

St. Clairsville, Ohio

April 22, 2015

The Board of Commissioners of Belmont County, Ohio, met this day in regular session. Present: Ginny Favede, Matt Coffland and Mark A. Thomas, Commissioners and Jayne Long, Clerk of the Board.

MEETINGS ARE NOW BEING RECORDED
ALL DISCUSSIONS ARE SUMMARIZED. FOR COMPLETE PROCEEDINGS
PLEASE SEE CORRESPONDING CD FOR THIS MEETING DAY.

IN THE MATTER OF ALLOWANCE OF BILLS
AS CERTIFIED IN THE AUDITOR'S OFFICE

"BILLS ALLOWED"

The following bills having been certified in the Auditor's office, on motion by Mrs. Favede, seconded by Mr. Coffland, all members present voting YES, each bill was considered and it is hereby ordered that the County Auditor issue his warrant on the County Treasurer in payment of bills allowed.

Claim of	Purposes	Amount
A-McGhee & Co.	Supplies-Engineer/General Fund	131.41
A-McGhee Office Supply	Supplies-Public Defender/General Fund	180.42
A-Speedway SuperAmerica	Gasoline-Adult Probation/General Fund	86.50
A-Treasurer, State of Ohio	Recoupment-1 st Qtr. 2015-Treasurer/General Fund	808.40
A-Wheeling Office Supply	Supplies-Prosecutor/General Fund	747.91
N-Village of Barnesville	Loan repayment-final/EORIP Water Line Fund	75,323.74
S-Buckeye Hills-HVRDD	Marketing/Promo events/Port Authority Fund	50.00
S-Redwood Toxicology	Drug testing/Smart Ohio Pilot Grant Fund	807.40

IN THE MATTER OF APPROVING RECAPITULATION
OF VOUCHERS FOR THE VARIOUS FUNDS

Motion made by Mrs. Favede, seconded by Mr. Coffland to approve the Recapitulation of Vouchers dated for April 22, 2015 as follow:

FUND	AMOUNT
A-GENERAL	\$375,304.29
A-GENERAL/AUDITOR	\$623.79
A-GENERAL/CHEST CLINIC	\$1,339.24
A-GENERAL/CORONER	\$1,601.18
A-GENERAL/EMA	\$1,672.47
A-GENERAL/PROBATE COURT	\$1,645.80
A-GENERAL/SHERIFF	\$6,503.43
A-GENERAL/911	\$17,304.33
E-911	\$677.86
G-Lodging Excise Tax	\$97,935.00
H-Job & Family, CSEA	\$24,343.19; \$385.88
H-Job & Family, WIA	\$6,041.41; \$906.00; \$170.24; \$13,500.00
H-Job & Family, Public Assistance	\$23,961.99; \$837.53; \$18.96
J-Real Estate Assessment	\$1,550.00
K-Engineer MVGT	\$33,586.91
M-Juvenile Ct – Placement I	\$25,953.48
M-Juvenile Ct. – Placement II	\$1,047.51
N-Capital Projects Facilities-Senior Centers	\$5,367.00
N-Sanitary Sewer District	\$500.00
O-Bond Retirement-Eastern Division Court Bldg.	\$83,671.52
O-Bond Retirement-Jail Construction	\$157,253.26
O-Bond Retirement-Satellite Building	\$135,807.09
O-Note Retirement Fund-2014 Water System Imp.	\$3,029,916.67
O-SSD#2 Sewer Bond	\$181,600.00
P-Oakview Admn Bldg	\$1,899.93
P-Sanitary Sewer District	\$1,389.03; \$120,037.47; \$10,033.60; \$64,306.69; \$8,005.43; \$81.61
S-District Detention Home	\$3,973.32
S-Job & Family, Children Services	\$2,537.16; \$224,410.02
S-Juvenile Ct. Computer Fund	\$171.80
S-Oakview Juvenile Residential Center	\$1470.33
S-Senior Services	\$23,762.64
S-Sheriff Commissary	\$1,549.91
S-Western Ct – General Special Projects	\$1,366.03
U-Sheriff Reserve Account	\$1,519.97
L-Law Library	\$1,337.47
W-Prosecutor's Victim Assistance	\$374.96

Upon roll call the vote was as follows:

Mrs. Favede	Yes
Mr. Coffland	Yes
Mr. Thomas	Yes

IN THE MATTER OF TRANSFERS WITHIN FUND

Motion made by Mr. Thomas, seconded by Mr. Coffland to approve the following transfers within fund for the following funds:

GENERAL FUND

FROM	TO	AMOUNT
E-0131-A006-A03.002 Salaries-Jail	E-0131-A006-A15.007 Unemployment	\$1,136.36
E-0257-A017-A00.000 Contingencies	E-0256-A014-A06.006 Group & Liability	\$5,000.00

S70 BELMONT COUNTY SENIOR PROGRAMS/IN HOME CARE LEVY FUND

FROM	TO	AMOUNT
E-5005-S070-S01.002 Salary	E-5005-S070-S03.004 Workers Comp	\$5,000.00

Upon roll call the vote was as follows:

Mr. Thomas	Yes
Mr. Coffland	Yes
Mrs. Favede	Yes

IN THE MATTER OF TRANSFER BETWEEN FUNDS

Motion made by Mr. Thomas, seconded by Mrs. Favede to approve the following transfers between funds:

T08 DOMESTIC VIOLENCE GRANT AND VARIOUS FUNDS/SHERIFF

FROM	TO	AMOUNT
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E-5105-T008-T01.002 Salaries	E-0131-A006-A02.002 Salaries	\$3,744.74
E-5105-T008-T02.003 PERS/SPRS	E-0131-A006-A13.003 PERS/SPRS	\$777.80
E-5105-T008-T03.006 Health Insurance	E-0256-A014-A06.006 Group & Liability	\$925.12
E-5105-T008-T04.004 Workers Comp	E-0256-A014-A14.004 Workers Comp-GF	\$149.78
E-5105-T008-T08.005 Medicare	E-0256-A014-A07.005 Medicare	\$59.69

Grant 2012-WF-VA2-8412 4th Quarter-2014/final payment

Upon roll call the vote was as follows:

Mr. Thomas	Yes
Mrs. Favede	Yes
Mr. Coffland	Yes

IN THE MATTER OF ADDITIONAL APPROPRIATIONS

Motion made by Mr. Thomas, seconded by Mr. Coffland to make the following additional appropriations, in accordance with the Official Certificate of Estimated Resources as approved by the Budget Commission, under the following dates:

GENERAL FUND/EMA

E-0054-A006-F10.000	DOJ – Sustainment Costs	\$1,222.94
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E10 9-1-1 FUND

E-2200-E010-E07.000	Other Expenses	\$1,452.00
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E11 9-1-1 WIRELESS FUND

E-2301-E011-E01.011	Contract Services	\$9,378.30
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K00 MVGT-ENGINEERS FUND

E-2812-K000-K13.012	Equipment	\$225,000.00
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O06 SSD #2 – SEWER BOND FUND

E-9203-O006-O06.000	Issuance Fees	\$ 11,454.71
E-9203-O006-O08.000	Escrow Payment	\$977,746.47

O30 BOND RETIREMENT – JAIL CONSTRUCTION FUND

E-9212-O030-O04.000	Issuance Fees	\$ 16,253.94
E-9212-O030-O08.000	Escrow Payment	\$1,400,354.90

O31 BOND RETIREMENT – SATELLITE BUILDING FUND

E-9215-O031-O04.000	Issuance Cost	\$ 11,188.76
E-9215-O031-O14.000	Escrow Payment	\$960,835.28

O37 BOND RETIREMENT – EASTERN DIV. BLDG. FUND

E-9216-O037-O04.000	Other Expenses	\$ 8,908.97
E-9216-O037-O08.000	Escrow Payment	\$742,843.51

T08 DOMESTIC VIOLENCE GRANT-SHERIFF

E-5105-T008-T01.002	Salaries	\$3,744.74
E-5105-T008-T02.003	PERS/SPRS	\$777.80
E-5105-T008-T03.006	Health Insurance	\$925.12
E-5105-T008-T04.004	Workers Comp	\$149.78
E-5105-T008-T08.005	Medicare	\$59.69

W80 PROSECUTOR'S VICTIM ASSISTANCE FUND

E-1511-W080-P01.002	Salary	\$1,339.15
E-1511-W080-P04.000	Other Expenses	\$96.50
E-1511-W080-P05.003	PERS	\$500.00
E-1511-W080-P07.006	Hospitalization	\$2,500.00

Y30 ISSUE TWO MATCH MONIES FUND/ENGINEER

E-9830-Y030-Y10.000	Project Payments-Capital Outlay	\$1,596.32
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Upon roll call the vote was as follows:

Mr. Thomas	Yes
Mr. Coffland	Yes
Mrs. Favede	Yes

IN THE MATTER OF APPROVING

THEN AND NOW CERTIFICATE/AUDITOR'S

Motion made by Mr. Thomas, seconded by Mr. Coffland to execute payment of Then and Now Certification dated April 22, 2015, presented by the County Auditor pursuant to O.R.C. 5705.41(d) 1, and authorizing the drawing of warrant(s) in payment of amounts due upon contract or order.

Upon roll call the vote was as follows:

Mr. Thomas	Yes
Mr. Coffland	Yes
Mrs. Favede	Yes

IN THE MATTER OF GRANTING PERMISSION

FOR COUNTY EMPLOYEES TO TRAVEL

Motion made by Mr. Thomas, seconded by Mr. Coffland granting permission for county employees to travel as follows:
DJFS – Michael Schlantz to travel to Steubenville, OH, on April 22, 2015, to attend Jefferson Co. Job Fair, and to Cadiz, OH, on May 1, 2015, to attend Harrison Co. CDJFS COG meeting. Vince Gianangeli to travel to Columbus, OH, on May 11-12, 2015, to attend Emerging Trends in Fraud Inv. & Prevention Conference. Estimated expenses: 689.60
TREASURER – Katherine J. Kelich to travel to Columbus, OH, on May 12-14, 2015, to attend County Treasurer's Assoc. Spring Conference. Estimated expenses: \$800.00

Upon roll call the vote was as follows:

Mr. Thomas	Yes
Mr. Coffland	Yes
Mrs. Favede	Yes

IN THE MATTER OF APPROVING MINUTES OF REGULAR

BOARD OF COMMISSIONERS MEETING

Motion made by Mrs. Favede, seconded by Mr. Coffland to approve the minutes of the Belmont County Board of Commissioners regular meetings of March 25, 2015.

Upon roll call the vote was as follows:

Mrs. Favede	Yes
Mr. Coffland	Yes
Mr. Thomas	Yes

IN THE MATTER OF ACCEPTING THE ANNUAL REPORT FOR SHELTERS FOR VICTIMS OF DOMESTIC VIOLENCE AS SUBMITTED BY THE TRI-COUNTY HELP CENTER

Motion made by Mrs. Favede, seconded by Mr. Coffland to accept the annual report for shelters for victims of domestic violence as submitted by the Tri-County Help Center pursuant to ORC 3113.39.

Upon roll call the vote was as follows:

Mrs. Favede	Yes
Mr. Coffland	Yes
Mr. Thomas	Yes

IN THE MATTER OF ENTERING INTO CONTRACT WITH LASH PAVING CO. FOR ENGINEER PROJECT 15-1 RESURFACING VARIOUS COUNTY HIGHWAYS

Motion made by Mrs. Favede, seconded by Mr. Coffland to enter into contract with Lash Paving Company in the amount of \$1,131,804.95 for the Belmont County Engineer's Project 15-1 Resurfacing Various County Highways.

**CONTRACT WITH BELMONT COUNTY COMMISSIONERS
PROJECT 15-1 RESURFACING VARIOUS COUNTY HIGHWAYS**

Auditor's Office, Belmont County, Ohio

This contract made and entered into this 22nd day of APRIL, 2015 between **THE LASH PAVING COMPANY**, P.O. Box 296, Colerain, OH 43916 and Matt Coffland, Mark Thomas, and Ginny Favede, Commissioners of Belmont County, WITNESSETH that said **THE LASH PAVING COMPANY** hereby agrees to furnish all service, labor, material and equipment and do all work requisite necessary for the resurfacing of various County Highways in accordance with plans and specifications.

Methods of Construction, Composition and Preparation of Materials shall conform to the latest applicable Sections of the State of Ohio Department of Transportation, Construction and Material Specifications and Supplemental Specifications and shall govern this project. All work shall be under the direction of the County Engineer.

APPROX. QUAN.	ITEM	DESCRIPTION	ITEMIZED PROPOSAL	
			UNIT PRICE BID	TOTAL AMOUNT BID
13,949 GAL	407	TACK COAT	\$1.55	\$21,620.95
1937 CUBIC YARDS	448	ASPHALT CONCRETE INTERMEDIATE COURSE TYPE 1	\$164.00	\$317,668.00
3875 CUBIC YARDS	448	ASPHALT CONCRETE SURFACE COURSE TYPE 1	\$164.00	\$635,500.00
1140 CUBIC YARDS	617	COMPACTED AGGREGATE	\$60.00	\$68,400.00
11.66 MILES	614	WORK ZONE CENTERLINE, CLASS II	\$300.00	\$3,498.00
11.66 MILES	644	CENTERLINE, TYPE 1 OR TYPE 2, 4"	\$3,500.00	\$40,810.00
23.32 MILES	644	EDGE LINE, TYPE 1 OR TYPE 2, 4"	\$1,900.00	\$44,308.00
		TOTAL		\$1,131,804.95

And it is further understood and agreed upon by the parties above; that all the materials used shall be of the best kinds usually used for such purposes. That said **THE LASH PAVING COMPANY** cause to be executed a bond to the satisfaction of the Commissioners for the faithful performance of the work, and for the security of the county, against pecuniary loss.

BELMONT COUNTY COMMISSIONERS	THE LASH PAVING COMPANY
<u>Matt Coffland /s/</u>	BY: <u>Brian L. Varrato /s/</u>
<u>Mark A. Thomas /s/</u>	<u>Vice President</u>
<u>Ginny Favede /s/</u>	

Upon roll call the vote was as follows:

Mrs. Favede	Yes
Mr. Coffland	Yes
Mr. Thomas	Yes

IN THE MATTER OF ACCEPTING THE PROPOSAL FROM ARCHITECT DANNY D. POPP AND ASSOCIATES FOR PROJECT MANAGEMENT SERVICES FOR THE BELMONT CO. SENIOR SERVICES COMMUNITY BUILDING PROJECT

Motion made by Mrs. Favede, seconded by Mr. Coffland to accept the proposal from Architect Danny D. Popp, DDP and Associates, in an amount not to exceed \$12,000.00 for project management services for the Belmont County Senior Services Community Building project.

DDP and ASSOCIATES architects/planners 855 EAST COOKE ROAD COLUMBUS, OH 43224 (614) 262-7973/7963 FAX	Proposal for Architectural Services Client: <u>Belmont County Commissioners</u> <u>101 West Main Street</u> <u>St. Clairsville, Ohio 43950</u> Project: <u>BCSS Community Building</u> <u>St. Rt. 40 Oakview</u> <u>St. Clairsville, Ohio 43950</u>
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Date: September 29, 2014		
Code	Description	Sub Totals
A	Construction Observation – Owners Representative	\$10,000.00
	Observer Construction Represent Owner's Interests	
B	Reimbursable Expenses	\$1,200.00
	Prepare construction drawings with Specifications.	
	Total	\$11,200.00

Not to exceed amount per Scope as defined below:	\$12,000.00
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Fees are based on a construction time frame of 10 months for a total of 40 weekly site visits. Should any special meetings be required to maintain the projects time lines or meet special construction conditions that can not be handled in the weekly job meeting such meeting will be in addition to the 40 provided. Reimbursable expenses have been estimated based on those typically needed for the level of services being provided for items such as; document reproduction, postage and handling, typical copies, employee mileage and expenses.

Comments:

Construction Observation – Owners Representative: DDP & Associates will be the Owners representative during the construction phase of the project attending the projects weekly job meetings conducted by the Architect of Record/General Contractor. The services to be provided will be as outlined below.

- Attend Pre-Construction meeting to review project scope, individual contractor responsibilities and project schedule.
- Attend project meetings at the site during the construction process.
- Observe construction for compliance with the Construction Documents. Prepare Inspecting Architects Field Reports and Owner Field Orders as needed.
- Be available throughout the course of construction to answer Owners questions and provide guidance as needed. Answer others pertinent and or relevant question as it pertains to the owners and their responsibilities as they pertain to the project.
- Approve Contractor Pay Requests and document Change Orders as needed.
- Conduct final work through, punch list, and project close out.

Scope of Services: Should the scope of services increase from that provided for/described above, the Architect's fee shall be compensated accordingly on a time and material or lump sum basis. All invoices are due upon receipt and carry a 1.5% late fee after 15 days. Architect reserves the right to stop work should invoicing not be paid by the due date. In the unlikely event the Owner fails to make payment due or breaches this contract and it becomes necessary to pursue the matter through litigation, then the Owner will be liable for all reasonable attorney fees, expenses, and interest on unpaid sums. Note the undersigned is personally guarantying payment in full for all services and fees as listed above.

Date
9/29/14

Architect: Danny D. Popp
Client: Belmont County Commissioners
Authorized Signature:

Architect Signature: Danny Popp /s/
Client Signature: Mark A. Thomas /s/
Print name and title Mark A. Thomas, President
Ginny Favede /s/
Ginny Favede, Vice-President
Matt Coffland /s/
Matt Coffland
APPROVED AS TO FORM:

David K. Liberati /s/ Assistant
PROSECUTING ATTORNEY

Upon roll call the vote was as follows:

Mrs. Favede	Yes
Mr. Coffland	Yes
Mr. Thomas	Yes

**IN THE MATTER OF APPROVING AND AUTHORIZING COMMISSION
PRESIDENT TO SIGN THE NOTICE TO TERMINATE THE CONTRACTS
BETWEEN THE COMMISSIONERS, THE BELMONT CO. TREASURER
AND DELINQUENT COLLECTORS OF OHIO, INC.**

Motion made by Mrs. Favede, seconded by Mr. Coffland to approve and authorize Commission President Mark A. Thomas to sign the notice to terminate the contracts dated September 4, 1996 and July 25, 1994 between the Belmont County Commissioners and the Belmont County Treasurer (“Creditors”) and Delinquent Collectors of Ohio Inc. (“Collector”) effective 30 days from the letter dated April 17, 2015.

Katherine J. Kelich

Belmont County Treasurer

Belmont County Court House / 101 W. Main Street / St. Clairsville, OH 43950 / Tel: (740) 699-2145 / Fax: (740) 699-2584

April 17, 2015

Delinquent Collectors of Ohio, Inc.
Attn: Richard Imbroscio, President
P.O. Box 610
St. Clairsville, OH 43950
RE: Delinquency Issues

Dear Mr. Imbroscio:

As you are aware, Delinquent Collectors of Ohio, Inc. entered into two separate contracts with the Belmont County Treasurer, the first dated September 4, 1996 relating to personal property tax collections and the second dated July 25, 1994 relating to manufactured home taxes.

Please accept this letter as notice of the Creditor’s intent to terminate each of these contracts effective thirty (30) days from the date of this letter. This notice is given pursuant to Paragraph 8 of the Collection Agreement dated September 4, 1996. While the July 25, 1994 Agreement does not provide for a specific notice provision relating to termination, we believe that thirty (30) days notice is reasonable.

Respectfully submitted,
Katherine J. Kelich /s/
Belmont County Treasurer
Belmont County Commissioners
By: Mark A. Thomas /s/
Mark A. Thomas, President

Upon roll call the vote was as follows:

Mrs. Favede	Yes
Mr. Coffland	Yes
Mr. Thomas	Yes

**IN THE MATTER OF ADOPTING A RESOLUTION TO MODIFY THE
CHOICE SPENDING ACCOUNT PLAN YEAR AND INSURANCE
OPEN ENROLLMENT PERIOD**

Motion made by Commissioner Favede, seconded by Commissioner Coffland to adopt the following:

Be it resolved, the Belmont County Board of Commissioners agrees to adopt the following:

1. Execution of a short plan year, running June 1, 2015 through December 31, 2015 for the Section 125 Choice Spending Account, permitting a prorated 7/12^{ths} of the IRS allowed annual contribution limit of \$2,550 (\$1,487.50) to be deposited.
2. Modification of the Section 125 Choice Spending Account plan year to run January 1, 2016 through December 31, 2016, with the first Open Enrollment period occurring in November 2015 for the 2016 plan year.
3. Movement of the Open Enrollment period for Dental and Vision to November 2015 for a January 1, 2016 effective date to coincide with the Health insurance Open Enrollment period.

Adopted this 22nd day of April, 2015.

Upon roll call the vote was as follows:

Mrs. Favede	<u>Yes</u>
Mr. Coffland	<u>Yes</u>
Mr. Thomas	<u>Yes</u>

**IN THE MATTER OF ADOPTING THE RESOLUTION
TO MAINTAIN THE CURRENT DENTAL RATES FOR PLAN
YEAR JUNE 1, 2015 THROUGH MAY 31, 2016**

Motion made by Commissioner Favede, seconded by Commissioner Coffland to adopt the following resolution:

Be it resolved, the Belmont County Commission has decided to adopt the following:

Maintain the monthly dental single rate at \$18.85 per month and the family rate at \$51.44 per month for the plan year June 1, 2015 through May 31, 2016. These rates are the same as the rates in effect for the existing plan year.

Adopted this 22nd day of April, 2015.

Upon roll call the vote was as follows:

Mrs. Favede	<u>Yes</u>
Mr. Coffland	<u>Yes</u>
Mr. Thomas	<u>Yes</u>

**IN THE MATTER OF APPROVING AND AUTHORIZING COMMISSION
PRESIDENT TO SIGN THE OHIO BWC-EMPLOYER STATEMENT AND
THE CCAO – WORKERS’ COMPENSATION GROUP RETROSPECTIVE
RATING PLAN AGREEMENT FOR THE 2016 PROGRAM YEAR**

Motion made by Mrs. Favede, seconded by Mr. Coffland to approve and authorize Commission President Mark A. Thomas to sign the Ohio BWC-Employer Statement and the CCAO - Workers’ Compensation Group Retrospective Rating Plan Agreement for the 2016 Program Year.

**COUNTY COMMISSIONERS ASSOCIATION OF OHIO
WORKERS’ COMPENSATION GROUP RETROSPECTIVE RATING
PLAN AGREEMENT**

THIS AGREEMENT, dated as of April 22, 2015, is between CCAO Service Corporation (“CCAOSC”), an Ohio corporation, and **BELMONT COUNTY** (“Participant”), a political subdivision of the State of Ohio.

Section I: INTRODUCTION

Section 4123.29 of the Ohio Revised Code (ORC), and the rules promulgated thereunder, permit the establishment of employer group retrospective rating plans in order to group the experience of employers for workers’ compensation rating purposes. The County Commissioners’ Association of Ohio (“CCAO”), acting through CCAOSC its Service Corporation, as a sponsoring organization within the meaning of Section 4123.29 and the regulations associated with same, hereby establishes a Group Retrospective Rating Plan for the benefit of its membership. The terms and conditions for participation in the CCAO Group Retrospective Rating Plan are herein established. A participating county is hereafter referred to individually as a “Participant”. Participating counties are collectively referred to as the “Group”.

Section II: NAME

The name of the plan shall be the CCAO Workers' Compensation Group Retrospective Rating Plan, hereafter referred to as the “CCAO Group Retrospective Rating Plan” or the “Plan”. The principal office of the CCAO Group Rating Plan shall be located at 209 East State Street, Columbus, Ohio 43215.

Section III: PURPOSE OF GROUP PLAN

The CCAO Group Retrospective Rating Plan is intended to: (1) achieve lower workers’ compensation costs for the Group, and (2) result in the establishment of safer working conditions and environments for each Participant.

Section IV: REPRESENTATIONS AND WARRANTIES CONCERNING ELIGIBILITY

1. CCAOSC, for itself and on behalf of CCAO, represents and warrants as follows:
 - (1) CCAO was created more than two years prior to the date of application for Group coverage.
 - (2) CCAO was formed for the purposes other than obtaining Group Workers’ Compensation under Section 4123.29, ORC; rather it was formed for the purpose of, among other things, uniting the county commissioners of Ohio into an association to promote the best practices and policies in the administration of county government for the benefit of the people of the State of Ohio.
 - (3) The business of the Group members is substantially similar such that the policies which are grouped are substantially homogeneous.
2. The Participant represents and warrants as follows:
 - (1) It is a member in good standing of the County Commissioners’ Association of Ohio.
 - (2) It has an Ohio Bureau of Workers’ Compensation (“OBWC”) policy number for counties and its account with OBWC is in good standing such that no outstanding premiums, penalties or assessments are due from it.
 - (3) It is not a member of any other group for the purpose of obtaining workers’ compensation coverage under Section 4123.29, ORC.
 - (4) It is current in all financial obligations to the Group.

Section V: BASIC OBLIGATIONS OF PARTIES

Pursuant to Section I, hereof, CCAO, acting through CCAOSC, has established the CCAO Group Retrospective Rating Plan.

3. CCAOSC shall:
 - (1) coordinate and administer the CCAO Group Retrospective Rating Plan in accordance with this agreement.
 - (2) file or cause to be filed all necessary applications with OBWC to obtain membership for the Participants in the CCAO Group Retrospective Rating Plan; and
 - (3) perform such additional duties as are required of it by this Agreement.
4. The Participant shall:
 - (1) join and participate in the CCAO Group Retrospective Rating Plan; and
 - (2) perform such additional duties and pay such fees and expenses as are required of it by this Agreement.

Section VI: RATE CONTRIBUTION AND REBATES

The Participant understands that the Group performance must be estimated in advance of the experience period and is based upon the most recent experience period, and that the actual Group performance will vary depending upon multiple factors. The Participant is solely responsible for any assessment of premiums owed to the OBWC. In no event shall CCAO, CCAOSC, the third party administrator, or other Group members be held liable for premiums owed by the Participant to the OBWC.

The Participant understands the Group performance is subject to change during and subsequent to the policy period, and all debit and credit adjustments processed by the OBWC will be the premium responsibility of the individual Participant. In no event will CCAO, CCAOSC,

the third party administrator, or the other Group members be held liable for premiums owed by the Participant to the OBWC resulting from subsequent rate revisions.

It is understood that the OBWC will evaluate the performance of the CCAO Group Retrospective Rating Plan by comparing the aggregate individual participants' premiums paid to OBWC to the developed losses incurred by the participants during the policy year. It is also understood that the OBWC will perform this comparison in three periods in the following number of months after the inception of the program year: 24 months, 36 months, and 48 months.

In the course of the OBWC's evaluation of the program, should premiums paid by the Group exceed the total developed losses, the Group will be entitled to a refund, for the difference. However, if the total developed losses exceed the total premiums paid to OBWC for the policy year the Group would then be subject to an assessment. The total assessment in this case, could not exceed the predetermined amount ("Maximum Premium Percent") selected by CCAOSC.

For each evaluation period, CCAOSC shall send rebate checks to those Participants due rebates no later than thirty (30) days from the date of receipt by CCAOSC of the Group rebate from the OBWC, or the date of receipt by CCAOSC of all member payroll reports, whichever is later.

Upon notification by the OBWC of a Group assessment, CCAO shall invoice all Participants for their appropriate share. Each Participant shall pay their invoiced amount within the timeframe set by the OBWC in order to prevent any penalties accruing to the Group or to CCAOSC.

Section VII: ADMINISTRATIVE SERVICES

CCAOSC, with approval of the Group Executive Committee, shall retain the services of a third party administrator ("TPA") specializing in the administration of workers' compensation claims. Such designated TPA shall assist CCAOSC staff in the day to day management of the plan, prepare and file necessary reports for both OBWC and members, assist with loss control program, and other duties, (*excluding* claims-related matters, which shall be the responsibility of each individual Participant, as provided in the second paragraph of this Section VIII) relating to the Plan's activities. The cost of these TPA services shall be borne by the Participant in proportion to its payroll to the total payroll of the Group. CCAOSC shall bill the Participant for such services at such times as are determined by the Group Executive Committee and the Participant shall remit payment to CCAOSC within thirty (30) days of its receipt of such bill.

Each Participant agrees to select as their TPA for claims-related matters the same TPA as CCAOSC has retained as TPA for the Group, and further agrees to remain with said TPA for as long as Participant remains a member of the CCAO Group Retrospective Rating Plan.

In any event, the Participant agrees to inform CCAOSC, the Group, and the Group's TPA, at all times, of all claims and related matters which will affect the rating of the Group.

Section VIII: RISK MANAGEMENT SERVICES

The Participant acknowledges that one of the goals of a group retrospective rating program is a substantial improvement in accident prevention and safety training by the Group. The Participant shall make a good faith effort to maintain a safe working environment for its employees and to implement the Group's model safety and claims management program, "*The CCAO 10 Step Safety Plan for County Government*". In addition, each Participant shall participate in and comply with any safety program or claims management procedure adopted by the Group Executive Committee. The costs for these risk management services shall be allocated, billed and paid in the same manner as described in Section VIII, above. The Participant may provide supplementary training and risk management consulting services to its employees at the Participant's sole expense.

CCAOSC reserves the right to require the Participant to undergo an occupational safety and health audit of its premises. A copy of the audit results and safety recommendations shall be provided to the Participant and to CCAOSC. Participant agrees to make a good faith effort to comply with any safety recommendations.

Section IX: GENERAL ADMINISTRATIVE FEES

The Participant agrees to pay the administrative fees of CCAOSC during the term of the Agreement, if any, in the manner specified in Section VII, above.

Section X: GROUP EXECUTIVE COMMITTEE

There is hereby established a Group Executive Committee to oversee the CCAO Group Rating Program and the CCAO Group Retro Program, which shall consist of eleven members. Two of said members shall be the President and the Secretary/Treasurer of CCAOSC. Nine members shall be representatives of CCAO Group Rating and Group Retro Plan Participants. No Participant shall have more than one member on the Group Executive Committee, and each Executive Committee Member shall be a county commissioner. However, any member county may by written instrument signed by two or more County Commissioners, appoint a designee who need not be a county commissioner but shall be an employee of the member county.

A designee shall have the same powers as the appointing member.

The duties of the Group Executive Committee shall be:

- (1) to approve the selection of a TPA, as provided in Section VII hereof;
- (2) to review and approve proposed TPA fees, fees for risk management services, and general management fees, and to provide for the billing and collection thereof;
- (3) to determine ongoing eligibility of each Participant for continued participation in the Group; and
- (4) to perform such other acts and functions as may be necessary to the administration of the Group.

Section XI: TERM OF AGREEMENT

Subject to the approval of the CCAO Group Retrospective Rating Plan by the OBWC, the term of this Agreement shall commence on the date of execution hereof and shall be continuing and shall be applicable to all rating periods beginning January 1, 2016 and thereafter. CCAOSC may terminate this Agreement upon sixty (60) days written notice to the Participant. The Participant may terminate this Agreement so as not to be included in the CCAO Group Retrospective Rating Plan for the next annual rating period provided ten (10) days written notice of intent to withdraw from the CCAO Group Retrospective Rating Plan is given to CCAOSC prior to the prescribed application deadline of OBWC, currently July 31, 2015. In any event, a Participant shall not be relieved of the obligation to pay any amounts owed for participation in the CCAO Group Retrospective Rating Plan prior to withdrawal therefrom.

Section XII: APPLICATIONS BY PARTICIPANT

Initial application of a Participant shall include: (1) a properly signed and authorized copy of this Agreement; and (2) a properly executed OBWC Form U153, allowing CCAOSC or its TPA to represent the CCAO Group Retrospective Rating Plan before the OBWC. In order to remain in good standing and to remain eligible for Group membership, a Participant must be current in all financial obligations to CCAO and to the Group, and shall provide to CCAOSC annually, prior to the OBWC group retrospective rating deadline: (1) a properly signed and authorized copy of this Agreement; and (2) a properly executed OBWC U153, allowing CCAOSC or its TPA to represent the CCAO Group Retrospective Rating Plan before the OBWC.

Section XIII: GENERAL PROVISIONS

CCAOSC shall strictly account for all funds collected and disbursed relating to the Group Retrospective Rating Plan. All Group Retrospective Rating Plan funds shall be strictly segregated from all CCAOSC funds relating to the operations and activities of CCAO's other programs.

The Participant is solely responsible for any assessments or premiums levied by OBWC against it. Neither the CCAO Group Rating Plan nor its TPA shall be liable for any such charges.

If the Participant leaves the Group, it will allow representatives of the Group to access its loss experience for a period of three (3) years following the last year of participation.

The Participant hereby acknowledges receipt of the complete Agreement.

IN WITNESS THEREOF, the parties hereby enter into this Agreement on the date given below.

CCAO SERVICE CORPORATION

Date: 04/13/2015

By: David W. Brooks /s/
David W. Brooks

BELMONT COUNTY

Date: 04/22/15

By: Mark A. Thomas /s/

Signature of Authorized Official

County Name: **BELMONT COUNTY**
Address: 101 W MAIN ST
City, State, Zip: ST. CLAIRSVILLE OH 43950
OBWC Number: 30700001

APPROVED AS TO FORM (if required)

David K. Liberati /s/ Assistant

Prosecuting Attorney

Upon roll call the vote was as follows:

Mrs. Favede	Yes
Mr. Coffland	Yes
Mr. Thomas	Yes

**IN THE MATTER OF APPROVING THE HIRING
OF SUMMER STUDENT WORKERS FOR
BELMONT COUNTY SANITARY SEWER DISTRICT**

Motion made by Mrs. Favede, seconded by Mr. Coffland to authorize Mark Esposito, Director, Belmont County Sanitary Sewer District to hire the following Summer Student Workers at the rate of \$8.10 per hour (minimum wage) to be paid by the District:

Rehires: Leandra M. Reed; Seth M. Scott and Zarek Wiley

New Hire: Lane D. Perkins

Upon roll call the vote was as follows:

Mrs. Favede	Yes
Mr. Coffland	Yes
Mr. Thomas	Yes

**9:30 Ed Good, Mead Township Trustee
Re: Resolution Opposing "Fast Track" legislation**

Mr. Good is the Legislative Director for the Utility Workers Union of America, a member of the Upper Ohio Valley Central Labor Council – AFL-CIO, and a Mead Township Trustee. He advised the Utility Workers national union represents workers in the water, gas and electric generation facilities. He is present today to encourage the board to consider adopting a resolution opposing Fast Track legislation also the TPP (the Trades Specific Partnership Act). At this time Pease and Mead Townships, along with the Belmont Co. Township Association, have moved on this legislation opposing Fast Track.

He explained the Clean Power Plan that was proposed in June of 2014. The time is approaching where the rule will be final. There is a state implementation plan and a federal implementation plan that can be used to address the contents within. Within the confines of that plan, and with the anticipated hit on coal communities, there has been another release in the present fiscal year 2016 budget. Within the confines of that budget is a provision called the Power Plus Plan. The reason for Mr. Good bringing this to the board is he spoke at a workshop in Washington, DC, last week. His role there was as a utility worker, primarily because of what was experienced at the Burger Plant when that plant went down and some of the programs that they were able to provide for their members. Back in 1995 there was a program called the Employee Transition Assistance Grant. It was for those that were adversely affected by the Clean Air Regulations. When they opened the floor for questions, a lot of the people in the audience asked how would they know about this Clean Power Plan. They had not heard much; what are the contents of the plan. Mr. Good said they came to find out a lot of people were not aware of it. Tomorrow he will be attending a meeting in Marietta that is part of the Appalachian Regional Council as far as trying to tap into that Power Plus Plan. There are millions of dollars for certain programs and billions of dollars for other programs. One of the options is the development of carbon catcher sequestration. If you look at the impact here locally with the Sammis Plant and the Cardinal Plant and the Mitchell Plant in West Virginia, some of the residents live within the confines of Belmont County. He is encouraging the county, whether it be development or the Board of Commissioners, to tap in to be a part of these discussions. Along those lines, he advised they have been in discussion for the past year with a number of institutions on this. One was the Harvard Kennedy School of Business. They have done a very detailed analysis of Southwest Pennsylvania. He credited Auditor Andy Sutak and two of his staff members, Larry Craig and Roger Conroy, as when they were developing their plan, they used Mead Township and Shadyside Local Schools and Belmont County as the example of what happens when a powerhouse is deactivated. It showed the impact to the school levy, the park levy, and the health district. It was a very detailed analysis and they did a great job providing those numbers. They will be getting the report on that this coming Friday. Mr. Good will be in DC again to get EPI's final analysis of that. With the Power Plus Plan, a lot of those funds will be distributed through the Workforce Investment Boards.

Mr. Good advised that Mead Township has recently enrolled into a program with the State Auditor's Office called Share Ohio. It is basically a mechanism for local governments to enter into a format to see what equipment you have and in the time of an emergency, whether you want to access that equipment. But you do not have to enter into people being able to use your equipment, if you do not want to. It is strictly voluntary. In times of disaster, it's simply logging on that website and the click of a mouse on whether you access that information or not.

**IN THE MATTER OF ADOPTING A RESOLUTION
OPPOSING "FAST TRACK" TRADE POLICY**

Motion made by Commissioner Favede to adopt the following resolution:

**RESOLUTION AGAINST
"FAST TRACK" TRADE POLICY**

WHEREAS, "Fast Track" trade promotion authority is a type of trade policy that gives the executive branch the opportunity to negotiate—out of public view—as many trade agreements as it can during a given time period and send them to Congress, which must then vote yes-or-no with no amendments within 90 days;

WHEREAS, under "Fast Track," Congress cedes to the Executive Branch its power under Article I, Section 8 of the U.S. Constitution, to "regulate Commerce with foreign Nations";

WHEREAS, "Fast Track" is an undemocratic process that limits debate and does not allow trade agreements or their implementing bills to be amended or improved in any way;

WHEREAS, "Fast Track" is an unaccountable process that limits citizen participation in or knowledge of the details of trade negotiations;

WHEREAS, "Fast Track" does not require Congress or any independent body to evaluate a trade deal before finalization of the deal to ensure that it will have a positive impact on the U.S. trade balance, create good, family-wage jobs or ensure that state and local governments can continue to legislate and regulate in the public interest;

WHEREAS, no trade deal, no matter how bad, has ever been defeated under "Fast Track" procedures;

WHEREAS, ever since the North American Free Trade Agreement (NAFTA) was enacted under “Fast Track” procedures, workers across North America—including in Mexico and Canada—have experienced downward pressure on wages and greater threats to our ability to organize and collectively bargain;

WHEREAS, bad U.S. trade deals like NAFTA and the newer Korea FTA have resulted in an unbalanced system in which corporate profits soar even as workers take home a diminishing share of our national income;

WHEREAS, "Fast Track" would apply to trade agreements such as the Trans Pacific Partnership, which are already being negotiated even though Congress has not yet weighed in on whether all the participants are appropriate trading partners;

WHEREAS, "Fast Track" has been used to advance trade agreements that do not ensure that all workers can freely exercise their fundamental labor rights, including freedom of association and collective bargaining, thereby encouraging a race to the bottom;

WHEREAS, trade policies adopted under “Fast Track” have cost us more than one millions jobs, have contributed to more than 60,000 factories shutting down and have exacerbated income inequality here in the United States and around the globe;

WHEREAS, trade policies adopted under “Fast Track” put America’s families at risk from unsafe imports, including food, pet food, and children’s toys;

WHEREAS, “Fast Track” does not require trade deals to include enforceable rules against the use of currency manipulation, which has cost America’s workers millions of jobs;

WHEREAS, the most recent trade deals to become law under “Fast Track” include a deal with Colombia—a country that fails to protect labor rights and in which nearly 3,000 labor leaders and activists have been assassinated since 1986, and Korea—a country with which we have an increasingly lopsided trade deficit that cost 60,000 jobs in just the first year of the agreement;

WHEREAS, “Fast Track” provides corporate rights without corporate responsibilities, even failing to ensure that corporations are responsible for labor, environmental and health and safety violations in their supply chain;

WHEREAS, there is a better way to negotiate trade deals so that they promote the creation of decent, family-wage jobs, encourage shared prosperity rather than skewed benefits for economic elites, protect our environment, ensure the safety of imported food and other products, revitalize our manufacturing sector, and eliminate the separate system of justice for foreign companies that want to sue America (known as “ISDS”) and other provisions that provide corporations with undue influence over the global economy;

NOW, THEREFORE, BE IT RESOLVED, that:

- 1) The Board of Belmont County Commissioners, St. Clairsville, Ohio, opposes any “Fast Track” legislation that fails to provide greater openness, robust opportunities for citizen and Congressional participation in trade negotiations, and clear accountability mechanisms to ensure the Executive Branch brings back trade deals that will have a positive impact on the U.S. trade balance, create good, family-wage jobs and ensure that state and local governments can continue to legislate and regulate in the public interest;
- 2) The Board of Belmont County Commissioners calls upon all federal elected officials representing Belmont County, Ohio to oppose any “Fast Track” legislation that gives the executive branch the power to negotiate behind closed doors and a blank check to negotiate bad trade deals that can’t be fix before Congress is required to vote; and
- 3) The Board of Belmont County Commissioners will work to promote better trade rules and a new form of trade negotiating authority that promotes good, family-wage jobs, protects labor rights for all workers, and supports a clean environment, a safe food supply, sustainable growth, and robust public interest policies while ensuring that the negotiating process is democratic, accountable, transparent and open to the public.

Commissioner Coffland seconded by foregoing resolution.

Adopted this 22nd day of April, 2015.

BELMONT COUNTY COMMISSIONERS

Mark A. Thomas /s/

Mark A. Thomas, President

Ginny Favede /s/

Ginny Favede, Vice President

Matt Coffland /s/

Matt Coffland, Commissioner

Upon roll call the vote was as follows:

Mrs. Favede	Yes
Mr. Coffland	Yes
Mr. Thomas	Yes

OPEN PUBLIC FORUM – Pease Township Trustee Mike Bianconi noted the recent J B Green Team Clean Up. He said it was a smashing success and had a record 356 vehicles and two tractor-trailer loads of tires and TV’s. He stated the importance of this program for the entire county. He thanked the board for their support. Mr. Coffland said this is something the Township Association has worked hard to keep intact. It is a very important program to the townships and villages. Mead Township Trustee Ed Good also added his support for this program.

IN THE MATTER OF PRESS CONFERENCE HELD RE:

BELMONT COUNTY AS POSSIBLE SITE FOR ETHANE CRACKER PLANT

1:30 Press Conference

Mr. Thomas stated this is a great announcement for Belmont County and the State of Ohio. The Office of Governor John R. Kasich announced that Belmont County has been selected as a possible site for construction of a petrochemical facility also known as an ethane cracker. PTT Global Chemical and its project partner, Marubeni Corp., a Japan-based company, will now take the next 12 to 16 months to complete the detailed engineering design and permitting. JobsOhio has been working with the companies and led the effort to move this project forward in the State of Ohio.

Mrs. Favede said the potential cracker plant being built in Belmont County would be a “game changer” as far as the economic opportunities and the spinoffs created if it comes to fruition.

Mr. Coffland thanked the state and all parties involved in working to try to bring this facility and accompanying jobs to Belmont County, especially John Minor, David Mustine and Matt Cybulski of JobsOhio. Thanks also went to Port Authority Director Larry Merry, Mead Township Trustees, The Shadyside School Board, and Dave Hendershot and Roger Lewis of Ohio-West Virginia Excavating Co.

IN THE MATTER OF CHANGING THE BOARDS’

REGULAR MEETING AND NOTIFYING THE MEDIA

Motion made by Mr. Thomas, seconded by Mr. Coffland to change the Board’s regular meeting from Wednesday, April 29 to Tuesday, April 28 at 9:00 a.m. and to notify the media of the same.

Note: This is to allow the Board to attend the annual Oil & Gas Expo

Upon roll call the vote was as follows:

Mr. Thomas	Yes
Mr. Coffland	Yes
Mrs. Favede	Yes

**IN THE MATTER OF THE VACATION OF
A PORTION OF WOODLAND DRIVE IN
McELWAIN PLACE, LOCATED IN RICHLAND TWP.
SEC. 33, T-7, R-4/RD IMP 1128**

A Public Road

Office of County Commissioners
Belmont County, Ohio

April 22, 2015

The Board of County Commissioners of Belmont County, Ohio, met in Regular session on the 22nd day of April, 2015, at the office of the Commissioners with the following members present:

Mrs. Favede
Mr. Coffland
Mr. Thomas

RESOLUTION – ORDER TO CLOSE ROAD
Sec. 5553.10 R.C

Mr. Thomas moved the adoption of the following Resolution:

WHEREAS, at least ten days have elapsed since the final order of the board in the matter of this improvement, and

WHEREAS, no person, firm or corporation interested, has effected an appeal from our orders in the matter of the above named improvement, therefore, be it

RESOLVED, that it is hereby ordered that the proceedings be recorded as provided by law, and that said roads be ¹vacated, as ordered heretofore, made on journal of the date of April 8, 2015, and a copy of this resolution be forwarded to the Richland Township Trustees.

Mr. Coffland seconded the Resolution and the roll being called upon its adoption the vote was as follows:

Mr. Thomas _____, Yes
Mr. Coffland _____, Yes
Mrs. Favede _____, Yes

Adopted the 22nd day of April, 2015

Jayne Long /s/
Clerk, Board of County Commissioners
Belmont County, Ohio

**IN THE MATTER OF ADJOURNING
COMMISSIONERS MEETING AT 2:35 P.M.**

Motion made by Mr. Coffland, seconded by Mrs. Favede to adjourn the meeting at 2:35 p.m.

Upon roll call the vote was as follows:

Mr. Coffland	Yes
Mrs. Favede	Yes
Mr. Thomas	Yes

Read, approved and signed this 28th day of April, 2015.

_____ COUNTY COMMISSIONERS

We, Mark Thomas and Jayne Long, President and Clerk respectively of the Board of Commissioners of Belmont County, Ohio, do hereby certify the foregoing minutes of the proceedings of said Board have been read, approved and signed as provided for by Sec. 305.11 of the Revised Code of Ohio.

_____ PRESIDENT

_____ CLERK