Mr. McGraw called the meeting to order.

**APPROVAL OF MINUTES:**

**May 20, 2009 meeting**

Mr. Buddo made a motion to approve the minutes from the May 22, 2009 meeting. Mr. Fink seconded the motion. Motion carried.

**AYES:** Buddo, Fink, Fisher, Sandlin, McGraw

**NAYES:** None
NEW BUSINESS

Elect Chairperson, Butler County Rural Zoning Commission, 2010

Mr. McGraw made a motion to nominate Mr. Jeffrey Buddo as Chairperson for Butler County Rural Zoning Commission. No other nominations presented. Mr. Fink seconded the motion. Motion carried.

AYES: McGraw, Fink, Sandlin, Fisher

ABSTAINED: Buddo

NAYES: None

Elect Vice-Chairperson, Butler County Rural Zoning Commission, 2010

Mr. Fink made a motion to nominate Mr. John Fisher as Vice-Chairperson, Butler County Rural Zoning Commission. No other nominations presented. Ms. Sandlin seconded the motion. Motion carried.

AYES: Fink, Sandlin, Buddo, McGraw

ABSTAINED: Fisher

NAYES: None

Renewable Energy Strategies

Mr. Schmidt discussed updates to the Rural Zoning Resolution and stated it was for Renewal Energy Strategies – wind and solar as a number of people and different companies have been approaching the County regarding locating facilities – primarily solar (not wind) and we are told we have more sun here than in Germany and they are the biggest proponents of solar power.

Mr. Schmidt stated there is a regulation in the State of Ohio that states a certain percentage has to come from either solar or wind or hydroelectric so Duke Energy and all of the big power companies throughout the state are required to do that by a certain date and with that being said, there are a lot of organizations throughout the U.S. that are going around to the different power companies looking to site a field in the area and it has to be in Ohio so that is another regulation. He added that a number of
people have been asking questions about the residential side of it as well – staff has been meeting to discuss what should be included in our Zoning Code and is in process. Mr. Schmidt said Mr. Fehr has been working with the Energy Efficiency Grant from the Stimulus Bill for the whole County and he himself has been working on a state grant application for the bicycle path here in Hamilton to Rentschler Forest so those are some of the projects we are juggling but hopefully within the next year we will be able to get more regulations on wind and solar for both residential and business purposes.

Mr. McGraw asked if they are actually looking for sites now.

Mr. Schmidt replied yes, all interested parties are looking, specifically in Butler County, is in southern Madison Township across the street from Miller Coors because Duke Energy has that facility there already and there is a lot of property there currently zoned Industrial so that is where the interest is. At this time, unless it is owned specifically by Duke Energy (or a public utility) it must be Zoned in an Industrial area and there are only so many Industrial zoned areas in the County and they are looking for at least 100 acres and that certainly limits the options in the County to southern Madison Township, as well as a couple of places in Milford Township, St. Clair Township, and Morgan Township – areas that they can look at right now without changing the zoning. To try and change the zoning to Industrial in any of our rural townships would open up a can of worms but they are welcomed to try if they would like but it would be tough.

Mr. Schmidt said they are considering the requirements and issues regarding mounding, how far back from a road, as well as consideration if it were over an aquifer and those are the types of issues we are considering relative to solar and wind fields.

Mr. Schmidt said the solar option appears to be more viable than wind in our area compared to northwest Ohio or Toledo there are some areas up there that do have wind fields and there are a lot headed up to Chicago and northern Indiana.

Mr. Schmidt said it’s a little more technical on the residential side and we’ve been working on regulations similar to what Hamilton County has in their Rural Zoning areas which addresses how high a structure can be, buffering requirements for solar panels, and to make sure if a structure were to fall it would not fall on a house – those are the types of issues we are working on right now.

Mr. Schmidt said the interns have been doing a great deal of research on these issues throughout the United States and it won’t be long before we come to the Rural Zoning Commission with proposals, which would be mailed out in advance for the Board member’s to review.

Mr. Schmidt welcomed any suggestions from the Board and encouraged them to share any questions or suggestions on this subject and while this process is going slow, the County wants to stay ahead of the curve and we want to make sure we have some regulations in place so that we do not have people coming to complain about it.
Mr. Fehr said we have talked about screening and light bouncing being an issue and people would rather mound and landscape it to keep it inconspicuous and for security reasons.

**Time of Travel Zones**

Mr. Fehr said they wanted to bring up the topic of ground water protection and time of travel zones because we may see a change in our zoning maps later this year and most of the current Board members were not on the Board when it was initially adopted in the early 2000’s. Nearly all of the drinking water in Butler County does not come out of the Great Miami River as most people would assume. We either get water purchased, like in West Chester and Liberty Township from Cincinnati Water Works, or all of our drinking water comes from wells – none of the drinking water here is drawn from the river itself. There are many businesses that are located in Butler County because of the ground water – Miller Brewing came here because there is a large volume of ground water available, and we recently had Amylin Pharmaceuticals in West Chester come to the County because of the ground water, and more recently we’ve had some computer companies, who have big servers, because they need a lot of cooling for their computers so if they can draw it from underground that is at a constant temperature and run that through their units, that is a big cost saver for such companies. This is a key point for our Economic Development and target group. There are economic reasons and for health reasons that companies are drawn to the area.

Mr. Fehr said anything that comes in contain with the ground eventually gets into the wells – diesel, mercury, fuel oil, solvents, and other chemicals can damage the wells and most of the water companies in the county have land that they purchased around where the actual well is – and obviously they can not purchase all of the land in the county, so they typically purchase land right around the wells and we have noticed in the early 90s a lot of these water companies asked local government for help to protect their wells and typically that is done through Zoning and the way it has been accomplished is to use something called an “Overlay Zone”. With an Overlay Zone, you keep the zoning map the way it is, Residential, Agricultural, Industrial, then on top of that is an extra set of regulations and we adopted that for ground water protection here in Butler County and it is called our “Well Head Protection Overlay Zone” so a person is allowed to do whatever is permitted in the underlying zoning (i.e., so if it’s A-1 you can farm, etc.) but if you are in these extra overlay zones, there is an extra set of regulations you have to follow.

Mr. Fehr showed a graphic to explain this more in depth and said typically what happens is there will be two or three production wells – big deep holes in the ground that they pump the water up from underground. Outside of that, Geologists and Hydrologists create these diagrams, which they call “Time of Travel Zones” and shows if a particle were to hit the ground, it indicates the period of time of how long it would take to get to that well and contaminate it and this is not measured in hours or
months, it is measured in years. If there was a big chemical spill, in five years it would go in to the ground and slowly reach the well and contaminate it – all based on hydrology and geology as far as how things move under the ground and there is a lot of science involved but they create these models. The diagram shown had a five-year and ten-year Time and Travel Zone.

Mr. Fehr said the County has based the Zoning code on these one-, five-, and ten-year Time of Travel Zones. Mr. Fehr showed more diagrams of Ross Township and said the colors are just the regular zoning districts, but the other lines are Time of Travel Zones so there production wells and the thin white/bluish line is the one-year line, then there is the five-year line and then the ten-year line indicating Time of Travel so there are spheres around the wells located in Ross Township and in our Zoning Code there is a pretty good section – Article 22 Well Head Protection is 40 pages long in the Zoning code and what it discusses is in each of those Time of Travel zones we have prohibited uses, so the one-year zone would be most sensitive – no junk yards, land fills, dry cleaning businesses, or you are regulated as to the amount and types of substances allowed there. When you move to the five-year sphere it gets a little more lenient and there are approximately eight (8) prohibitive uses while there are approximately six (6) prohibitive uses in the ten-year sphere.

Mr. Fehr said the County does a facility registration – we have a helper agency, called The Hamilton to New Baltimore Ground Water Consortium and they are the science group that really knows this stuff inside and out so they will go to the businesses, see how much volume they are storing, then they will talk with them about best management practices – and do more educational efforts rather than fining a business, although they have the authority to do so if necessary and they also help contain spills when they occur.

Mr. Fehr said details on the regulated substances and amounts and the registration process is included in the Zoning. Mr. Fehr distributed a letter from the EPA based on all the information.

Mr. Fehr said the EPA has been working on the map and the bubbles may change in shape or size and since it’s on our Zoning map we have to go through the process of updating our Zoning map and having a public hearing and all of that, which may occur later this year.

Mr. Schmidt said Ross Township is the only Township that we have Time’s of Travel zones as we speak – and St. Clair does as well.

Mr. Fisher asked if the types of prohibitive businesses list will change.

Mr. Fehr said he does not think anything will change with the uses, but if the shapes of the areas change then we could pick up some new businesses that are out there.

Mr. Fisher asked if there were a gas station there, would it be grandfathered in.
Mr. Fehr said they would then become a legal, non-conforming use so they would be legally allowed to operate but they would be non-conforming and when that gas station were to go away, we have something in our code that after twelve months if it does not reopen, it can not go back to a gas station any more and they would be regulated and they would now have to be registered. He added that changing these lines on the map is kind of a big deal.

Mr. Buddo asked why Ross Township is the only one to have it.

Mr. Fehr said the County does the zoning for six (6) Townships and right now we only have wells in Ross Township.

Mr. Fehr said the City of Oxford’s wells are actually situated in Milford Township so we probably ought to look at it and discuss it with them when we go to update so that we protect the City’s water as well.

Mr. Fisher asked if the changes are generally significant.

Mr. Fehr said he did not think it would change much – but with better topography and additional scientific information (geographical layers, etc.) it might change, but it would be measured in feet, not miles.

Mr. Fehr said The Hamilton to New Baltimore Ground Water Consortium knows how much of a burden this can be on a business and they really try to do the bare minimum and really are more about education rather than fining.

Mr. Schmidt said one of our strategies for Economic Development is promoting our water, the amount and quality of it. Dayton, Ohio has been hit rather hard by the economy and what sets Dayton apart from the rest of the country. It will not go away as long as we protect it and that is what we can promote. We are working with the Dayton Development Coalition to promote the water resource in Southwest Ohio and in a couple of weeks there is going to be an event, the Dayton Water Conference, for people in the water industry and we will be there promoting Butler County and our water resource and are hoping to continue our economic development in that way and by having these Time of Travel Zones can only help us by attracting those types of businesses.

**Review of World Town Planning Day**

Mr. Schmidt said World Town Planning Day was an all-day event held in Middletown. It was an academic approach to the 3C Train (the proposed passenger rail from Cleveland, through Columbus, Dayton and down to Cincinnati) and since we’ve talked it has been in the news a lot more. There were approximately 80 in attendance, including residents, university students, and planners from across the greater Cincinnati–Dayton area and government officials. There were presentations and discussions on the following initiatives:
• Transit-oriented development connecting the proposed train station in Middletown
• Intermodal connectivity
• The bus system currently in use
• The design of the actual train station

There was a walking tour of the site and the area around the proposed stop in Middletown. Mr. Schmidt said if there is not a Middletown stop right now, then there would be no proposed stop in Butler County so that is why we wanted to promote it – otherwise the closest stop would be in Sharonville. Staff from Ohio Department of Development attended the meeting and we have been in contact with the Ohio Department of Transportation and the Ohio Rail Commission so if this does happen we want to make sure there is a stop in Middletown.

Mr. Schmidt showed some photographs and aerial images of the old train station and the proposed area.

Mr. Schmidt said he can provide specifics to anyone that is interested in learning more details.

**ECONOMIC DEVELOPMENT UPDATE**

Mr. Schmidt gave an update on Economic Development activities in the County and said each City has their own Economic Development staff and a number of the urbanized Townships do as well, and the Butler County Department of Development staff would like to assist the rural Townships with their development and work with and assist the communities that have their own staff as well.

Mr. Schmidt said he and Mr. Michael Juengling, Director of Development, are going around to each Township that has the most commercial development right now, starting off with St. Clair Township and moving on to Madison Township then Ross Township and then head to wherever has the most commercially-active areas to see how we can assist them.

Mr. Schmidt showed a map of St. Clair Township which displayed the vacant commercial properties as well as the occupied commercial properties and assisting the Township and will meet with all of the owners out there and find out what their concerns are and what we can do to help in expanding their business.

Mr. Schmidt said for the whole county, we are kind of the conduit for the State of Ohio so if there are any leads (potential businesses to come to Ohio) that are interested in locating in Southwest Ohio specifically, the State gets the information and forwards it directly to us and we disseminate it throughout the County to our local partners.

Mr. Fehr said there is a huge database (Procure software) that we log in to and gathers specific details on what the potential businesses require so we can match up any potential sites to meet their needs and then we reply back to the State with our top
sites that match or meet the criteria and the State then contacts the company so that it provides a “one-stop-shopping” experience for the company searching for a new site or facility. Many of the smaller communities do not have the database software so this process allows for the smaller communities to be involved and not be overlooked.

Mr. Schmidt said this database allows for a quick reply and keeps the information up to date.

**Safe Haven Farms – Update**

Mr. Schmidt gave a brief update on progress of Safe Haven Farms, Madison Township, a community under construction that is a non-profit organization which offers a residential community for adults with autism.

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**ADJOURN:**

A motion was made by Mr. Fink, seconded by Mr. Fisher to adjourn. All in favor, motion carried.

Meeting adjourned.

These minutes represent a summary of the proceedings and do not purport to be the entire record. A complete transcription of these proceedings was taken from an audio tape under supervision of the Secretary and may be obtained upon written request. Any charges associated with preparing such transcript shall be borne by the person requesting same and must be prepaid.

Hamilton, Ohio
April 22, 2010

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Chair

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Secretary