

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 APPROVING RECAPITULATION OF VOUCHERS FOR THE VARIOUS FUNDS

Motion made by Mrs. Favede, seconded by Mr. Coffland to approve and sign all bills that have been certified in the Auditor's office and considered by the Board. It is hereby ordered that the County Auditor issue his warrant on the County Treasurer in payment of the bills allowed:

IN THE TOTAL AMOUNT OF \$780,463.95

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-0070-A012-A02.002 Salaries/Employees	E-0051-A001-A02.002 Salaries-Employees	\$32,993.50
E-0070-A012-A08.003 PERS	E-0051-A001-A25.003 PERS	\$4,619.09
<i>Balance of funds originally appropriated at the beginning of 2016 for Steve Hill.</i>		
E-0131-A006-A03.002 Jail-Salaries	E-0131-A006-A15.007 Unemployment	\$132.09
E-0257-A015-A15.074 Transfers-Out	E-0040-A002-G28.012 Equipment	\$5,200.00

B00 DOG & KENNEL FUND

FROM	TO	AMOUNT
E-1600-B000-B03.010 Supplies	E-1600-B000-B08.003 PERS	\$5,000.00

S66 BOARD OF DEVELOPMENTAL DISABILITIES FUND

FROM	TO	AMOUNT
E-2410-S066-S84.074 Transfers Out	E-2410-S066-S65.002 Salaries	\$150,000.00
E-2410-S066-S84.074 Transfers Out	E-2410-S066-S70.011 Contract Services	\$200,000.00
E-2410-S066-S84.074 Transfers Out	E-2410-S066-S77.004 Workers Comp	\$50,000.00
E-2410-S066-S84.074 Transfers Out	E-2411-S066-S80.000 Health Ins-Other Exp	\$100,000.00

Upon roll call the vote was as follows:

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

IN THE MATTER OF TRANSFERS BETWEEN FUND

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

GENERAL FUND AND THE O50 NOTE RETIREMENT-2014 WATER SYSTEM IMPROVEMENT FUND

FROM	TO	AMOUNT
E-0257-A015-A15.074 Transfers Out	R-9250-O050-O10.574 Transfers In	\$34,304.74
<i>27,058.50 Lease Bonus – 01/27/16 – Rice Drilling D LLC, CK # 3500823</i>		
<i>7,000.00 Lease Bonus – 05/04/16 – XTO Energy, CK # 0009686429</i>		
<i>246.24 Royalties – 03/04/16 – XTO/Kaldor, CK # 64907330</i>		

GENERAL FUND AND THE N29 CAPITAL PROJECTS-FACILITIES FUND

FROM	TO	AMOUNT
E-0257-A015-A15.074 Transfers Out	R-9029-N029-N04.574 Transfers In	\$198,354.62
<i>2016/Q2 Casino Revenue</i>		

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 Mrs. Favede, 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:

****JANUARY 4, 2016****

B00 DOG & KENNEL FUND

E-1611-B000-B02.002	Salaries-Employees	\$23,000.00
E-1611-B000-B08.003	PERS	\$10,000.00
E-1611-B000-B09.004	Workers' Comp.	\$2,000.00
E-1611-B000-B10.005	Medicare	\$1,791.02

N11 9-1-1 SYSTEM UP-GRADE LEVY FUND

E-9011-N011-N01.000	Contract-Projects	\$395,403.66
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S70 BELMONT CO. SENIOR PROGRAMS FUND

E-5005-S070-S12.000	Capital Outlay	\$1,000.12
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Additional funds needed for the purchase of two Hot Shot Trucks from Delivery Concepts originally approved 07/06/16 (fleet replacements).

****AUGUST 17, 2016****

A00 GENERAL FUND

E-0040-A002-G02.002	Salaries-Employees	\$727.65
E-0051-A001-A08.000	Travel and Expenses	\$378.70
<i>Reimbursements of \$376.85 from CardMember Service and \$1.85 from Commissioner Favede.</i>		
E-0051-A001-A14.012	Equipment	\$114.08
E-0055-A004-B18.000	M&G/Other Expenses	\$111.54
E-0257-A015-A15.074	Transfers-Out	\$34,304.74
E-0257-A015-A15.074	Transfers-Out	\$198,354.62

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H08 WIA AREA 16 FUND/BCDJFS

E-2610-H008-H14.000 Belmont Co. OWIP \$1,500.00

L01 SOIL CONSERVATION FUND/BSWCD

E-1810-L001-L01.002 Salaries \$14,190.00
 E-1810-L001-L08.000 Scholarship/Education \$3,000.00
 E-1810-L001-L10.000 Advertising & Printing \$1,833.33

N11 9-1-1 SYSTEM UP-GRADE LEVY FUND

E-9011-N011-N01.000 Contract-Projects \$573,765.97

AUDITORS/VARIOUS

E-9041-N041-N10.055 Project Payments \$34,900.62
 E-9043-N043-N03.000 ODOT PID #86170 \$4,628.75
 E-9043-N043-N05.000 ODOT PID #79463 \$544,623.92

JUVENILE COURT/VARIOUS

E-0400-M064-M05.000 Placement Costs \$23,481.70
 E-0400-M067-M01.002 Alternative School Salaries \$13,280.25
 E-0400-M078-M02.008 Fringe Benefits \$157,473.51
 E-1582-S085-S08.000 Computer Expenses \$1,539.00
 E-1589-S096-S08.002 Special Projects \$6,519.20

S33 DISTRICT DETENTION HOME FUND/SARGUS

E-0910-S033-S33.002 Salaries \$100,000.00
 E-0910-S033-S38.011 Contract Services \$20,000.00
 E-0910-S033-S43.000 Travel & Training \$2,000.00
 E-0910-S033-S66.000 Medical/GS \$500.00
 E-0910-S033-S69.000 Activities/GS \$2,000.00

OAKVIEW JUVENILE FUNDS/VARIOUS

E-8011-S031-S02.000 Food (NSLA/Meal Ticket) \$45.00
 E-8012-S032-S00.000 Activity Fund \$84.88

Upon roll call the vote was as follows:

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

IN THE MATTER OF TRANSFER OF FUNDS FOR HOSPITALIZATION CHARGEBACKS-JULY & AUGUST, 2016

Motion made by Mrs. Favede, seconded by Mr. Coffland to make the following transfer of funds for Hospitalization Chargebacks for July & August, 2016.

From:		To:	
NUMBER	ACCOUNT	NUMBER	AMOUNT
E-0170-A006-G11.000	PUBLIC DEFENDER	R-9891-Y091-Y01.500	9,491.50
E-0181-A003-A11.000	BD OF ELECTIONS	R-9891-Y091-Y01.500	22,466.16
E-0300-A008-B01.002	CHEST CLINIC	R-9891-Y091-Y01.500	0.00
E-0910-S033-S47.006	DETENTION HOME	R-9891-Y091-Y01.500	30,739.22
E-1210-S078-S14.006	COUNTY RECORDER	R-9891-Y091-Y01.500	0.00
E-1310-J000-J06.000	REAL ESTATE	R-9891-Y091-Y01.500	8,882.28
E-1410-W082-T07.006	DRETAC-TREAS	R-9891-Y091-Y01.500	0.00
E-1511-W080-P07.006	PROS-VICTIM	R-9891-Y091-Y01.500	2,525.18
E-1518-S075-S03.002	MHAS SUBSIDY GRANT	R-9891-Y091-Y01.500	1,262.59
E-1520-S077-S04.006	CORRECTIONS ACT	R-9891-Y091-Y01.500	3,787.77
E-1544-S054-S05.000	COMMON PLEAS/GEN SP/MED	R-9891-Y091-Y01.500	0.00
E-1600-B000-B13.006	DOG & KENNEL	R-9891-Y091-Y01.500	4,789.90
E-1600-B000-B13.006	D/K AUDITOR CLERK	R-9891-Y091-Y01.500	0.00
E-1810-L001-L14.000	SOIL CONSERVATION	R-9891-Y091-Y01.500	3,483.16
E-1815-L005-L15.006	WATERSHED COORD.	R-9891-Y091-Y01.500	2,525.18
E-2310-S049-S63.000	MENTAL HEALTH	R-9891-Y091-Y01.500	5,050.36
E-2410-S066-S80.000	MENTAL RETARDATION	R-9891-Y091-Y01.500	114,158.46
E-2510-H000-H16.006	HUMAN SERVICES	R-9891-Y091-Y01.500	147,034.72
E-2760-H010-H12.006	CHILD SUPPORT	R-9891-Y091-Y01.500	17,444.72
E-2811-K200-K10.006	K-1	R-9891-Y091-Y01.500	2,525.18
E-2811-K200-K10.006	K-2	R-9891-Y091-Y01.500	6,966.32
E-2812-K000-K20.006	K-11	R-9891-Y091-Y01.500	43,974.34
E-2813-K000-K39.006	K-25	R-9891-Y091-Y01.500	13,583.88
E-4110-T075-T52.008	WIC	R-9891-Y091-Y01.500	5,050.36
E-5005-S070-S06.006	SENIOR SERVICE PROG	R-9891-Y091-Y01.500	67,093.87
E-6010-S079-S07.006	CLRK OF COURTS	R-9891-Y091-Y01.500	8,882.28
E-1561-S086-S03.006	Northern Court-Special	R-9891-Y091-Y01.500	1,262.59
E-1571-S087-S03.006	Eastern Court - Special	R-9891-Y091-Y01.500	1,262.59
E-1551-S088S03.006	Western Court-Special	R-9891-Y091-Y01.500	2,525.18

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E-8010-S030-S68.006	OAKVIEW JUVENILE	R-9891-Y091-Y01.500	27,211.91
E-9799-S012-S02.006	Port Authority	R-9891-Y091-Y01.500	957.98
	WATER DEPARTMENT		
E-3701-P003-P31.000	WWS #2 Revenue	R-9891-Y091-Y01.500	5,986.85
E-3702-P005-P31.000	WWS #3 Revenue	R-9891-Y091-Y01.500	26,247.99
E-3704-P051-P15.000	SSD #1 Revenue	R-9891-Y091-Y01.500	4,592.78
E-3705-P053-P15.000	SSD #2 Revenue	R-9891-Y091-Y01.500	7,509.76
E-3706-P055-P15.000	SSD #3A Revenue	R-9891-Y091-Y01.500	782.10
E-3707-P056-P15.000	SSD #3B Revenue	R-9891-Y091-Y01.500	291.83
	COUNTY HEALTH		
E-2210-E001-E15.006	County Health	R-9891-Y091-Y01.500	17,359.78
E-2233-F085-F01.002	Child & Family Health Services	R-9891-Y091-Y01.500	1,492.48
E-2211-F069-F04.000	Trailer Park	R-9891-Y091-Y01.500	0.00
E-2227-F074-F06.000	Home Sewage Treatment Syst.	R-9891-Y091-Y01.500	0.00
E-2213-F075-F02.003	Vital Stats	R-9891-Y091-Y01.500	505.02
E-2231-F083-F01.002	Public Health Em Preparedness	R-9891-Y091-Y01.500	685.26
E-2232-F084-F02.008	Visiting Nurse	R-9891-Y091-Y01.500	0.00
E-2215-F077-F01.002	Reproductive Health & Wellness	R-9891-Y091-Y01.500	766.38
E-2216-F078-F02.002	Tobacco	R-9891-Y091-Y01.500	0.00
E-2218-G000-G06.003	Food Services	R-9891-Y091-Y01.500	2,220.58
E-2230-F082-F01.002	Personal Responsibility Ed. Prog.	R-9891-Y091-Y01.500	1,530.78
E-2219-N050-N05.000	Water Systems	R-9891-Y091-Y01.500	0.00
E-4110-T075-T52.008	WIC	R-9891-Y091-Y01.500	431.06
	Juv Court/Grants		
E-0400-M067-M05.008	Alternative School	R-9891-Y091-Y01.500	2,525.18
E-0400-M060-M64.008	Care and Custody	R-9891-Y091-Y01.500	0.00
E-0400-M060-M29.008	Care & Custody (C-Cap)	R-9891-Y091-Y01.500	5,050.36
E-0400-M060-M75.008	Care & Cust. (Substance Abuse)	R-9891-Y091-Y01.500	0.00
E-0400-M078-M02.008	Title IV-E Reimbursement	R-9891-Y091-Y01.500	7,575.54
	TOTALS		640,491.41

Upon roll call the vote was as follows:

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

IN THE MATTER OF REQUEST FOR CERTIFICATION OF MONIES BY THE BUDGET COMMISSION

Motion made by Mrs. Favede, seconded by Mr. Coffland to request the Belmont Co. Budget Commission certify the following monies.
GENERAL FUND/EAGLE SCOUT DONATION-FOX SHANNON PARK-\$111.54 deposited into R-0050-A000-A42.500 on 08/10/16.
GENERAL FUND/STATE REIMB. FOR ACTING JUDGES- Q1, 2016--\$727.6F deposited into R-0140-A000-D02.501 on 08/12/16.
N11/9-1-1 SYSTEM UPGRADE LEVY FUND-\$573,765.97 from 03/25/16 deposited into R-9011-N011-N03.500. *Balance needed to process 10-01-16 lease payments to Motorola.*
OIL & GAS RECEIPTS/GENERAL FUND-\$7,246.24 deposited into R-0050-A000-A02.500 on 08/15/16. *\$7,000.00 Lease Bonus-05/04/16-XTO Energy, CK# 0009686429, \$246.24 Royalties-XTO/Kaldor, CK# 64907330.*
TRANSFER FROM GENERAL FUND TO O50 BOND FUND (OIL & GAS RECEIPTS)-\$7,246.24 Transferred on 08/17/16.
XEROX/REFUND OF CREDIT BALANCE-\$114.08 deposited into R-0050-A000-A45.500 on 06/21/16. *Refund of credit balance of account-Xerox(copier lease).*

Upon roll call the vote was as follows:

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

IN THE MATTER OF APPROVING THEN AND NOW CERTIFICATE/AUDITOR'S

Motion made by Mrs. Favede, seconded by Mr. Coffland to execute payment of Then and Now Certification dated August 17, 2016 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 to order.

Upon roll call the vote was as follows:

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

IN THE MATTER OF GRANTING PERMISSION FOR COUNTY EMPLOYEES TO TRAVEL

Motion made by Mrs. Favede, seconded by Mr. Coffland granting permission for county employees to travel as follows:
ENGINEER'S-Terry Lively and Don Pickenpugh to Canton, OH, on October 13-14, 2016, for the Professional Land Surveyors of Ohio, Inc. Fall Seminar. Estimated cost: \$750.00

Upon roll call the vote was as follows:

Mrs. Favede	Yes
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Mr. Coffland	Yes
Mr. Thomas	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 meeting of August 3, 2016.

Upon roll call the vote was as follows:

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

Commissioner Favede made the following announcement:

Announcement: The Belmont County Board of Commissioners is accepting applications to fill two positions as a County Prevention Specialist on the Child Abuse and Child Neglect Regional Prevention Council per ORC 3109.172. County Prevention Specialists may include experts in child welfare, addiction, mental health, developmental disabilities, education, juvenile justice, medicine, or child abuse and neglect prevention. Interested parties need to submit a resume, curriculum vitae or short biography to the Belmont County Board of Commissioners, 101 W. Main St., St. Clairsville, OH 43950 on or before September 2, 2016.

IN THE MATTER OF ENTERING INTO ROADWAY USE AND MAINTENANCE AGREEMENT FOR PIPELINE AND COMPRESSOR PROJECTS AND INFRASTRUCTURE WITH RICE DRILLING D, LLC /DR. AWKWARD, EVIL OLIVE, TUNA NUT & YO BANANA BOY WELL SITES

Motion made by Mrs. Favede, seconded by Mr. Coffland to enter into **Roadway Use and Maintenance Agreement for Pipeline and Compressor Projects and Infrastructure** with Rice Drilling D, LLC, effective August 17, 2016 for the purpose of "Pipeline or Drilling Activity" at 1.49 miles of CR 92 (Hunter-Bethesda Road) for the Dr. Awkward, Evil Olive, Tuna Nut and Yo Banana Boy Well Sites.

Note: No bond needed per County Engineer, Fred Bennett. Rice Drilling has already paved the road.

BELMONT COUNTY ROADWAY USE AND MAINTENANCE AGREEMENT FOR PIPELINE AND COMPRESSOR PROJECTS AND INFRASTRUCTURE

THIS AGREEMENT is entered into at St. Clairsville, Ohio, by and between the Belmont County Commissioners, a political subdivision, whose mailing address is 101 W. Main St., Courthouse, St. Clairsville, Ohio 43950 (hereafter "Authority"), and Rice Drilling D, LLC whose address is 2200 Rice Drive, Canonsburg, PA 15317 (Hereafter "Operator"), and shall be as follows:

RECITALS

WHEREAS, Authority has control of the several county/township roads within Goshen Township in Belmont County, Ohio and is required by law to keep such roads in good repair; and

WHEREAS, Operator is the operator of certain oil and gas leasehold, and intends to develop and operate the [Dr. Awkward, Evil Olive, Tuna Nut, and Yo Banana Boy Well Sites], including the equipment, facilities, impoundments, and pipelines necessary for the operation of the [Dr. Awkward, Evil Olive, Tuna Nut, and Yo Banana Boy Well Sites] (hereafter collectively referred to as "oil and gas development site") located in Goshen Township in Belmont County, Ohio; and

WHEREAS, Operator intends to commence use of 1.49 miles of CR 92 (Hunter-Bethesda Road) for the purpose of ingress to and egress from the pipeline or drilling facilities for the [Dr. Awkward, Evil Olive, Tuna Nut, and Yo Banana Boy Well Sites], for traffic necessary for the purpose of constructing the pipeline or drilling facilities, (hereinafter referred to collectively as "Pipeline or Drilling Activity"); and

WHEREAS, Authority and Operator desire to enter into an agreement, providing for the repair and maintenance of said roads and bridges thereon as a result of such Pipeline or Drilling Activity; and

WHEREAS, if any county or township roads contemplated herein contain any railroad crossings, Section 3 below shall apply;

NOW THEREFORE, in consideration of the good faith performance by each party of the mutual covenants hereinafter set forth, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Operator agrees to the maintenance and repair of said roads and bridges, to their pre- Pipeline or Drilling Activity condition or as modified pursuant to Appendix A, thereon for any damages thereto, as a result of Pipeline or Drilling Activity related to such sites.

FURTHER, Operator shall also provide for the strengthening and upgrading of the roads and bridges if mutually agreed to be necessary for the Pipeline or Drilling Activity, prior to the start of Pipeline or Drilling Activity. The areas and structures required to be strengthened and/or upgraded shall be determined by an engineer provided by the Operator with the approval of the County Engineer to be provided within thirty (30) days of a written request submitted by the Operator. Operator's engineer shall provide a written report to the County detailing the condition of the roads and appurtenances covered under this Agreement along with any recommendations, if necessary.

BOTH PARTIES FURTHER AGREE to the following additional terms and conditions:

1. The portion of CR 92 (Hunter-Bethesda Road) to be utilized by Operator hereunder, is that exclusive portion beginning at CR 86 (Pleasant Ridge Road) and ending at the intersection CR 26 (South 26th Road). It is understood and agreed that the Operator shall not utilize any of the remainder of CR 92 (Hunter-Bethesda Road) for any of its Pipeline or Drilling Activities hereunder.
2. Those portions of said roads and bridges and their appurtenances to be used by Operator hereunder and mutually agreed to require necessary strengthening and/or upgrading by the Operator's Engineer in conjunction with the County Engineer, shall be strengthened and/or upgraded to a condition sufficient and adequate to sustain the anticipated Pipeline or Drilling Activity by Operator, at Operator's sole expense, and with the advice and approval of the County Engineer as detailed in Appendix A. Thereafter, such roads shall be maintained by Operator for damages caused by Operator's Pipeline or Drilling Activity, at Operator's sole expense, throughout the term of this Agreement, to a level consistent with the condition of such roads at the commencement of its use by the Operator hereunder or as modified pursuant to Appendix A, as determined by the Operator's engineer and the Belmont County Engineer. The maintenance of aforementioned roads includes the use of a commercially recognized dust palliative to control the airborne dust created and/or contributed to by the Operator or the Operator's contractors and or agents.
3. The Operator shall give notice to the railroad at least thirty (30) days prior to any known Pipeline or Drilling Activity utilizing a railroad crossing so that a joint inspection can determine the condition of the crossing. Additionally, the Operator shall coordinate all work needing to be performed at a railroad crossing with the railroad company at least thirty (30) days prior to starting work on a railroad crossing. If the railroad company fails to respond to the Operator's notice of work needing to be performed at a railroad crossing within thirty (30) days of receipt of such notice, then the railroad waives all rights it has under this agreement with respect to the work specified in the notice. Work performed at a railroad crossing may include a separate agreement at the railroad's discretion. The Authority shall not be liable for any incidents arising out of or related to work performed at any railroad crossing pursuant to this Agreement or any separate Agreement between the Operator and the railroad company, or lack of notification by Operator.
4. Either the Operator or the Authority may terminate this Agreement with just cause following at least thirty (30) days written notice to the other of its intent to terminate. As soon as possible after receipt of such notice, the Authority and the Operator shall inspect said roads and bridges and their appurtenances. Following final inspection, the parties shall meet, and all restoration resulting from Operator's Pipeline or Drilling Activity shall be identified and thereafter completed by the Operator to insure the roads are at least returned to the condition they were in prior to the Operator's use for its Pipeline or Drilling Activity, at Operator's sole expense. Following completion of all restoration work, this Agreement shall be terminated and of no further force or effect.
5. Unless accepted for the reasons provided below, prior to the Pipeline or Drilling Activity on the designated Route, Operator shall post a bond or other surety in a form satisfactory to the Authority to cover the costs of any damage caused by the Pipeline or Drilling Activity on the Route by Operator. The amount of the bond or surety shall be in an amount of 0 & 00/100 DOLLARS (0.00 per mile paved). However, no such bond or surety shall be required of Operator, if any of the following conditions are satisfied:
 - a. A geotechnical analysis of the route provided by the Operator and mutually accepted by the Authority and Operator exhibits that the route's condition is sufficient for the expected traffic necessary for the development of the oil and gas development site.

- b. The Operator provides a geotechnical analysis of the route, mutually accepted by the Authority and Operator, and based on that analysis, an Operator and Authority-approved maintenance plan for the route or an Operator and Authority-approved preventative repair plan of the route is attached to the Agreement as an addendum.
 - c. The Operator has provided a sufficient bond or surety accepted by the Authority and Operator, in favor of the Authority for road usage by the Operator within the Authority’s oversight (Bond number B008958, \$3,000,000).
 - 6. All motor vehicles to be utilized by Operator hereunder, whether owned by Operator or others, shall comply with all legal size, load and weight limits in accordance with State Law, and all non-conforming vehicles shall require the proper local permit.
 - 7. Operator shall furnish the Authority with a written Letter of Authority, setting forth all necessary contact information, including a twenty-four (24) hour emergency contact number, for the authorized local representative of the Operator, and such information shall be maintained and kept current at all times concerned hereunder.
 - 8. If Authority determines that any additional traffic signage is needed, or desired, as a result of this Agreement and in the interests of safety, then Operator shall provide for such signage at Operator’s sole expense. In the event that any other safety concerns should arise during the course of this Agreement, Operator and Authority agree that they will mutually discuss such concerns and reach a resolution satisfactory to all concerned.
 - 9. Operator acknowledges that pursuant to Ohio Attorney General Opinion 2012-029 issued on September 19, 2012, the County is required to comply with Revised Code 4115.03-.16 when the total overall project cost to the Operator is fairly estimated to be more than the amount prescribed in Ohio Revised Code Section 4115.03 (B)(4). Operator further acknowledges that at the time any necessary road maintenance or repairs are required, the estimated costs and actual cost of such work to be performed pursuant to this agreement will be solely within the knowledge of Operator since Operator is responsible for paying 100% of said cost. Therefore, Operator hereby agrees that Operator will take all measures to ensure compliance with Ohio’s Prevailing Wage Laws.
 - 10. Operator shall protect, save, indemnify, and hold the Authority, its officials, agents and employees harmless from any liability, claims, damages, penalties, charges, or costs including reasonable attorney’s fees which may arise or be claimed as a result of any violations of any laws or ordinances, or any loss, damage or expense, including injury or death to any person, from any cause or causes from Operator’s use of the roads pursuant to this Agreement. “The forgoing indemnity shall not apply to the extent that such claims are attributable to the fault or negligence of the Authority”.
 - 11. Operator assumes all liability for subcontractors and or agents working on Operator’s behalf for this specific agreement.
 - 12. This Agreement shall be binding upon Operator and Authority, and their respective successors and assigns.
 - 13. In any event that any clause, provision or remedy in this Agreement shall, for any reason, be deemed invalid or unenforceable, the remaining clauses and provisions shall not be affected, impaired or invalidated and shall remain in full force and effect.
 - 14. Agreement shall be governed by the laws of the State of Ohio.
 - 15. This Agreement shall be in effect on August 17, 2016.
- Executed in duplicate on the dates set forth below.

<p>Authority By: <u>Mark A. Thomas /s/</u> Commissioner By: <u>Ginny Favede /s/</u> Commissioner By: <u>Matt Coffland /s/</u> Commissioner By: <u>Fred F. Bennett /s/</u> County Engineer Dated: <u>8/17/2016</u> Approved as to Form: <u>David K. Liberati /s/ assist</u> County Prosecutor Upon roll call the vote was as follows:</p>	<p>Operator By: <u>Joseph C. Mallow /s/</u> Printed name: <u>Joseph C. Mallow</u> Company Name: <u>Rice Drilling D, LLC</u> Title: <u>Managing Director, Permitting, & Construction</u> Dated: <u>8/9/16</u></p>
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Mrs. Favede	Yes
Mr. Coffland	Yes
Mr. Thomas	Yes

RESOLUTION AUTHORIZING MATT COFFLAND TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) AND TO EXECUTE CONTRACTS AS REQUIRED
“AUTHORIZATION LEGISLATION DESIGNATING OFFICIAL”
ATTACHMENT C

Motion made by Commissioner Favede, seconded by Commissioner Thomas to adopt the following resolution:
 WHEREAS, the State Capital Improvement Program and the Local Transportation Improvement Program both provide financial assistance to political subdivisions for capital improvements to public infrastructure; and
 WHEREAS, the Belmont County Commission is planning to make capital improvements to **BEL-2, BEL- 86 AND WASHINGTON T-103 Slip Repair Project**; and
 WHEREAS, the infrastructure improvements herein above described is considered to be a priority need for the community and is a qualified project under the OPWC programs.
 NOW THEREFORE, BE IT RESOLVED by Belmont County Commission:
 Section 1: Belmont County Commissioner Matt Coffland is hereby authorized to apply to the OPWC for funds as described above.
 Section 2: Belmont County Commissioner Matt Coffland is authorized to enter into any agreements as may be necessary and appropriate for obtaining this financial assistance.
 Upon roll call the foregoing was unanimously adopted.
 Passed: August 17, 2016

Signed: **Belmont County Commissioners**
Ginny Favede /s/
 Commission President
Matt Coffland /s/
 Commission Vice-President
Mark A. Thomas /s/
 Commissioner

IN THE MATTER OF APPROVING AND AUTHORIZING COMMISSIONER MATT COFFLAND TO SIGN THE OHIO PUBLIC WORKS COMMISSION PROJECT GRANT AGREEMENT FOR THE BEL-54-3.62 SLIP REPAIR

Motion made by Mrs. Favede, seconded by Mr. Thomas to approve and authorize Commissioner Matt Coffland to sign, on behalf of the Board, to enter into the Ohio Public Works (OPWC) Project Grant Agreement for the **BEL 54-3.62 Slip Repair** in the amount of \$100,917.00, OPWC Project Grant Control Number CU01T, based upon the recommendation of Fred Bennett, County Engineer.
 Note: Project is funded 90% OPWC, 10% MVGT

Upon roll call the vote was as follows:

Mrs. Favede	Yes
Mr. Thomas	Yes

Mr. Coffland Yes

IN THE MATTER OF ACCEPTING PUBLIC ROAD PETITION FOR VACATION OF MULTIPLE ROADS AND ALLEY IN LOOMIS IN GOSHEN TWP./RD. IMP 1148

Motion made by Mrs. Favede, seconded by Mr. Coffland to accept the following Public Road Petition for the vacation of multiple roads and alley in Loomis located in Goshen Township, Sec. 06, T-7, R-5 and hereby authorize the Clerk of the Board to establish the required date and time for the viewing and hearing and proceed with the Notice of Publication for the proposed vacation hereinafter known as Road Improvement #1148 in accordance with Ohio Revised Code Section 5553.04.

PUBLIC ROAD PETITION
Rev. Code Sec. 5553.04
WITH PETITION
Belmont County, Ohio

July 28, 2016
IMP- 1148

To the Honorable Board of County Commissioners of Belmont County, Ohio:

The undersigned petitioners, freeholders of said county residing in the vicinity of the proposed improvement hereinafter described, represent that the public convenience and welfare require the Vacation of multiple roads and alley in Loomis which is located in Goshen Twp. Sec 06, T-7, R-5 and on Cab. D Slide 226

a Public Road on the line hereinafter described, and make application to you to institute and order proper proceedings in the premises, for vacating such road, the same not being a road on the State Highway System.

The following is the general route and termini of said road:

Starting at the intersection of Twp. 1003 (Loomis Pine Rd.) and alley going 521.5 feet in a northern direction to the northeast corner of LOT 50. On the alley from the intersection of alley and Twp. 1003 goes 350 feet in an eastern direction to the southeast corner of LOT 18. For road (no name or township number) start at the intersection of Twp. 1003 and road going 400 feet in a eastern direction to the southeast corner of lot 26

PUBLIC ROAD PETITION
TAX MAILING ADDRESS (PLEASE PRINT)

NAME (SIGN & PRINT)	TAX MAILING ADDRESS (PLEASE PRINT)
<i>Jennifer L Stack /s/</i>	43665 Belmont-Warnock Rd.
Jennifer L. Stack	Belmont, Ohio 43718
<i>Bryan E Nichols /s/</i>	43691 Watertower Rd
Bryn E Nichols	Belmont Ohio 43718
<i>Mary Nichols /s/</i>	43691 Watertower Rd
Mary Nichols	Belmont OH 43718
<i>Matthew B Cain /s/</i>	42840 Belmont Centerville Rd
Matthew B Cain	Belmont Ohio 43718
<i>Katherine M Cain /s/</i>	42840 Belmont Centerville Rd.
Katherine M Cain	Belmont Ohio 43718
Lois Funkhouser	43797 Belmont Warnock Rd Belmont Oh
<i>Lois Funkhouser /s/</i>	Belmont Oh 43718
Ashley R Anderson	43798 Belmont Warnock Rd
<i>Ashley R Anderson /s/</i>	Belmont OH 43718
<i>Eric Anderson /s/</i>	43798 Belmont Warnock Rd
Eric Anderson	Belmont Ohio 43718
<i>Brian Harris /s/</i>	63835 North Johnson Rd.
Brian Harris	Bethesda, OH 43719
<i>Virgil S Templeton /s/</i>	64638 Loomis Pines
Virgil L Templeton	Belmont, Ohio 43718
<i>Shirley M. Good /s/</i>	43875 Main St.
Shirley M Good	Belmont Ohio 43718
<i>Greg Janosik /s/</i>	64663 Spillway Belmont
Greg Janosik	Ohio 43718
<i>Scott Wallace /s/</i>	43951 Watertower Rd – Belmont
Scott Wallace	Ohio 43718
Mary M. Janosik	64669 Spillway Rd. Belmont Ohio 43718
<i>Mary M Janosik /s/</i>	
David Wise	44010 Belmont Warnock Rd
<i>David Wise /s/</i>	Belmont, Ohio 43718
Clifford Stack	43563 Belmont Warnock Rd
<i>Clifford Stack /s/</i>	Belmont, Ohio 43718
Kurt S. Bolock	41773 Palmer Rd.
<i>Kurt S. Bolock /s/</i>	Belmont OH. 43718

Upon roll call the vote was as follows:

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

August 17, 2016

**IN THE MATTER OF THE VACATION OF
MULTIPLE ROADS AND ALLEY IN LOOMIS
GOSHEN TWP. SEC. 06, T-7, R-5/RD IMP 1148**

Office of County Commissioner

Belmont County, Ohio

**Journal Entry, Order Fixing Time and Place of View and of Final Hearing and Notice
Thereof on Public Road Petition
Rev. Code, Sec. 5553.05
RD. IMP. 1148**

The Board of County Commissioners of Belmont County, Ohio, met in regular session on the 17th day of August, 2016 at the office of the Commissioners with the following members present:

Mrs. Favede
Mr. Coffland
Mr. Thomas

Mrs. Favede moved the adoption of the following:

RESOLUTION

WHEREAS, A Petition signed by at least twelve freeholders of the County residing in the vicinity of the proposed improvement has been presented to this Board of County Commissioners requesting said Board to vacate multiple roads and alley in Loomis located in Goshen Township Section 06, T-7, R-5, Belmont County, Ohio.

RESOLVED, That the 31st day of August, 2016 at 12:00 o'clock P.M., be fixed as the date when we will view the proposed improvement, on which date we will meet at the site and go over the line of said proposed improvement; and be it further

RESOLVED, That the 7th day of September, 2016, at 9:30 o'clock A.M. be fixed as the date for a final hearing thereof, which hearing will be at the office of the Board; and be it further

RESOLVED, That the Clerk of this Board be and she is hereby directed to give notice of the time and place for both such view and hearing by publication once a week for two consecutive weeks in the Times Leader a newspaper published and having general circulation in the County, which said notice shall also state briefly the character of said proposed improvement.

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

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

Adopted August 17, 2016

Jayne Long /s/
Clerk, Belmont County, Ohio

**NOTICE OF TIME AND PLACE OF VIEW AND OF FINAL HEARING
PUBLIC ROAD (by publication)
Rev. Code, Sec. 5553.05
ROAD IMP. # 1148**

Notice is hereby given that there is before the Board of County Commissioners of Belmont County, Ohio, the matter of the vacation of multiple roads and alley in Loomis which is located in Goshen Twp. Section 06, T-7, R-5.

Starting at the intersection of Twp. 1003 (Loomis Pine Rd.) and alley going 521.5 feet in a northern direction to the northeast corner of LOT 50. On the alley from the intersection of alley and Twp. 1003 goes 350 feet in an eastern direction to the southeast corner of LOT 18. For road (no name or township number) start at the intersection of Twp. 1003 and road going 400 feet in an eastern direction to the southeast corner of lot 26.

Said Board of County Commissioners has fixed the 31st day of August, 2016, at 12:00 o'clock P.M., as the date when and the site as the place where said Board will view the proposed improvement, and has also fixed the 7th day of September, 2016, at 9:30 o'clock A.M., at their office in the Court House of said County in St. Clairsville, Ohio as the time and place for the final hearing on said proposed improvement.

**By Order of the Board of County Commissioners,
Belmont County, Ohio**
Jayne Long /s/
Jayne Long, Clerk

ADV. TIMES LEADER (2) Tuesdays: August 23, 2016 and August 30, 2016

**IN THE MATTER OF ADOPTING RESOLUTION
AUTHORIZING CLEMANS, NELSON, & ASSOCIATES, INC.
TO INITIATE SUCCESSOR CONTRACT NEGOTIATIONS ON
BEHALF OF BELMONT COUNTY BOARD OF COMMISSIONERS FOR
BELMONT COUNTY 911 AND SHERIFF'S DEPARTMENT**

Motion made by Mrs. Favede, seconded by Mr. Coffland to adopt the following resolution:

Resolved, that Clemans, Nelson & Associates, Inc. is authorized to initiate successor contract negotiations with Fraternal Order of Police/Ohio Labor Council, Inc., on behalf of the Belmont County Board of Commissioners, for the Belmont County 911 and Sheriff's Department collective bargaining units and to file the necessary paperwork as the employer's representative per the Retainer Agreement in effect with Clemans-Nelson.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADOPTING RESOLUTION AUTHORIZING THE ISSUANCE OF NOT TO EXCEED
\$1,000,000 OF NOTES TO PAY PART OF THE COST OF ACQUIRING AND CONSTRUCTING WATER SYSTEM
IMPROVEMENTS, INCLUDING WATER LATERALS**

ENTERED IN COMMISSIONERS' JOURNAL
NO. 98, PAGE NO. _____

The Board of County Commissioners of the County of Belmont, Ohio, met in regular session at 9 o'clock a.m., on August 17, 2016, at the commissioners meeting room located in the Courthouse, St. Clairsville, Ohio, with the following members present:

Mrs. Favede _____ Mr. Coffland _____ Mr. Thomas _____
Absent: _____

There was presented to the Board a Certificate As To Maximum Maturity of Bonds and Bond Anticipation Notes signed by the County Auditor.

Mrs. Favede moved the adoption of the following resolution:

COUNTY OF BELMONT, OHIO
RESOLUTION NO. N/A

**RESOLUTION AUTHORIZING THE ISSUANCE OF NOT TO
EXCEED \$1,000,000 OF NOTES TO PAY PART OF THE COST
OF ACQUIRING AND CONSTRUCTING WATER SYSTEM**

IMPROVEMENTS, INCLUDING WATER LATERALS.

WHEREAS, this Board of County Commissioners of the County of Belmont, Ohio (the "County") has heretofore determined the necessity of acquiring and constructing water system improvements, including water laterals (collectively, the "Project"); and

WHEREAS, the County Auditor has heretofore estimated that the life of the improvements and assets to be acquired with the proceeds of the notes and bonds hereinafter referred to is at least five (5) years, and certified that the maximum maturity of the bonds issued therefor is forty (40) years, and of notes to be issued in anticipation thereof is twenty (20) years; and

WHEREAS, this Board of County Commissioners anticipates that debt service on such bonds will be paid from the net revenues of the County's water supply, treatment, storage and distribution utility, and on such notes from such net revenues and proceeds of such bonds or renewal notes (collectively, the "Revenues"); and

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of the County of Belmont, Ohio:

SECTION 1. That it is necessary to issue bonds of this County in a principal amount not to exceed \$1,000,000 for the purpose of paying part of the cost of the Project, including "financing costs" as defined in Section 133.01 of the Ohio Revised Code.

SECTION 2. That bonds of this County shall be issued in said principal amount for the purpose aforesaid under authority of the general laws of the State of Ohio, particularly Chapter 133 of the Ohio Revised Code. Said bonds shall be dated approximately September 1, 2017, shall bear interest at the rate of approximately six percent (6%) per annum, payable semiannually, and shall mature in substantially equal annual installments over a period not exceeding forty (40) years.

SECTION 3. That it is hereby determined that notes (hereinafter called the "Notes") in a principal amount not to exceed \$1,000,000 shall be issued in anticipation of the issuance of said bonds. The Notes shall (i) be issued in such principal amount, (ii) be dated the date of their issuance, (iii) mature not more than one (1) year from such date of issuance; (iv) bear interest at a rate per annum not exceeding five percent (5%) per annum, which interest shall be payable at maturity, (v) be issued in such numbers and denominations of \$100,000 or more as may be requested by the purchaser, and (vi) be payable as to both principal and interest in federal funds of the United States of America at the office of a bank or trust company designated to serve as the paying agent, registrar and transfer agent (the "Paying Agent and Registrar") for the Notes, all as determined by the County Auditor without further action of this Board of County Commissioners in a certificate of award (the "Certificate of Award"), which determinations shall be conclusive.

The Notes shall not be subject to call for redemption at any time prior to maturity.

The Notes shall be issued in fully-registered form, without coupons, and shall be payable without deduction for exchange, collection or service charges to the person whose name appears on the Note registration records to be maintained by the Paying Agent and Registrar as the registered holder thereof.

The Notes shall be transferable by the registered holder thereof in person or by his attorney duly authorized in writing at the office of the Paying Agent and Registrar upon presentation and surrender thereof to the Paying Agent and Registrar. No transfer of any Note shall be effective until entered upon the registration records maintained by the Paying Agent and Registrar. Upon such transfer, a new Note or Notes of authorized denominations of the same maturity and for the same aggregate principal amount shall be issued to the transferee in exchange therefor.

This County and the Paying Agent and Registrar may deem and treat the registered holders of the Notes as the absolute owners thereof for all purposes, and neither this County nor the Paying Agent and Registrar shall be affected by any notice to the contrary.

The Notes shall be designated "Water System Improvement Bond Anticipation Notes, Series 2016" or as otherwise provided in the Certificate of Award.

SECTION 4. That the Notes shall bear the signatures of at least two members of this Board of County Commissioners and the County Auditor, provided that all of such signatures may be facsimiles. The Notes shall express on their faces the purpose for which they are issued and that they are issued pursuant to this resolution. The Notes shall bear the manual authenticating signature of an authorized representative of the Paying Agent and Registrar.

SECTION 5. That the Notes shall be sold to William Blair & Company (the "Purchaser") at not less than 100% of the principal amount thereof, plus accrued interest to the date of delivery, as determined by the County Auditor in the Certificate of Award without further action of this Board pursuant to the Purchaser's offer to purchase which such officer is hereby authorized to accept. The proceeds from such sale, except any premium or accrued interest thereon, shall be used for the purpose aforesaid and for no other purpose, and for which purpose said proceeds are hereby appropriated. Any premium and accrued interest shall be transferred to the bond retirement fund to be applied to the payment of principal and interest of the Notes in the manner provided by law. The Notes may be issued and sold on a consolidated basis with other notes of this County pursuant to Section 133.30(B) of the Ohio Revised Code and a consolidating resolution adopted by this Board of County Commissioners on this date if the County Auditor so determines, in which event, the terms of which are incorporated herein by reference. Such consolidated note issue is referred to herein as the "Consolidated Note Issue."

SECTION 6. That the Notes shall be the full general obligations of this County, and the full faith, credit and revenue of this County are hereby pledged for the prompt payment of the same. The principal amount received from the sale of the bonds anticipated by the Notes and any excess fund resulting from the issuance of the Notes shall, to the extent necessary, be used only for the retirement of the Notes at maturity, together with interest thereon and is hereby pledged for such purpose.

SECTION 7. That during the year or years while the Notes run there shall be levied upon all of the taxable property in this County in addition to all other taxes, a direct tax annually not less than that which would have been levied if bonds had been issued without the prior issue of the Notes; provided, however, that in each year to the extent the Revenues and other moneys are available for the payment of the Notes and bonds and are appropriated for such purpose, the amount of such tax shall be reduced by the amount of such Revenues and other moneys so available and appropriated.

SECTION 8. That said tax shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers in the same manner and at the same time that taxes for general purposes for each of said years are certified, extended and collected. Said tax shall be placed before and in preference to all other items and for the full amount thereof. The funds derived from said tax levy hereby required, or from the other described sources, shall be placed in a separate and distinct fund, which together with all interest collected on the same, shall be pledged irrevocably for the payment of the principal and interest of the Notes or the bonds in anticipation of which they are issued when and as the same fall due.

SECTION 9. That this Board of County Commissioners hereby covenants that it will restrict the use of the proceeds of the Notes hereby authorized in such manner and to such extent, if any, as may be necessary, after taking into account reasonable expectations at the time the debt is incurred, so that they will not constitute "arbitrage bonds" under Sections 103(b)(2) and 148 of the Internal Revenue Code of 1986, as amended (the "Code") and the regulations prescribed thereunder and will, to the extent possible, comply with all other applicable provisions of the Code and the regulations thereunder in order to retain the Federal income tax exemption for interest on the Notes, including any expenditure requirements, investment limitations, rebate requirements or use restrictions. The County Auditor or any other officer having responsibility with respect to the issuance of the Notes is authorized and directed to give an appropriate certificate on behalf of the County on the date of delivery of the Notes for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances and reasonable expectations pertaining to the use of the proceeds thereof and the provisions of the Code and the regulations thereunder.

SECTION 10. That the law firm of Peck, Shaffer & Williams, A Division of Dinsmore & Shohl LLP be and is hereby retained as bond counsel to the County to prepare the necessary authorization and related closing documents for the issuance, sale and delivery of the Notes and, if appropriate, rendering its approving legal opinion in connection therewith in accordance with the written agreement presently on file with the County which at least two members of this Board of County Commissioners and the County Auditor are each hereby separately authorized to execute and deliver on behalf of the County, with such changes thereto not substantially adverse to the County as may be approved by such officers. The approval of such changes by such officers, and that the same are not substantially adverse to the County, shall be conclusively evidenced by the execution of such agreement by such officers. Such law firm shall be compensated by the County for the above services in accordance with such written agreement.

SECTION 11. That at least two members of this Board and the County Auditor are separately hereby authorized, alone or with others, to execute and deliver an agreement with the Paying Agent and Registrar for its services as paying agent, registrar and transfer agent for the Notes as a part of the Consolidated Note Issue in such form as such officer may approve, the execution thereof by such officer to be conclusive evidence of such authorization and approval.

August 17, 2016

SECTION 12. That the Clerk of this Board of County Commissioners, is hereby directed to forward a certified copy of this resolution to the County Auditor.

SECTION 13. That it is found and determined that all formal actions of this Board of County Commissioners concerning and relating to the adoption of this resolution were adopted in an open meeting of this Board of County Commissioners, and that all deliberations of this Board of County Commissioners and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law, including Section 121.22 of the Ohio Revised Code.

SECTION 14. That this resolution shall take effect immediately upon its adoption.

Mr. Coffland seconded the resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

AYES: Mrs. Favede _____ Mr. Coffland _____ Mr. Thomas _____

NAYS: _____

ADOPTED, this 17th day of August, 2016.

Jayne Long /s/ _____

Clerk

Board of County Commissioners

County of Belmont, Ohio

IN THE MATTER OF ADOPTING RESOLUTION AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$1,500,000 OF NOTES TO PAY PART OF THE COST OF CONSTRUCTING IMPROVEMENTS TO THE BELMONT COUNTY COURTHOUSE

ENTERED IN COMMISSIONERS' JOURNAL

NO. 98, PAGE NO. _____

The Board of County Commissioners of the County of Belmont, Ohio, met in regular session at 9 o'clock a.m., on August 17, 2016, at the commissioners meeting room located in the Courthouse, St. Clairsville, Ohio, with the following members present:

Mrs. Favede _____ Mr. Coffland _____ Mr. Thomas _____

Absent: _____

There was presented to the Board a Certificate As To Maximum Maturity of Bonds and Bond Anticipation Notes signed by the County Auditor.

Mrs. Favede moved the adoption of the following resolution:

COUNTY OF BELMONT, OHIO

RESOLUTION NO. N/A

RESOLUTION AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$1,500,000 OF NOTES TO PAY PART OF THE COST OF CONSTRUCTING IMPROVEMENTS TO THE BELMONT COUNTY COURTHOUSE

WHEREAS, this Board of County Commissioners of the County of Belmont, Ohio (the "County") has heretofore determined the necessity of constructing improvements to the Belmont County Courthouse (the "Project"); and

WHEREAS, the County Auditor has heretofore estimated that the life of the improvements and assets to be acquired with the proceeds of the notes and bonds hereinafter referred to is at least five (5) years, and certified that the maximum maturity of the bonds issued therefor is thirty (30) years, and of notes to be issued in anticipation thereof is twenty (20) years; and

WHEREAS, this Board of County Commissioners anticipates that debt service on such bonds will be paid from the general revenues of the County (collectively, the "Revenues"); and

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of the County of Belmont, Ohio:

SECTION 1. That it is necessary to issue bonds of this County in a principal amount not to exceed \$1,500,000 for the purpose of paying part of the cost of the Project, including "financing costs" as defined in Section 133.01 of the Ohio Revised Code.

SECTION 2. That such bonds shall be issued in said principal amount for the purpose aforesaid under authority of the general laws of the State of Ohio, particularly Chapter 133 of the Ohio Revised Code. Said bonds shall be dated approximately September 1, 2017, shall bear interest at the rate of approximately six percent (6%) per annum, payable semiannually, and shall mature in substantially equal annual installments over a period not exceeding thirty (30) years.

SECTION 3. That it is hereby determined that notes (hereinafter called the "Notes") in a principal amount not to exceed \$1,500,000 shall be issued in anticipation of the issuance of said bonds. The Notes shall (i) be issued in such principal amount, (ii) be dated the date of their issuance, (iii) mature not more than one (1) year from such date of issuance; (iv) bear interest at a rate per annum not exceeding five percent (5%) per annum, which interest shall be payable at maturity, (v) be issued in such numbers and denominations of \$100,000 or more as may be requested by the purchaser, and (vi) be payable as to both principal and interest in federal funds of the United States of America at the office of a bank or trust company designated to serve as the paying agent, registrar and transfer agent (the "Paying Agent and Registrar") for the Notes, all as determined by the County Auditor without further action of this Board of County Commissioners in a certificate of award (the "Certificate of Award"), which determinations shall be conclusive.

The Notes shall not be subject to call for redemption at any time prior to maturity.

The Notes shall be issued in fully-registered form, without coupons, and shall be payable without deduction for exchange, collection or service charges to the person whose name appears on the Note registration records to be maintained by the Paying Agent and Registrar as the registered holder thereof.

The Notes shall be transferable by the registered holder thereof in person or by his attorney duly authorized in writing at the office of the Paying Agent and Registrar upon presentation and surrender thereof to the Paying Agent and Registrar. No transfer of any Note shall be effective until entered upon the registration records maintained by the Paying Agent and Registrar. Upon such transfer, a new Note or Notes of authorized denominations of the same maturity and for the same aggregate principal amount shall be issued to the transferee in exchange therefor.

This County and the Paying Agent and Registrar may deem and treat the registered holders of the Notes as the absolute owners thereof for all purposes, and neither this County nor the Paying Agent and Registrar shall be affected by any notice to the contrary.

The Notes shall be designated "Courthouse Renovation Bond Anticipation Notes, Series 2016" or as otherwise provided in the Certificate of Award.

SECTION 4. That the Notes shall bear the signatures of at least two members of this Board of County Commissioners and the County Auditor, provided that all of such signatures may be facsimiles. The Notes shall express on their faces the purpose for which they are issued and that they are issued pursuant to this resolution. The Notes shall bear the manual authenticating signature of an authorized representative of the Paying Agent and Registrar.

SECTION 5. That the Notes shall be sold to William Blair & Company (the "Purchaser") at not less than 100% of the principal amount thereof, plus accrued interest to the date of delivery, as determined by the County Auditor in the Certificate of Award without further action of this Board pursuant to the Purchaser's offer to purchase which such officer is hereby authorized to accept. The proceeds from such sale, except any premium or accrued interest thereon, shall be used for the purpose aforesaid and for no other purpose, and for which purpose said proceeds are hereby appropriated. Any premium and accrued interest shall be transferred to the bond retirement fund to be applied to the payment of principal and interest of the Notes in the manner provided by law. The Notes may be issued and sold on a consolidated basis with other notes of this County pursuant to Section 133.30(B) of the Ohio Revised Code and a consolidating resolution adopted by this Board of County Commissioners on this date if the County Auditor so determines, in which event, the terms of which are incorporated herein by reference. Such consolidated note issue is referred to herein as the "Consolidated Note Issue."

SECTION 6. That the Notes shall be the full general obligations of this County, and the full faith, credit and revenue of this County are hereby pledged for the prompt payment of the same. The principal amount received from the sale of the bonds anticipated by the Notes and any excess fund resulting from the issuance of the Notes shall, to the extent necessary, be used only for the retirement of the Notes at maturity, together with interest thereon and is hereby pledged for such purpose.

SECTION 7. That during the year or years while the Notes run there shall be levied upon all of the taxable property in this County in addition to all other taxes, a direct tax annually not less than that which would have been levied if bonds had been issued without the prior issue of the Notes; provided, however, that in each year to the extent the Revenues and other moneys are available for the payment of the Notes and bonds and are appropriated for such purpose, the amount of such tax shall be reduced by the amount of such Revenues and other moneys so available and appropriated.

SECTION 8. That said tax shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers in the same manner and at the same time that taxes for general purposes for each of said years are certified, extended and collected. Said tax shall be placed before and in preference to all other items and for the full amount thereof. The funds derived from said tax levy hereby required, or from the other described sources, shall be placed in a separate and distinct fund, which together with all interest collected on the same, shall be pledged irrevocably for the payment of the principal and interest of the Notes or the bonds in anticipation of which they are issued when and as the same fall due.

SECTION 9. That this Board of County Commissioners hereby covenants that it will restrict the use of the proceeds of the Notes hereby authorized in such manner and to such extent, if any, as may be necessary, after taking into account reasonable expectations at the time the debt is incurred, so that they will not constitute "arbitrage bonds" under Sections 103(b)(2) and 148 of the Internal Revenue Code of 1986, as amended (the "Code") and the regulations prescribed thereunder and will, to the extent possible, comply with all other applicable provisions of the Code and the regulations thereunder in order to retain the Federal income tax exemption for interest on the Notes, including any expenditure requirements, investment limitations, rebate requirements or use restrictions. The County Auditor or any other officer having responsibility with respect to the issuance of the Notes is authorized and directed to give an appropriate certificate on behalf of the County on the date of delivery of the Notes for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances and reasonable expectations pertaining to the use of the proceeds thereof and the provisions of the Code and the regulations thereunder.

SECTION 10. That the law firm of Peck, Shaffer & Williams, A Division of Dinsmore & Shohl LLP be and is hereby retained as bond counsel to the County to prepare the necessary authorization and related closing documents for the issuance, sale and delivery of the Notes and, if appropriate, rendering its approving legal opinion in connection therewith in accordance with the written agreement presently on file with the County which at least two members of this Board of County Commissioners and the County Auditor are each hereby separately authorized to execute and deliver on behalf of the County, with such changes thereto not substantially adverse to the County as may be approved by such officers. The approval of such changes by such officers, and that the same are not substantially adverse to the County, shall be conclusively evidenced by the execution of such agreement by such officers. Such law firm shall be compensated by the County for the above services in accordance with such written agreement.

SECTION 11. That at least two members of this Board and the County Auditor are separately hereby authorized, alone or with others, to execute and deliver an agreement with the Paying Agent and Registrar for its services as paying agent, registrar and transfer agent for the Bonds as a part of the Consolidated Note Issue in such form as such officer may approve, the execution thereof by such officer to be conclusive evidence of such authorization and approval.

SECTION 12. That the Clerk of this Board of County Commissioners, is hereby directed to forward a certified copy of this resolution to the County Auditor.

SECTION 13. That it is found and determined that all formal actions of this Board of County Commissioners concerning and relating to the adoption of this resolution were adopted in an open meeting of this Board of County Commissioners, and that all deliberations of this Board of County Commissioners and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law, including Section 121.22 of the Ohio Revised Code.

SECTION 14. That this resolution shall take effect immediately upon its adoption.

Mr. Coffland seconded the resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

AYES: Mrs. Favede Mr. Coffland Mr. Thomas

ADOPTED, this 17th day of August, 2016.

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

IN THE MATTER OF ADOPTING RESOLUTION AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$5,000,000 OF NOTES TO PAY PART OF THE COST OF ROAD IMPROVEMENTS

ENTERED IN COMMISSIONERS' JOURNAL
NO. 98, PAGE NO. _____

The Board of County Commissioners of the County of Belmont, Ohio, met in regular session at 9 o'clock a.m., on August 17, 2016, at the commissioners meeting room located in the Courthouse, St. Clairsville, Ohio, with the following members present:

Mrs. Favede Mr. Coffland Mr. Thomas

Absent: _____

There was presented to the Board a Certificate As To Maximum Maturity of Bonds and Bond Anticipation Notes signed by the County Auditor.

Mrs. Favede moved the adoption of the following resolution:

COUNTY OF BELMONT, OHIO
RESOLUTION NO. N/A
RESOLUTION AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$5,000,000 OF NOTES TO PAY PART OF THE COST OF ROAD IMPROVEMENTS

WHEREAS, this Board of County Commissioners of the County of Belmont, Ohio (the "County") has heretofore determined the necessity of constructing road improvements in the Mall Road area of the County (the "Project"); and

WHEREAS, the County Auditor has heretofore estimated that the life of the improvements and assets to be acquired with the proceeds of the notes and bonds hereinafter referred to is at least five (5) years, and certified that the maximum maturity of the bonds issued therefor is twenty (20) years, and of notes to be issued in anticipation thereof is twenty (20) years; and

WHEREAS, this Board of County Commissioners anticipates that debt service on such bonds will be paid from service payments in lieu of taxes and other payments received by the County with respect to the Project and the general revenues of the County (collectively, the "Revenues");

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of the County of Belmont, Ohio:

SECTION 1. That it is necessary to issue bonds of this County in a principal amount not to exceed \$5,000,000 for the purpose of paying part of the cost of the Project, including "financing costs" as defined in Section 133.01 of the Ohio Revised Code.

SECTION 2. That bonds of this County shall be issued in said principal amount for the purpose aforesaid under authority of the general laws of the State of Ohio, particularly Chapter 133 of the Ohio Revised Code. Said bonds shall be dated approximately September 1, 2017, shall bear interest at the rate of approximately six percent (6%) per annum, payable semiannually, and shall mature in substantially equal annual installments over a period not exceeding twenty (20) years.

SECTION 3. That it is hereby determined that notes (hereinafter called the "Notes") in a principal amount not to exceed \$5,000,000 shall be issued in anticipation of the issuance of said bonds. The Notes shall (i) be issued in such principal amount, (ii) be dated the date of their issuance, (iii)) mature not more than one (1) year from such date of issuance; (iv) bear interest at a rate per annum not exceeding five percent (5%) per annum, which interest shall be payable at maturity, (v) be issued in such numbers and denominations of \$100,000 or more as may be requested by the purchaser, and (vi) be payable as to both principal and interest in federal funds of the United States of America at the office of a bank or trust company designated to serve as the paying agent, registrar and transfer agent (the "Paying Agent and Registrar") for the Notes, all as determined by the County Auditor without further action of this Board of County Commissioners in a certificate of award (the "Certificate of Award"), which determinations shall be conclusive.

The Notes shall not be subject to call for redemption at any time prior to maturity.

The Notes shall be issued in fully-registered form, without coupons, and shall be payable without deduction for exchange, collection or service charges to the person whose name appears on the Note registration records to be maintained by the Paying Agent and Registrar as the registered holder thereof.

The Notes shall be transferable by the registered holder thereof in person or by his attorney duly authorized in writing at the office of the Paying Agent and Registrar upon presentation and surrender thereof to the Paying Agent and Registrar. No transfer of any Note shall be effective until entered upon the registration records maintained by the Paying Agent and Registrar. Upon such transfer, a new Note or Notes of authorized denominations of the same maturity and for the same aggregate principal amount shall be issued to the transferee in exchange therefor.

This County and the Paying Agent and Registrar may deem and treat the registered holders of the Notes as the absolute owners thereof for all purposes, and neither this County nor the Paying Agent and Registrar shall be affected by any notice to the contrary.

The Notes shall be designated "Road Improvement Bond Anticipation Notes, Series 2016" or as otherwise provided in the Certificate of Award.

SECTION 4. That the Notes shall bear the signatures of at least two members of this Board of County Commissioners and the County Auditor, provided that all of such signatures may be facsimiles. The Notes shall express on their faces the purpose for which they are issued and that they are issued pursuant to this resolution. The Notes shall bear the manual authenticating signature of an authorized representative of the Paying Agent and Registrar.

SECTION 5. That the Notes shall be sold to William Blair & Company (the "Purchaser") at not less than 100% of the principal amount thereof, plus accrued interest to the date of delivery, as determined by the County Auditor in the Certificate of Award without further action of this Board pursuant to the Purchaser's offer to purchase which such officer is hereby authorized to accept. The proceeds from such sale, except any premium or accrued interest thereon, shall be used for the purpose aforesaid and for no other purpose, and for which purpose said proceeds are hereby appropriated. Any premium and accrued interest shall be transferred to the bond retirement fund to be applied to the payment of principal and interest of the Notes in the manner provided by law. The Notes may be issued and sold on a consolidated basis with other notes of this County pursuant to Section 133.30(B) of the Ohio Revised Code and a consolidating resolution adopted by this Board of County Commissioners on this date if the County Auditor so determines, in which event, the terms of which are incorporated herein by reference. Such consolidated note issue is referred to herein as the "Consolidated Note Issue."

SECTION 6. That the Notes shall be the full general obligations of this County, and the full faith, credit and revenue of this County are hereby pledged for the prompt payment of the same. The principal amount received from the sale of the bonds anticipated by the Notes and any excess fund resulting from the issuance of the Notes shall, to the extent necessary, be used only for the retirement of the Notes at maturity, together with interest thereon and is hereby pledged for such purpose.

SECTION 7. That during the year or years while the Notes run there shall be levied upon all of the taxable property in this County in addition to all other taxes, a direct tax annually not less than that which would have been levied if bonds had been issued without the prior issue of the Notes; provided, however, that in each year to the extent the Revenues and other moneys are available for the payment of the Notes and bonds and are appropriated for such purpose, the amount of such tax shall be reduced by the amount of such Revenues and other moneys so available and appropriated.

SECTION 8. That said tax shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers in the same manner and at the same time that taxes for general purposes for each of said years are certified, extended and collected. Said tax shall be placed before and in preference to all other items and for the full amount thereof. The funds derived from said tax levy hereby required, or from the other described sources, shall be placed in a separate and distinct fund, which together with all interest collected on the same, shall be pledged irrevocably for the payment of the principal and interest of the Notes or the bonds in anticipation of which they are issued when and as the same fall due.

SECTION 9. That this Board of County Commissioners hereby covenants that it will restrict the use of the proceeds of the Notes hereby authorized in such manner and to such extent, if any, as may be necessary, after taking into account reasonable expectations at the time the debt is incurred, so that they will not constitute "arbitrage bonds" under Sections 103(b)(2) and 148 of the Internal Revenue Code of 1986, as amended (the "Code") and the regulations prescribed thereunder and will, to the extent possible, comply with all other applicable provisions of the Code and the regulations thereunder in order to retain the Federal income tax exemption for interest on the Notes, including any expenditure requirements, investment limitations, rebate requirements or use restrictions. The County Auditor or any other officer having responsibility with respect to the issuance of the Notes is authorized and directed to give an appropriate certificate on behalf of the County on the date of delivery of the Notes for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances and reasonable expectations pertaining to the use of the proceeds thereof and the provisions of the Code and the regulations thereunder.

SECTION 10. That the law firm of Peck, Shaffer & Williams, A Division of Dinsmore & Shohl LLP be and is hereby retained as bond counsel to the County to prepare the necessary authorization and related closing documents for the issuance, sale and delivery of the Notes and, if appropriate, rendering its approving legal opinion in connection therewith in accordance with the written agreement presently on file with the County which at least two members of this Board of County Commissioners and the County Auditor are each hereby separately authorized to execute and deliver on behalf of the County, with such changes thereto not substantially adverse to the County as may be approved by such officers. The approval of such changes by such officers, and that the same are not substantially adverse to the County, shall be conclusively evidenced by the execution of such agreement by such officers. Such law firm shall be compensated by the County for the above services in accordance with such written agreement.

SECTION 11. That at least two members of this Board and the County Auditor are separately hereby authorized, alone or with others, to execute and deliver an agreement with the Paying Agent and Registrar for its services as paying agent, registrar and transfer agent for the Notes as a part of the Consolidated Note Issue in such form as such officer may approve, the execution thereof by such officer to be conclusive evidence of such authorization and approval.

SECTION 12. That the Clerk of this Board of County Commissioners, is hereby directed to forward a certified copy of this resolution to the County Auditor.

SECTION 13. That it is found and determined that all formal actions of this Board of County Commissioners concerning and relating to the adoption of this resolution were adopted in an open meeting of this Board of County Commissioners, and that all deliberations of this Board of County Commissioners and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law, including Section 121.22 of the Ohio Revised Code.

SECTION 14. That this resolution shall take effect immediately upon its adoption.

Mr. Coffland seconded the resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

AYES: Mrs. Favede Mr. Coffland Mr. Thomas

NAYS: _____

ADOPTED, this 17th day of August, 2016.

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

IN THE MATTER OF ADOPTING RESOLUTION CONSOLIDATING UP TO THREE BOND ANTICIPATION NOTE ISSUES OF THE COUNTY OF BELMONT, OHIO INTO A CONSOLIDATED NOTE ISSUE, AND ESTABLISHING THE TERMS OF SUCH CONSOLIDATED NOTE ISSUE

ENTERED IN COMMISSIONERS' JOURNAL

NO. 98, PAGE NO. _____

The Board of County Commissioners of the County of Belmont, Ohio, met in regular session at 9 o'clock a.m., on August 17, 2016, at the commissioners meeting room located in the Courthouse, St. Clairsville, Ohio, with the following members present:

Mrs. Favede Mr. Coffland Mr. Thomas

Absent: _____

There was presented to the Board a Certificate As To Maximum Maturity of Bonds and Bond Anticipation Notes signed by the County

Auditor.

Mrs. Favede moved the adoption of the following resolution:

COUNTY OF BELMONT, OHIO
RESOLUTION NO. N/A
**RESOLUTION CONSOLIDATING UP TO THREE BOND
ANTICIPATION NOTE ISSUES OF THE COUNTY OF
BELMONT, OHIO INTO A CONSOLIDATED NOTE ISSUE,
AND ESTABLISHING THE TERMS OF SUCH
CONSOLIDATED NOTE ISSUE**

WHEREAS, this Board of County Commissioners of the County of Belmont, Ohio (the "County") has adopted three resolutions authorizing the following general obligation bond anticipation note issues pursuant to Chapter 133 of the Ohio Revised Code for the purposes indicated: (i) not to exceed \$1,000,000 Water System Improvement Bond Anticipation Notes, Series 2016 for the purpose of paying part of the cost of acquiring and constructing water system improvements, including water laterals; (ii) not to exceed \$1,500,000 Courthouse Renovation Bond Anticipation Notes, Series 2016 for the purpose of paying part of the cost of constructing improvements to the Belmont County courthouse; and (iii) not to exceed \$5,000,000 Road Improvement Bond Anticipation Notes, Series 2016 for the purpose of paying part of the cost of constructing road improvements in the Mall Road area of the County (such note issues are collectively referred to as the "2016 Series Notes"); and

WHEREAS, this Board of County Commissioners desires to authorize the issuance and sale of some or all of the 2016 Series Notes on a consolidated basis pursuant to Section 133.30(B) of the Ohio Revised Code and this resolution;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Belmont County, Ohio:

SECTION 1. That pursuant to the provisions of Section 133.30(B) of the Ohio Revised Code, some or all of the 2016 Series Notes, as determined by the County Auditor in the Certificate of Award, as hereinafter defined, without further action of this Board of County Commissioners, shall be consolidated into a single note issue which shall be designated "Various Improvement Bond Anticipation Notes, Series 2016" or as otherwise provided in the Certificate of Award (such consolidated notes are hereinafter referred to as the "Consolidated Notes").

SECTION 2. That the Consolidated Notes shall be issued under authority of the general laws of the State of Ohio, particularly Chapter 133 of the Ohio Revised Code. The Consolidated Notes shall (i) be dated as of the same date as the 2016 Series Notes included in the Consolidated Notes, (ii) be in a principal amount equal to the sum of the aggregate principal amounts of such 2016 Series Notes, (iii) be numbered from R1 upwards in order of issuance, (iv) be of the denominations of \$100,000 or more requested by the purchaser, (v) mature on the date such 2016 Series Notes mature in an amount equal to the sum of the maturity amounts for such 2016 Series Notes for such date, and (vi) bear interest payable at maturity at a rate equal to the rate of interest on such 2016 Series Notes.

The Consolidated Notes shall not be subject to call for redemption at any time prior to maturity.

It is hereby determined by this Board of County Commissioners that the issuance of the Consolidated Notes provided herein are in the best interests of the County and that the maturity provisions set forth above are consistent with the aggregate of the separate maturities of the respective resolutions authorizing the 2016 Series Notes.

SECTION 3. That the Consolidated Notes shall express upon their faces a summary statement of purposes encompassing the purposes stated in the resolutions authorizing the 2016 Series Notes and that they are issued in pursuance of this resolution. The Consolidated Notes shall be in fully registered form without coupons, shall bear the signatures of at least two members of this Board of County Commissioners and the County Auditor, provided that all of such signatures may be facsimile signatures. The Consolidated Notes shall be payable as to both principal and interest in federal funds of the United States of America at the office of a bank or trust company to be designated the County Auditor in the Certificate of Award (as hereinafter defined) without further action of this Board of County Commissioners as the paying agent, registrar and transfer agent (the "Paying Agent and Registrar") for the Notes, without deduction for exchange, collection or service charges, to the person whose name appears on the Note registration records as the registered holder thereof. The Consolidated Notes shall bear the manual authenticating signature of an authorized representative of the Paying Agent and Registrar.

The Consolidated Notes shall be transferable by the registered holder thereof in person or by his attorney duly authorized in writing at the office of the Paying Agent and Registrar upon presentation and surrender thereof to the Paying Agent and Registrar. The County and the Paying Agent and Registrar shall not be required to transfer any Consolidated Note during the 15day period preceding any interest payment date, and no such transfer shall be effective until entered upon the registration records maintained by the Paying Agent and Registrar. Upon such transfer, a new Consolidated Note or Notes of authorized denominations of the same maturity and for the same aggregate principal amount shall be issued to the transferee in exchange therefor.

The County and the Paying Agent and Registrar may deem and treat the registered holders of the Consolidated Notes as the absolute owners thereof for all purposes, and neither the County nor the Paying Agent and Registrar shall be affected by any notice to the contrary.

SECTION 4. That the provisions of the respective resolutions authorizing the 2016 Series Notes included in the Consolidated Notes relating to security and sources of payment, federal tax status of such 2016 Series Notes and of interest payable thereon, are hereby incorporated by reference into this resolution and the Consolidated Notes.

SECTION 5. That the Consolidated Notes shall be sold to William Blair & Company (the "Purchaser") at not less than 100% of the principal amount thereof plus accrued interest to the date of delivery, as determined by the County Auditor without further action of this Board of County Commissioners in a certificate of award (the "Certificate of Award") pursuant to the Purchaser's offer to purchase which such officer is hereby authorized to accept. The Clerk, acting as the Clerk of this Board, at least two members of this Board or the County Auditor, or any of them, are hereby separately authorized, alone or with others, to execute and deliver a purchase agreement for the Consolidated Notes (the "Purchase Agreement") in such form as may be approved by the officer executing the same, such officer's execution thereof on behalf of the County to be conclusive evidence of such authorization and approval, and to make the necessary arrangements with the Purchaser to establish the date, location, procedure and conditions for the delivery of the Consolidated Notes to the Purchaser, to give all appropriate notices and certificates and to take all steps necessary to effect the due execution and delivery of the Consolidated Notes pursuant to the provisions of the Purchase Agreement. The proceeds from the sale of the Consolidated Notes, except as any premium and accrued interest received, shall be apportioned, deposited and credited in accordance with Section 133.32 of the Ohio Revised Code to the respective purposes and funds in accordance with the amount of each issue of 2016 Series Notes and for which purposes such proceeds are hereby appropriated. Any premium and accrued interest received from such sale shall be transferred to the bond retirement fund to be applied to the payment of the principal and interest of the Consolidated Notes in the manner provided by law.

SECTION 6. That for purposes of this resolution, the following terms shall have the following meanings:

"Book entry form" or "book entry system" means a form or system under which (i) the beneficial right to payment of principal of and interest on the Consolidated Notes may be transferred only through a book entry, and (ii) physical Consolidated Note certificates in fully registered form are issued only to the Depository or its nominee as registered owner, with the Consolidated Notes "immobilized" to the custody of the Depository, and the book entry maintained by others than this County is the record that identifies the owners of beneficial interests in those Consolidated Notes and that principal and interest.

"Depository" means any securities depository that is a clearing agency under federal law operating and maintaining, together with its Participants or otherwise, a book entry system to record ownership of beneficial interests in Consolidated Notes or principal and interest, and to effect transfers of Consolidated Notes, in book entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

"Participant" means any participant contracting with a Depository under a book entry system and includes security brokers and dealers, banks and trust companies, and clearing corporations.

All or any portion of the Consolidated Notes may be initially issued to a Depository for use in a book entry system, and the provisions of this Section shall apply to such Consolidated Notes, notwithstanding any other provision of this resolution. If and as long as a book entry system is utilized with respect to any of such Consolidated Notes: (i) there shall be a single Consolidated Note of each maturity; (ii) those Consolidated Notes shall be registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository; (iii) the beneficial owners of Consolidated Notes in book entry form shall have no right to receive Consolidated Notes in the form of physical securities or certificates; (iv) ownership of beneficial interests in any Consolidated Notes in book entry form shall be shown by book entry on the system maintained and operated by the Depository and its Participants, and transfers of the ownership of beneficial interests

shall be made only by book entry by the Depository and its Participants; and (v) the Consolidated Notes as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by this County. Debt service charges on Consolidated Notes in book entry form registered in the name of a Depository or its nominee shall be payable in the manner provided in this County's agreement with the Depository to the Depository or its authorized representative (i) in the case of interest, on each interest payment date, and (ii) in all other cases, upon presentation and surrender of Consolidated Notes as provided in this resolution.

The Paying Agent and Registrar may, with the approval of this County, enter into an agreement with the beneficial owner or registered owner of any Consolidated Note in the custody of a Depository providing for making all payments to that owner of principal and interest on that Consolidated Note or any portion thereof (other than any payment of the entire unpaid principal amount thereof) at a place and in a manner (including wire transfer of federal funds) other than as provided in this resolution, without prior presentation or surrender of the Consolidated Note, upon any conditions which shall be satisfactory to the Paying Agent and Registrar. That payment in any event shall be made to the person who is the registered owner of that Consolidated Note on the date that principal is due, or, with respect to the payment of interest, as of the applicable date agreed upon as the case may be. The Paying Agent and Registrar shall furnish a copy of each of those agreements, certified to be correct by the Paying Agent and Registrar, to any other paying agents for the Consolidated Notes. Any payment of principal or interest pursuant to such an agreement shall constitute payment thereof pursuant to, and for all purposes of, this resolution.

The County Auditor is authorized and directed without further action of this Board of County Commissioners to execute, acknowledge and deliver, in the name of and on behalf of this County, a blanket letter agreement between this County and The Depository Trust Company, as Depository, to be delivered in connection with the issuance of the Consolidated Notes to the Depository for use in a book entry system, and to take all other actions they deem appropriate in issuing the Consolidated Notes under a book entry system.

If any Depository determines not to continue to act as Depository for the Consolidated Notes for use in a book entry system, this County and the Paying Agent and Registrar may attempt to establish a securities depository/book entry relationship with another qualified Depository under this resolution. If this County and the Paying Agent and Registrar do not or are unable to do so, this County and the Paying Agent and Registrar, after the Paying Agent and Registrar has made provision for notification of the beneficial owners by the then Depository, shall permit withdrawal of the Consolidated Notes from the Depository and authenticate and deliver Consolidated Note certificates in fully registered form to the assigns of the Depository or its nominee, all at the cost and expense (including costs of printing definitive Consolidated Notes), if the event is not the result of action or inaction by this County or the Paying Agent and Registrar, of those persons requesting such issuance.

SECTION 7. That the County Auditor is hereby authorized without further action of this Board of County Commissioners to execute and deliver an agreement with the Paying Agent and Registrar for its services as paying agent, registrar and transfer agent for the Consolidated Notes, in each case in such form as such officer may approve, the execution thereof by such officer to be conclusive evidence of such authorization and approval.

SECTION 8. That the law firm of Peck, Shaffer & Williams, A Division of Dinsmore & Shohl LLP be and is hereby retained as bond counsel to the County to prepare the necessary authorization and related closing documents for the issuance, sale and delivery of the Consolidated Notes and, if appropriate, rendering its approving legal opinion in connection therewith in accordance with the written agreement presently on file with the County which at least two members of this Board of County Commissioners and the County Auditor are each hereby separately authorized to execute and deliver on behalf of the County, with such changes thereto not substantially adverse to the County as may be approved by such officers. The approval of such changes by such officers, and that the same are not substantially adverse to the County, shall be conclusively evidenced by the execution of such agreement by such officers. Such law firm shall be compensated by the County for the above

SECTION 9. That the Clerk of this Board of County Commissioners, is hereby directed to forward a certified copy of this resolution to the County Auditor.

SECTION 10. That it is found and determined that all formal actions of this Board of County Commissioners concerning and relating to the adoption of this resolution were adopted in an open meeting of this Board of County Commissioners, and that all deliberations of this Board of County Commissioners and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law, including Section 121.22 of the Ohio Revised Code.

SECTION 11. That this resolution shall take effect immediately upon its adoption.

Mr. Coffland seconded the resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

AYES: Mrs. Favede _____ Mr. Coffland _____ Mr. Thomas _____

NAYS: _____

ADOPTED, this 17th day of August, 2016.

Jayne Long /s/ _____

Clerk
Board of County Commissioners
County of Belmont, Ohio

**IN THE MATTER OF APPROVING EXECUTION OF PAY REQUEST #8 (FINAL)
FROM BORDER PATROL, LLC/FAIRGROUNDS SEWERAGE PROJECT**

Motion made by Mrs. Favede, seconded by Mr. Coffland to approve the execution of Pay Request Number 8 (final) from Border Patrol, LLC in the amount of \$16,156.76 for the Belmont County Fairgrounds Sewerage Project.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF APPROVING PAYMENT OF INVOICE (FINAL)
FROM VAUGHN, COAST & VAUGHN, INC. /FAIRGROUNDS SEWERAGE PROJECT**

Motion made by Mrs. Favede, seconded by Mr. Coffland to approve the payment of Invoice Number 14020-7 (final) from Vaughn Coast Vaughn, Inc., in the amount of \$1,600.00 for Construction Administration Services for the Belmont County Fairgrounds Sewerage Project.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF APPROVING AND SIGNING THE PURCHASE
AUTHORIZATION FOR SIMPLEXGRINELL TO RENEW THE QUARTERLY
WET SPRINKLER TEST & INSPECTION & ANNUAL BACKFLOW TEST/JAIL**

Motion made by Mrs. Favede, seconded by Mr. Coffland to approve and sign the Purchase Authorization for SimplexGrinnell to renew the Quarterly Wet Sprinkler Test & Inspection and Annual Backflow Test agreement for the Belmont County Jail in the amount of \$1,241.10 effective July 1, 2016 to June 30, 2017.

Upon roll call the vote was as follows:

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

IN THE MATTER OF APPROVING QUOTATION FROM

August 17, 2016

ERB ELECTRIC COMPANY/PUBLIC DEFENDER'S OFFICE

Motion made by Mrs. Favede, seconded by Mr. Coffland to approve the price quotation dated August 15, 2016 from Erb Electric Company in the amount of \$1,500.00 for all parts and labor to replace the phone system (re-using existing phones) in the Burech Building/Public Defender's Office.

Upon roll call the vote was as follows:

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

IN THE MATTER OF APPROVING ESTIMATE FROM PANHANDLE CLEANING & RESTORATION/SHERIFF'S RESIDENCE MUSEUM

Motion made by Mrs. Favede, seconded by Mr. Coffland to approve the estimate from Panhandle Cleaning & Restoration in the amount of \$6,209.28 to repair water damage at the Belmont County Historical Sheriff's Residence Museum (CORSA Claim Number 0160027273 – Date of Loss 06/02/16).

Upon roll call the vote was as follows:

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

9:30 Kelly Porter, Director, Belmont County Sanitary Sewer District

Re: Public Hearing-Proposed Village Water and Sewer Rates

Present: Sanitary Sewer Director Kelly Porter and Rebecca Hughes. Mr. Porter explained there is a small increase, about 2 percent, for water and sewer rates. "We have to cover our costs and every year our costs go up to provide this service to the villages. We do an annual audit and the result of that audit usually is an increase. Our material cost, operational cost and maintenance costs are increasing. As the infrastructure ages, we have repairs to do," said Mr. Porter.

IN THE MATTER OF APPROVING THE WATER AND SEWER RATES EFFECTIVE SEPTEMBER 1, 2016 BILLING/VARIOUS SERVICE LOCATION

Motion made by Mrs. Favede, seconded by Mr. Coffland to approve the following water and sewer rates effective September 1, 2016 billing for the various service locations based upon the annual **Village Analysis Report for Year Ending 2015** presented by the Belmont County Sanitary Sewer District:

WATER RATES		
	Present Rate/1000 gal	New Rate/1000 gal
Bellaire SR 149	-----	5.5272
Bellaire Hospital	4.4064	4.5312
Belmont	4.5624	4.6824
Flushing	4.5624	4.6824
New Athens	4.5624	4.6824
Morristown	4.5624	4.6824
St. Clairsville	4.0224	4.1424
Tri-County	4.5624	4.6824
Bethesda	5.4862	6.4663

SEWER RATES		
	Present Rate/1000 gal	New Rate/1000 gal
Morristown	6.5085	6.6249
Belmont	6.5085	6.6249

Upon roll call the vote was as follows:

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

IN THE MATTER OF BID OPENING FOR THE STREET IMPROVEMENT WORK AT 41ST AND NOBLE STREETS, BELLAIRE/2015 CDBG FORMULA ALLOCATION PROJECT

This being the day and 9:45 a.m. being the hour that bids was to be on file in the Commissioners' Office for the Street Improvement work at 41st and Noble Streets, Bellaire/2015 CDBG Formula Allocation Project; they proceeded to open the following bids:

NAME	BID BOND	BID AMOUNT
Cast & Baker Corporation 2214 Washington Road Canonsburg, Pennsylvania 15317	X	\$ 117,469.00
The Lash Paving Company P.O. Box 296 Colerain, Ohio 43916	X	\$ 104,416.00
Neff Paving LLC 6575 West Pike Zanesville, Ohio 43701	X	\$ 156,524.80
Shelly & Sands, Inc. P.O. Box 66 Rayland, Ohio 43943	X	\$ 155,152.00

Engineers Estimate \$171,835.00

Present for opening A.C. Wiethe, Belomar Regional Council

Motion made by Mrs. Favede, seconded by Mr. Coffland to turn over all bids for the Street Improvement work at 41st and Noble Streets in the Village of Bellaire, a 2015 CDBG Formula Allocation Project, to A.C. Wiethe, Belomar Regional Council, for review and recommendation.

Upon roll call the vote was as follows:

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

10:00 Noah Atkinson, C-CAP Program Coordinator, Juvenile Court

Re: C-CAP Community Service Program

Present: Noah Atkinson, Concentrated Conduct Adjustment Program (C-Cap) Program Coordinator and Probation Officer for Belmont County Juvenile Court; Juvenile/Probate Judge Mark Costine and Lance Mehl, C-Cap Program Director. Mr. Atkinson said C-Cap is intense probation under the Juvenile Court. There are kids that have been through the system multiple times, in and out of Sargus; usually it is kids with a worse offense. An alternative school in Bellaire and online school are offered. They also have a summer program and Saturday school during the

August 17, 2016

school year. Community service program activities include landscaping, community clean-up and painting. Mr. Atkinson said, "It gives the juveniles something to look forward to, something they accomplish. They see it from start to finish. It gives them something to contribute of themselves. They give back to the community." Mike Bianconi, Pease Township Trustee, thanked Mr. Atkinson for all they do for the communities. "You're giving them direction and that's what they need. You do a great job," said Mr. Bianconi. Judge Costine said he is proud of Noah and Lance and appreciates all they do. Mrs. Favede said she loves this program because it's giving the kids a chance. The Board of Commissioners thanked all involved for their dedication and work.

**IN THE MATTER OF ENTERING
EXECUTIVE SESSION AT 10:19 A.M.**

Motion made by Mrs. Favede, seconded by Mr. Coffland to enter executive session with Katie Bayness, HR Administrator, pursuant to ORC 121.22(G)(1) Personnel Exception to consider the employment and discipline of a public employee and ORC 121.22(G)(4) Collective Bargaining Exception.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADJOURNING
EXECUTIVE SESSION AT 11:10 A.M.**

Motion made by Mrs. Favede, seconded by Mr. Coffland to exit executive session at 11:10 a.m.

Upon roll call the vote was as follows:

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

AS A RESULT OF EXECUTIVE SESSION-

**IN THE MATTER OF ACCEPTING DAISY BRAUN'S
BID FOR MARTINS FERRY SENIOR CENTER DIRECTOR**

Motion made by Mrs. Favede, seconded by Mr. Coffland to accept Daisy Braun's bid for the open Martins Ferry Senior Center Director position, effective date to be determined.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF THE VACATION OF
AND REDEDICATION OF COUNTY ROAD 64
(SHEPHERSTOWN ROAD)
WHEELING TWP. SEC. 21 & 27, T-8, R-4/RD IMP 1141**

Office of County Commissioners

Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, met in Regular session on the 17th day of August, 2016, at the office of the Commissioners with the following members present:

Mrs. Favede
Mr. Coffland
Mr. Thomas

RESOLUTION – ORDER TO CLOSE ROAD

Sec. 5563.01 R.C.

Mrs. Favede 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 road be vacated and rededicated, as ordered heretofore, made on journal of the date of August 17, 2016, and a copy of this resolution be forwarded to the Wheeling Township Trustees.

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

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

Adopted the 17th day of August, 2016.

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

1. "locating," "establishing," "altering," "widening," "straightening," "vacating" or "changing the direction of."

**IN THE MATTER OF THE VACATION OF
AND REDEDICATION OF COUNTY ROAD 64
(UNITY CHURCH ROAD)
WHEELING TWP. SEC. 26, 27, 32 & 33., T-8, R-4/RD IMP 1142**

Office of County Commissioners

Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, met in Regular session on the 17th day of August, 2016, at the office of the Commissioners with the following members present:

Mrs. Favede
Mr. Coffland
Mr. Thomas

RESOLUTION – ORDER TO CLOSE ROAD

Sec. 5563.01 R.C.

Mrs. Favede 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 road be vacated and rededicated, as ordered heretofore, made on journal of the date of August 17, 2016, and a copy of this resolution be forwarded to the Wheeling Township Trustees.

August 17, 2016

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

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

Adopted the 17th day of August, 2016.

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

1. "locating," "establishing," "altering," "widening," "straightening," "vacating" or "changing the direction of."

**IN THE MATTER OF ADJOURNING
COMMISSIONERS MEETING AT 11:12 A.M.**

Motion made by Mrs. Favede, seconded by Mr. Coffland to adjourn the meeting at 11:12 a.m.

Upon roll call the vote was as follows:

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

Read, approved and signed this 24th day of August, 2016.

Ginny Favede /s/ _____ COUNTY COMMISSIONERS

Mark. A. Thomas /s/ _____

Matt Coffland /s/ _____

We, Ginny Favede 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.

Ginny Favede /s/ _____ PRESIDENT

Jayne Long /s/ _____ CLERK