endorsement or evidence of approval. If the plat is disapproved, the grounds for disapproval shall be stated in the records of the Regional Planning Commission staff and a copy of said record shall be forwarded to the subdivider.</b> If <b>disapproved conditionally approved</b>, the subdivider shall make the necessary corrections and resubmit the <b>updated</b> final plat within <b>thirty-(30) sixty (60) calendar</b> days to the Regional Planning Commission staff for its final approval, <b>or the Final Plat application will expire.</b> The Regional Planning Commission staff shall not disapprove the final plat if the developer has done everything that he/she was required to do and has proceeded in accordance with the conditions and standards specified in the approved preliminary <b>plat plan</b>. No plat shall be recorded until it is endorsed with the Regional Planning Commission's Executive Director's final or unconditional approval. <b>If the plat is disapproved, the grounds for disapproval including citation of or reference to the rule violated by the plat shall be stated in the records of the Regional Planning Commission staff and a copy of said record shall be forwarded to the subdivider.</b> If the Regional Planning Commission refuses <b>to approve</b> a plat, the person submitting the plat may file a petition within sixty- (60) days after such refusal in the Court of Common Pleas of the county in which the land described in said plat is situated to reconsider the action of the <b>County's</b> Regional Planning Commission. <b>A board of township trustees is not entitled to appeal a decision of the Regional Planning Commission under this section.</b></p>

## **Section 316: Approval of Final Plat**

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- **Includes conditional approval**
- **Business days to calendar days**
- **Corrections proof copy required within 60 days versus 30 days**
- **Clarifies that applications will expire**



## Section 316: Approval of Final Plat

### Proposed Language

The Regional Planning Commission staff shall approve, conditionally approve, or disapprove the final plat within thirty (30) calendar days after it has been officially filed or within such further time to which the applying party may voluntarily agree. Failure of the Regional Planning Commission staff to act upon the final plat within such time shall be deemed as approval of the plat, and the certificate of the Regional Planning Commission as to the date of the submission of the final plat for approval and the failure to take action on it within the thirty (30) calendar days shall be sufficient in lieu of the written endorsement or evidence of approval. If conditionally approved, the subdivider shall make the necessary corrections and resubmit the updated final plat within sixty (60) calendar days to the Regional Planning Commission staff for its final approval, or the Final Plat application will expire. The Regional Planning Commission staff shall not disapprove the final plat if the developer has done everything that he/she was required to do and has proceeded in accordance with the conditions and standards specified in the approved preliminary plan. No plat shall be recorded until it is endorsed with the Regional Planning Commission's Executive Director's final or unconditional approval. If the plat is disapproved, the grounds for disapproval including citation of or reference to the rule violated by the plat shall be stated in the records of the Regional Planning Commission staff and a copy of said record shall be forwarded to the subdivider. If the Regional Planning Commission refuses to approve a plat, the person submitting the plat may file a petition within sixty- (60) days after such refusal in the Court of Common Pleas of the county in which the land described in said plat is situated to reconsider the action of the County's Regional Planning Commission. A board of township trustees is not entitled to appeal a decision of the Regional Planning Commission under this section.

## Section 317: Final Plat Approval Period

<p><b>Current Language</b> (Page 40)</p>	<p>The approval of a final plat by the Regional Planning Commission staff shall be effective for a period of six (6) months unless the Regional Planning Commission has granted an extension of the approval period. If the final plat is submitted to be recorded after the six (6) month period, the subdivider or their engineer must re-submit the plat to the Regional Planning Commission staff for re-approval and pay all applicable fees due at the time of re-submittal.</p>
<p><b>Proposed Language</b></p>	<p>The approval of a final plat by the Regional Planning Commission staff shall be effective for a <b>maximum</b> period of six (6) months unless the Regional Planning Commission <b>staff</b> has granted an extension of the approval period. If the final plat is submitted to be recorded after the six (6) month period, the subdivider or their engineer must re-submit the plat to the Regional Planning Commission staff for re-approval and pay all applicable fees due at the time of re-submittal. <b>Procedures for an extension of a final plat approval period shall be in accordance with Section 801 of these Regulations.</b></p>

# **Article IV**

## **Subdivision Design Standards and Improvement Requirements**

*5 Amendments*

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# Section 403: Traffic Management (G)(1)

<p><b>Current Language</b> (Page 49)</p>	<p>The minimum access point requirements for major subdivisions which involve the construction/extension of public streets are as follows:</p> <ol style="list-style-type: none"><li>1. Access points to existing roadways adjacent to the subdivision site, including arterial, collector/distributor, collector and local roads, as well as local subdivision streets, are required as follows:<ol style="list-style-type: none"><li>a. For subdivisions with less than fifty (50) units, a minimum of one (1) access point to an existing roadway is required.</li><li>b. For subdivisions with fifty (50) units or more, a minimum of two (2) access points to an existing roadway or roadways are required, except in cases where the access management regulations of Warren County or ODOT (as applicable) would prevent the provision of a second location.</li><li>c. For commercial and industrial developments, more than one (1) access point may be required if the development is estimated to generate fifty (50) or more peak hour trips.</li></ol></li></ol>
<p><b>Proposed Language</b></p>	<p>The minimum access point requirements for major subdivisions which involve the construction/extension of public streets are as follows:</p> <ol style="list-style-type: none"><li>1. <b>An access point is required to all existing public roadways that front the subdivision site.</b> Access points to existing roadways adjacent to the subdivision site, including arterial, collector/distributor, collector and local roads, as well as local subdivision streets, are required as follows:<ol style="list-style-type: none"><li>a. For subdivisions with less than fifty (50) units, a minimum of one (1) access point to an existing roadway is required.</li><li>b. For subdivisions with fifty (50) units or more, a minimum of two (2) access points to an existing roadway or roadways are required, except in cases where the access management regulations of Warren County or ODOT (as applicable) would prevent the provision of a second location.</li><li>c. For commercial and industrial developments, more than one (1) access point may be required if the development is estimated to generate fifty (50) or more peak hour trips.</li></ol></li></ol>

## Section 403: Traffic Management (G) - Example



### Proposal

- Approximately 25 Residential Lots
- Utilize proposed stub street from adjacent subdivision
- Would not connect to frontage Road



## Section 403: Traffic Management (I) Fire Apparatus Access Roads

### New Language

Two fire apparatus access points are required for major subdivisions which involve the construction/extension of public/private streets, where the number of dwelling units exceeds 30. A fire apparatus access road provides external access to the subdivision for fire services. Fire apparatus access roads shall be developed in accordance with the construction standards in Appendix D of the Ohio Fire Code. A public/private roadway constitutes a fire apparatus access road.

## Section 403: Traffic Management (J) Fire Apparatus Access Roads Waiver Request

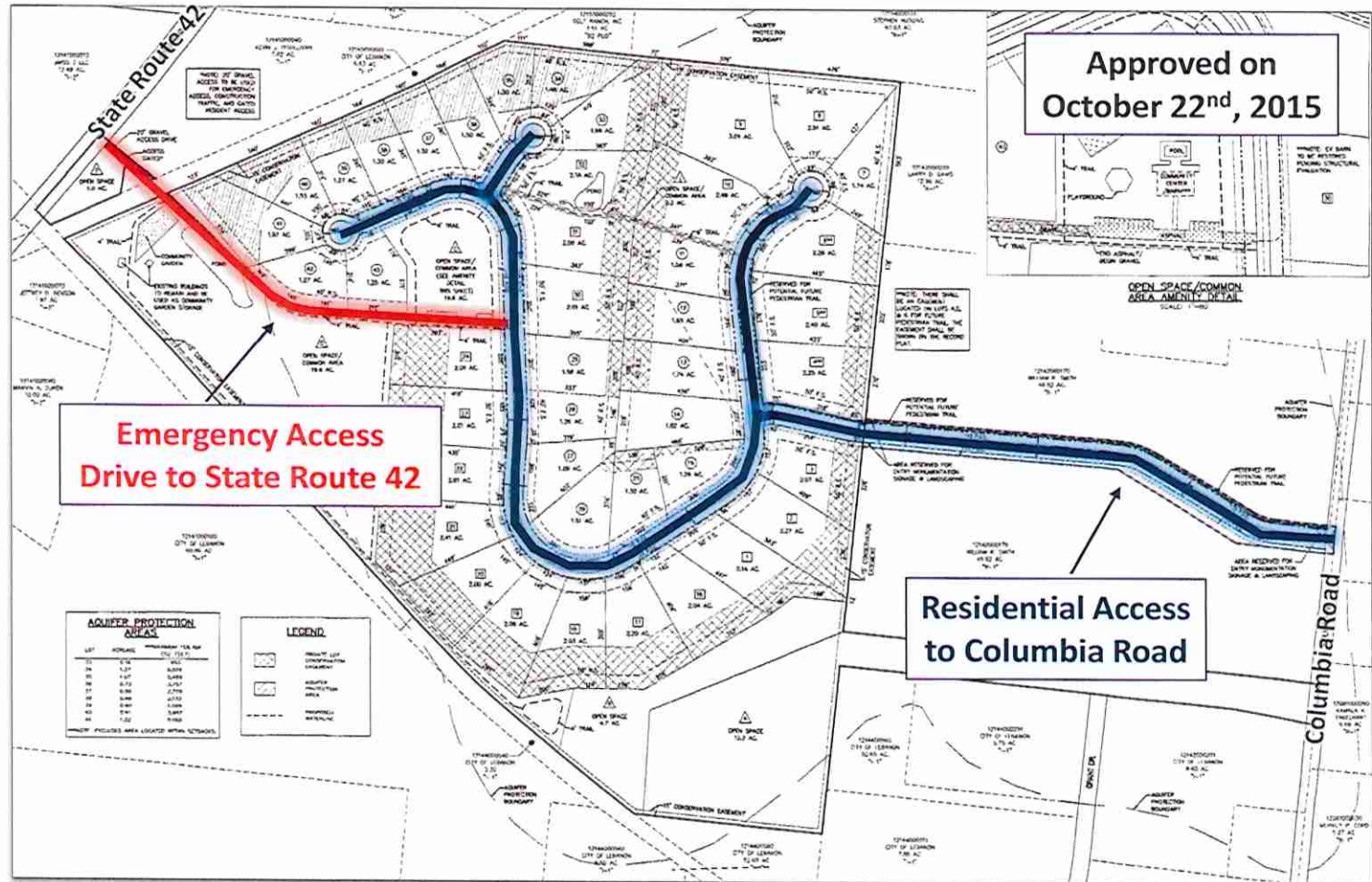
### New Language

A waiver request may be granted by RPC Executive Committee at Concept Plan. Factors the RPC Executive Committee may consider when making a determination of whether to grant or deny a fire apparatus access road waiver include, but are not limited to, the following:

1. Comments from the fire code official and review departments/agencies.
2. The existence of natural features, such as steep slopes, blue line streams, wetlands, significant wooded or vegetated areas, or other challenging topographic conditions.

## Section 403: Traffic Management (I) Fire Apparatus Access Roads - Example

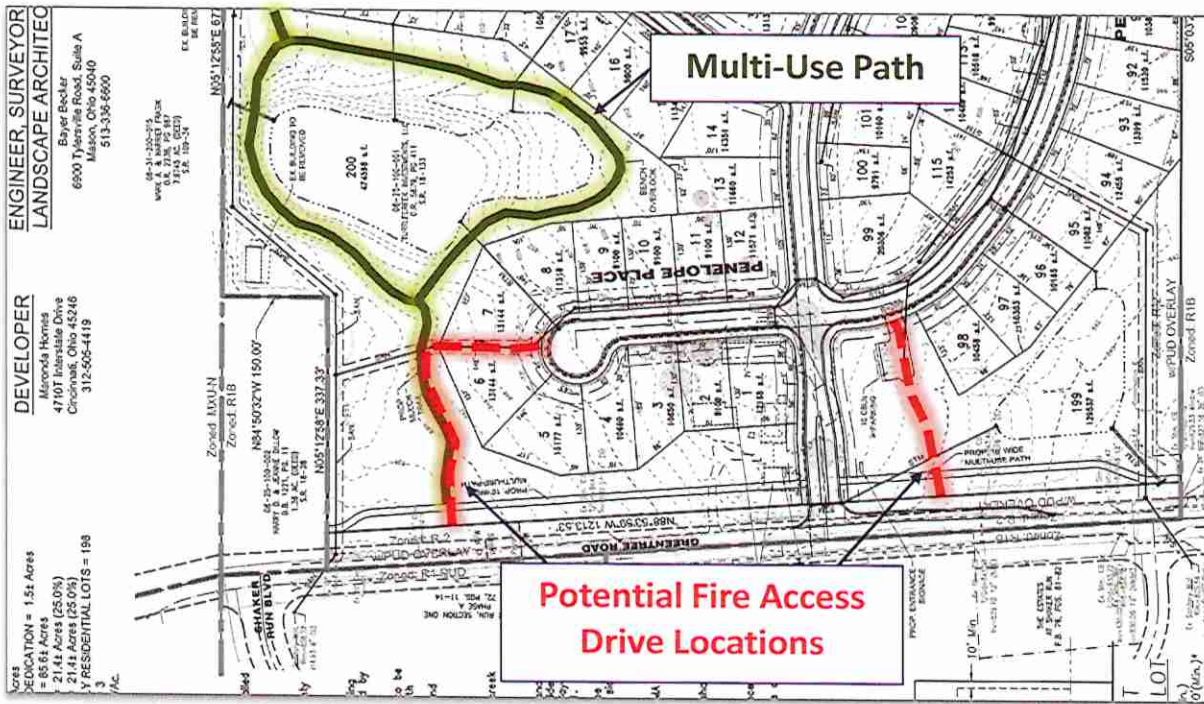
- 43 residential lots approved
- Residential access on Columbia Road
- Emergency Access Drive on State Route 42





# Section 403: Traffic Management (J) Fire Apparatus Access Roads Waiver Request - Example

- 198 residential lots approved on one access point
- Located along Greentree Road



**ENGINEER, SURVEYOR  
LANDSCAPE ARCHITECT**  
Bayer Becker  
6900 T. Brown Blvd., Suite A  
Mason, Ohio 45040  
513-338-6900

**DEVELOPER**  
Manorada Homes  
47107 Interstate Drive  
Cincinnati, Ohio 45246  
312-505-4419

**LOT**  
SECTION = 152 Acres  
= 85.64 Acres  
2144 Acres (25.0%)  
2144 Acres (25.0%)  
RESIDENTIAL LOTS = 198

**ENGINEER, SURVEYOR  
LANDSCAPE ARCHITECT**  
Bayer Becker  
6900 T. Brown Blvd., Suite A  
Mason, Ohio 45040  
513-338-6900

## Section 405: Special Street Types (B)

<p><b>Current Language</b> (Page 53)</p>	<p><b>Marginal Access Streets:</b> Where a subdivision abuts or contains an existing or proposed Collector Distributor, a marginal access street shall be provided, if the subdivision design is such that lots would require direct vehicular access onto the Collector or Arterial Street.</p>
<p><b>Proposed Language</b></p>	<p><b>Marginal Access Streets:</b> Where a <b>major</b> subdivision abuts or contains an existing or proposed collector <b>or arterial street Distributor</b>, a marginal access street shall be provided, if the subdivision design is such that lots would require direct vehicular access onto the <b>collector or arterial street</b>. <b>Where a major subdivision abuts or contains an existing or proposed local street, a marginal access street may be required by the Warren County Engineer's Office, based on a Traffic Impact Analysis.</b></p>



## Section 413: Driveways and Off-Street Parking (H)

<p><b>Current Language</b> (Page 57)</p>	<p>The developer shall provide, as a part of the preliminary plat review, a driveway maintenance agreement for all lots using common driveways.</p>
<p><b>Proposed Language</b></p>	<p>The developer shall provide, as a part of the preliminary <del>plat plan</del> <b>or minor subdivision</b> review, a driveway maintenance agreement for all lots using common driveways. <b>An updated recorded driveway maintenance agreement shall be submitted as part of replat, alternative plat, final plat, or updated preliminary plan review.</b></p>

## Section 421: Stormwater Management and Maintenance (A)

<p><b>Current Language</b> (Page 60)</p>	<p>Stormwater management facilities shall be provided in all new subdivisions. The design and construction of these facilities shall be in accordance with the standards as outlined in the Warren County Stormwater Management Regulations adopted by the Warren County Board of Commissioners.</p>
<p><b>Proposed Language</b></p>	<p>Stormwater management facilities shall be provided in all new subdivisions, <b>and shall be permitted only on open space lots.</b> The design and construction of these facilities shall be in accordance with the standards as outlined in the Warren County Stormwater Management Regulations adopted by the Warren County Board of Commissioners.</p>

# **Article VII**

## **Required Statements and Signatures to be Affixed on the Plat**

*1 Amendment*

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## Section 700: Required Statements (M)

<p><b>Current Language</b> (Page 77)</p>	<p>The easement areas shall be maintained continuously by the lot owner(s). Within the easements, no structure, planting, fencing, culvert, or other material shall be placed or permitted to remain which may obstruct, retard, or divert the flow through the watercourse. Easements shown on this plat and designated as “drainage easements” are dedicated to the Home Owners Association of (name of development).</p>
<p><b>Proposed Language</b></p>	<p>The easement areas shall be maintained continuously by the lot owner(s). Within the easements, no structure, planting, fencing, culvert, or other material shall be placed or permitted to remain which may obstruct, retard, or divert the flow through the watercourse. Easements shown on this plat and designated as “drainage easements” are dedicated to the <b>Home</b> Owners Association of (name of development), <b>or all lot owners.</b></p>

# Article VIII

**Extensions, Revisions, ~~Enforcement~~,  
Fees, Penalties, Variances, Appeals,  
and Time Computation**

*6 Amendments*

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## Section 800: Extension of Preliminary Plan Approval Period

<p><b>Current Language</b> (Page 79)</p>	<p>A subdivider may request in writing an extension of time for the approval period of a preliminary plan or final plat. Up to three (3) such requests may be granted for any preliminary plan or final plat section and it shall be for no more than one (1) year. Upon expiration of the initial approval period or any extension thereof, a plat shall be resubmitted for approval under the procedures outlined for preliminary plans or final plats in Article III of these regulations.</p>
<p><b>Proposed Language</b></p>	<p>A subdivider may request in writing an extension of time for the approval period of a preliminary plan <del>or final plat</del>. Up to three (3) such requests may be granted for any preliminary plan <b>by the Regional Planning Commission Executive Committee</b>, <del>or final plat section</del> and it shall be for no more than one (1) year. Upon expiration of the initial approval period or any extension thereof, a plat shall be resubmitted for approval under the procedures outlined for preliminary plans <del>or final plats</del> in Article III of these regulations.</p>

## Section 801: Extension of Final Plat Approval Period

**New  
Language**  
(Page 79)

A subdivider may request in writing an extension of time for the approval period of a final plat. Up to two (2) such requests may be granted for a final plat by the Regional Planning Commission staff, for no more than three (3) months, respectively. A final plat extension is contingent upon comments from the appropriate review departments. Upon expiration of the initial approval period or any extension thereof, a plat shall be resubmitted for approval under the procedures outlined for final plats in Article III of these regulations.



## Section 802: Revision of Plat After Approval

<p><b>Current Language</b> (Page 79)</p>	<p>No changes, modifications, or revisions shall be made in any plat of a subdivision after approval has been given by the Regional Planning Commission, and endorsed in writing on the plat, unless said plat is first resubmitted to the Regional Planning Commission.</p>
<p><b>Proposed Language</b></p>	<p>No changes, modifications, or revisions shall be made in any plat of a subdivision after approval has been given by the Regional Planning Commission, and endorsed in writing on the plat, unless said plat is first resubmitted to the Regional Planning Commission <b>for a revised Preliminary Plan process. A revised Preliminary Plan shall follow the process of a Preliminary Plan application. The revision of a subdivision where all lots have been platted requires the signatures of all lot owners within the subdivision.</b></p>



## Section 803: Exchange of Lots Between Recorded Subdivisions

**New  
Language**  
(Page 79)

A subdivider may modify the boundaries of a subdivision to exchange (incorporate or exclude) contiguous platted lot(s), following the applicable platting process, a revised Preliminary Plan or Alternative Plat. This process is required of both subdivisions and shall occur simultaneously.

The revision of a subdivision to modify the boundaries of a recorded plat requires the signatures of all of lot owners within the subdivision and requires a revised Final Plat (applicable for subdivisions subject to a Preliminary Plan). Platted lots shall only be conveyed as provided herein to a platted subdivision and cannot be vacated.

## Section 803: Exchange of Lots Between Recorded Subdivisions - Example



### Proposal

- Exchange Lot 1 from Meadowbrook Estates.
- Incorporate into Little Muddy Creek, simultaneously
- Platted lots can only be conveyed, and not vacated (unplatted)



## Section 808: Month - Time Computation

**New  
Language**  
(Page 81)

If a number of months is to be computed by counting the months from a particular day, the period ends on the same numerical day in the concluding month as the day of the month from which the computation is begun, unless there are not that many days in the concluding month, in which case the period ends on the last day of that month. In computing any period of time prescribed or allowed by the commission, the date of the event from which the period of time begins to run shall not be included. The last day of the period so computed shall be included, unless it falls on a Saturday, Sunday, or legal holiday, in which case the period of time shall run until the end of the next day that is not a Saturday, Sunday, or legal holiday. (Adapted from Section 1.45 and Rule 4901-1-07, Ohio Revised Code)

## Section 809: Day - Time Computation

**New  
Language**  
(Page 81)

**Unless otherwise noted, time is measured in calendar, not business, days.**

# **Additional Slides**





## 2017 Ohio Administrative Code 1301:7-7-05 Fire Service Features

Fire Apparatus Access Roads – Items Addressed:

- **Dimensions** (Width of not less than 20 feet, exclusive of shoulders)
- **Surface and Grade** (Designed and maintained to support the imposed loads of fire apparatus, and established by the fire code official)
- **Turning Radius** (Determined by fire code official)
- **Dead Ends** (If in excess of 150 feet in length, the passageway shall be provided with an approved area for turning around fire apparatus)
- **Gates or Barricades**
- **Marking and Signage** (Delineation may be required to prohibit obstruction of fire apparatus access roads)

## **Fire Apparatus Access Road – 503.2 Specifications**

### **(a) 503.2.1 Dimensions**

Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm), exclusive of shoulders, except for approved security gates in accordance with paragraph (C)(6)(503.6) of this rule, and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm).

### **(b) 503.2.2 Authority**

The fire code official shall have the authority to require or permit modifications to the required access widths where they are inadequate for fire or rescue operations or where necessary to meet the public safety objectives of the jurisdiction.

## **Fire Apparatus Access Road – 503.2 Specifications**

### **(c) 503.2.3 Surface**

Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all weather driving capabilities.

### **(d) 503.2.4 Turning Radius**

The required turning radius of a fire apparatus access road shall be determined by the fire code official.

### **(e) 503.2.5 Dead Ends**

Dead-end fire apparatus access roads in excess of 150 feet (45 720 mm) in length shall be provided with an approved area for turning around fire apparatus.

## **Fire Apparatus Access Road – 503.2 Specifications**

### **(f) 503.2.6 Bridges and Elevated Surfaces**

Where a bridge or an elevated surface is part of a fire apparatus access road, the bridge shall be constructed and maintained in accordance with AASHTO HB-17 as listed in rule 1301:7-7-80 of the Administrative Code. Bridges and elevated surfaces shall be designed for a live load sufficient to carry the imposed loads of fire apparatus. Vehicle load limits shall be posted at both entrances to bridges when required by the fire code official. Where elevated surfaces designed for emergency vehicle use are adjacent to surfaces that are not designed for such use, approved barriers, approved signs or both shall be installed and maintained where required by the fire code official.

## **Fire Apparatus Access Road – 503.2 Specifications**

### **(g) 503.2.7 Grade**

The grade of the fire apparatus access road shall be within the limits established by the fire code official based on the fire department's apparatus.

### **(h) 503.2.8 Angles of Approach and Departure**

The angles of approach and departure for fire apparatus access roads shall be within the limits established by the fire code official based on the fire department's apparatus.



## **Fire Apparatus Access Road – 503.3 Marking**

Where required by the fire code official, approved signs or other approved notices or markings that include the words "NO PARKING—FIRE LANE" shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. The means by which fire lanes are designated shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility.

## **Fire Apparatus Access Road – 503.4 Obstruction of Fire Apparatus Access Roads**

Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. The minimum widths and clearances established in paragraph (C)(2)(a)(503.2.1) and (C)(2)(b)(503.2.2) of this rule shall be maintained at all times.

## Fire Apparatus Access Road – 503.5 Required Gates or Barricades

### (5) 503.5 Required Gates or Barricades

The fire code official is authorized to require the installation and maintenance of gates or other approved barricades across fire apparatus access roads, trails or other accessways, not including public streets, alleys or highways. Electric gate operators, where provided, shall be listed in accordance with UL 325 as listed in rule 1301:7-7-80 of the Administrative Code. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F2200 as listed in rule 1301:7-7-80 of the Administrative Code.

#### (a) 503.5.1 Secured Gates and Barricades

Where required, gates and barricades shall be secured in an approved manner. Roads, trails and other accessways that have been closed and obstructed in the manner prescribed by paragraph (C)(5)(503.5) of this rule shall not be trespassed on or used unless authorized by the owner and the fire code official.

Exception: The restriction on use shall not apply to public officers acting within the scope of duty.

## Ohio Revised Code – Section 1.45 | Time computation.

If a number of months is to be computed by counting the months from a particular day, the period ends on the same numerical day in the concluding month as the day of the month from which the computation is begun, unless there are not that many days in the concluding month, in which case the period ends on the last day of that month.

## Ohio Revised Code – Rule 4901-1-07 | Computation of time.

Unless otherwise provided by law or by the commission:

- (A) In computing any period of time prescribed or allowed by the commission, the date of the event from which the period of time begins to run shall not be included. The last day of the period so computed shall be included, unless it falls on a Saturday, Sunday, or legal holiday, in which case the period of time shall run until the end of the next day that is not a Saturday, Sunday, or legal holiday. Unless otherwise noted, time is measured in calendar, not business, days.
- (B) Whenever a party is permitted or required to take some action within a prescribed period of time after a pleading or other paper is served upon him or her and service is made by mail, three days shall be added to the prescribed period of time.
- (C) Whenever a party is permitted or required to take some action within a prescribed period of time after a pleading or other paper is served upon him or her and service is made by personal, facsimile transmission, or electronic message (e-mail) service and is completed after five thirty p.m., one day shall be added to the prescribed period of time. The applicable time zone is the time zone where the recipient is located, but it may not be earlier than the actual close of the commission offices.
- (D) If the commission office is closed to the public for the entire day that constitutes the last day for doing an act or closes before its usual closing time on that day, the act may be performed on the next succeeding day that is not a Saturday, Sunday, or legal holiday.



**Ohio Revised Code – Section 711.10 | Platting in unincorporated territory – county or regional planning commission to adopt rules.**

- (A) Whenever a county planning commission or a regional planning commission adopts a plan for the major streets or highways of the county or region, no plat of a subdivision of land within the county or region, other than land within a municipal corporation or land within three miles of a city or one and one-half miles of a village as provided in section 711.09 of the Revised Code, shall be recorded until it is approved by the county or regional planning commission under division (C) of this section and the approval is endorsed in writing on the plat.
- (B) A county or regional planning commission may require the submission of a preliminary plan for each plat sought to be recorded. If the commission requires this submission, it shall provide for a review process for the preliminary plan. Under this review process, the planning commission shall give its approval, its approval with conditions, or its disapproval of each preliminary plan. The commission's decision shall be in writing, shall be under the signature of the secretary of the commission, and shall be issued within thirty-five business days after the submission of the preliminary plan to the commission. The disapproval of a preliminary plan shall state the reasons for the disapproval. A decision of the commission under this division is preliminary to and separate from the commission's decision to approve, conditionally approve, or refuse to approve a plat under division (C) of this section.

**Ohio Revised Code – Section 711.10 | Platting in unincorporated territory – county or regional planning commission to adopt rules. (continued)**

(C) Within five calendar days after the submission of a plat for approval under this division, the county or regional planning commission shall schedule a meeting to consider the plat and send a notice by regular mail or by electronic mail to the fiscal officer of the board of township trustees of the township in which the plat is located and the board of health of the health district in which the plat is located. The notice shall inform the trustees and the board of health of the submission of the plat and of the date, time, and location of any meeting at which the county or regional planning commission will consider or act upon the plat. The meeting shall take place within thirty calendar days after submission of the plat, and no meeting shall be held until at least seven calendar days have passed from the date the planning commission sent the notice.

The approval of the county or regional planning commission, the commission's conditional approval as described in this division, or the refusal of the commission to approve shall be endorsed on the plat within thirty calendar days after the submission of the plat for approval under this division or within such further time as the applying party may agree to in writing; otherwise that plat is deemed approved, and the certificate of the commission as to the date of the submission of the plat for approval under this division and the failure to take action on it within that time shall be sufficient in lieu of the written endorsement or evidence of approval required by this division.

**Ohio Revised Code – Section 711.10 | Platting in unincorporated territory – county or regional planning commission to adopt rules. (continued)**

A county or regional planning commission may grant conditional approval under this division to a plat by requiring a person submitting the plat to alter the plat or any part of it, within a specified period after the end of the thirty calendar days, as a condition for final approval under this division. Once all the conditions have been met within the specified period, the commission shall cause its final approval under this division to be endorsed on the plat. No plat shall be recorded until it is endorsed with the commission's final or unconditional approval under this division.

The ground of refusal of approval of any plat submitted under this division, including citation of or reference to the rule violated by the plat, shall be stated upon the record of the county or regional planning commission. Within sixty calendar days after the refusal under this division, the person submitting any plat that the commission refuses to approve under this division may file a petition in the court of common pleas of the proper county, and the proceedings on the petition shall be governed by section 711.09 of the Revised Code as in the case of the refusal of a planning authority to approve a plat. A board of township trustees is not entitled to appeal a decision of the commission under this division.



## Ohio Revised Code – Section 711.10 | Platting in unincorporated territory – county or regional planning commission to adopt rules. (continued)

After a county or regional street or highway plan has been adopted as provided in this section, the approval of plats and subdivisions provided for in this section shall be in lieu of any approvals provided for in other sections of the Revised Code, insofar as the territory within the approving jurisdiction of the county or regional planning commission, as provided in this section, is concerned. Approval of a plat shall not be an acceptance by the public of the dedication of any street, highway, or other way or open space shown upon the plat.

No county or regional planning commission shall require a person submitting a plat to alter the plat or any part of it as long as the plat is in accordance with the general rules governing plats and subdivisions of land, adopted by the commission as provided in this section, in effect at the time the plat is submitted.

A county or regional planning commission and a city or village planning commission, or platting commissioner or legislative authority of a village, with subdivision regulation jurisdiction over unincorporated territory within the county or region may cooperate and agree by written agreement that the approval of a plat by the city or village planning commission, or platting commissioner or legislative authority of a village, as provided in section 711.09 of the Revised Code, shall be conditioned upon receiving advice from or approval by the county or regional planning commission.

(D) As used in this section, "business day" means a day of the week excluding Saturday, Sunday, or a legal holiday as defined in section 1.14 of the Revised Code.