

St. Clairsville, Ohio

October 19, 2016

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 \$1,279,927.46**

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:

**P55 SSD #3A REVENUE (PENWOOD) FUND/BCSSD**

<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
E-3706-P055-P13.003 PERS	E-3706-P055-P01.002 Salaries	\$600.00
E-3706-P055-P35.005 Medicare	E-3706-P055-P01.002 Salaries	\$180.00

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

**P05 WWS #3 REVENUE FUND AND THE O09 BOND RETIREMENT-WATERLINE EXT. PROJECT FUND**

<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
E-3702-P005-P34.074 Transfers Out	R-9206-O009-O08.574 Transfers In	\$18,666.02

**P05 WWS #3 REVENUE FUND AND THE O11 MT. VICTORY-BOND RETIREMENT FUND/BCSSD**

<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
E-3702-P005-P34.074 Transfers Out	R-9311-O011-O04.574 Transfers In	\$3,000.00

**P05 WWS #3 REVENUE FUND AND VARIOUS BCSSD FUNDS**

<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
E-3702-P005-P34.074 Transfers Out	R-9311-O011-O04.574 Transfers In	\$3,000.00
E-3702-P005-P34.074 Transfers Out	R-9251-O051-O10.574 Transfers In	\$28,000.00
E-3702-P005-P34.074 Transfers Out	R-9252-O052-O10.574 Transfers In	\$7,500.00

**P53 SSD #2 REVENUE FUND AND THE O10 BOND RETIREMENT-FORCE MAIN EXT. PROJECT FUND/BCSSD**

<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
E-3705-P053-P16.074 Transfers Out	R-9207-O010-O05.574 Transfers In	\$35,414.39

**P53 SSD #2 REVENUE FUND AND THE O012 NEFFS BOND RETIREMENT FUND/BCSSD**

<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
E-3705-P053-P16.074 Transfers Out	R-9312-O012-O05.574 Transfers In	\$700.00

Upon roll call the vote was as follows:

Mrs. Favede	Yes
Mr. Thomas	Yes
Mr. Coffland	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/INMATE RESTITUTION-493.82** paid into R-0050-A000-A45.500 Refunds & Reimbursement on 10/12/16. *Restitution for damage done by inmate/Case No. 16-CR-B-00024.*

**REFUND/CANCELLED HOTEL RESERVATION-\$152.00** deposited into R-0050-A000-A45.500 on 10/12/16. *Refund for pre-payment of cancelled hotel reservation for K. Bayness.*

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 October 19, 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:

**AUDITORS-Andrew L.Sutak, Tara Rollison and Anthony Rocchio** to Dublin, OH, on November 16-18, 2016, for County Auditor's Association of Ohio Winter Conference. A county vehicle will be used for travel.

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**COURT OF COMMON PLEAS/PROBATE DIVISION**-Kara Weekly, Dave Carter and Diane Elerick to Columbus, OH, on October 27, 2016, to attend the Supreme Court Annual Drug Court Conference. John Markus to Grove City, OH, within the next week, to serve a guardianship.

**SENIORS**-Sue Neavin to Olive Garden at the Highlands on November 10, 2016, for a senior outing. A county vehicle will be used for travel.

Upon roll call the vote was as follows:

Mrs. Favede	Yes
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 October 5, 2016.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADOPTING RESOLUTION HONORING FRED F. BENNETT, BELMONT COUNTY ENGINEER**

Motion made by Mrs. Favede, seconded by Mr. Coffland to adopt the resolution honoring Fred F. Bennett, Belmont County Engineer, on his retirement.

***RESOLUTION  
HONORING  
BELMONT COUNTY ENGINEER  
FRED F. BENNETT, P.E., P.S.,  
ON HIS RETIREMENT***

**WHEREAS**, Mr. Fred F. Bennett has dedicated his time, talents, wisdom and energy serving the residents of Belmont County for over 40 years; and

**WHEREAS**, Mr. Bennett was appointed as Deputy Engineer in 1976 to complete the term of his predecessor, and was elected to his first four year term as County Engineer in November 1976; and

**WHEREAS**, as the County Engineer, Mr. Bennett has been tasked with the construction, reconstruction, improvement, maintenance and repairs of all bridges and highways in Belmont County; and

**WHEREAS**, Mr. Bennett has persevered throughout numerous emergencies, floods and blizzards during his tenure to keep over 300 miles of county roads and over 280 bridges safe for all those that travel them; and

**WHEREAS**, Mr. Bennett has seen many things that have impacted his work over the years including the growth of the coal industry and strip mining in the 70's and 80's; the advances in technology that led to the computerization of his office in 1985; the formation of the Geographic Information System office within his department; the current growth of the oil and gas industry that has resulted in the need for the creation and oversight of numerous road use maintenance agreements; and

**WHEREAS**, Mr. Bennett has been recognized for his contributions and achievements with various awards including several historic bridge preservation awards and, most notably, was named the 2009 "County Engineer of the Year" by the County Engineers Association of Ohio; and

**WHEREAS**, Mr. Bennett served as the Chairman of Ohio Public Works District 18 Integrating Committee for over 30 years and participated in bringing 34.5 million dollars to Belmont County projects which included county, township and municipalities; and

**WHEREAS**, Mr. Bennett has left his indelible mark as an outstanding public employee who will be truly missed by his staff and colleagues for his professional knowledge, guidance and friendship.

**NOW THEREFORE, BE IT RESOLVED**, the Belmont County Commissioners honor and pay tribute to Mr. Fred F. Bennett for his outstanding service and contributions to Belmont County and its residents and wish him and his wife Judy a happy, healthy and well-deserved retirement.

Adopted this 19<sup>th</sup> day of October 2016.

**BELMONT COUNTY COMMISSIONERS**

Mark A. Thomas /s/

Ginny Favede /s/

Matt Coffland /s/

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADOPTING RESOLUTION HONORING CYNTHIA K. MCGEE, BELMONT COUNTY CLERK OF COURTS**

Motion made by Mrs. Favede, seconded by Mr. Coffland to adopt the resolution honoring Cynthia K. McGee, Belmont County Clerk of Courts, on her retirement.

***Honoring Clerk of Courts Cynthia K. McGee on Her Retirement***

**WHEREAS**, Cindy McGee has been a cornerstone of the Belmont County Courthouse since 1973, having started her career at the Belmont County Recorder's office and later transferring to the Clerk of Courts' office in 1990. Cindy McGee was appointed as the Clerk of Courts in March 2011 upon the retirement of Randy Marple and was overwhelmingly elected in 2012 for a four-year term; and

**WHEREAS**, Cindy McGee and her dedicated Clerk of Courts staff of six process an average of 80,000 entries per year onto the court dockets, and her steadfast title office staff of seven process an average of 33,000 titles per year; and

**WHEREAS**, through her tireless efforts, Cindy McGee has provided faithful and professional service; and

**WHEREAS**, Cindy McGee opened a much appreciated branch title office in 2011 on the riverfront at the Eastern Division Court complex in Bellaire to better serve the residents of Belmont County; and

**WHEREAS**, Cindy McGee is a truly outstanding public servant with a rich and accomplished record of dedication to court administration. Her commitment to the public will be missed by Belmont County and her staff.

**NOW THEREFORE, BE IT RESOLVED**, the Belmont County Board of Commissioners on this occasion of her well-earned retirement and hereby honors and expresses its most sincere appreciation to Cindy McGee for her years of dedication and service to Belmont County and wish her many years of enjoyment with family and friends and many great travels with her devoted husband, Bruce.

Adopted this 19<sup>th</sup> day of October 2016.

**BELMONT COUNTY COMMISSIONERS**

Mark A. Thomas /s/

Matt Coffland /s/

Ginny Favede /s/

Upon roll call the vote was as follows:

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

October 19, 2016

**IN THE MATTER OF APPROVING AND SIGNING THE SATISFACTION OF MORTGAGE BY SEPARATE INSTRUMENT FOR JOHN A. LEONARD, JR./BELOMAR**

Motion made by Mrs. Favede, seconded by Mr. Coffland to approve and sign the **Satisfaction of Mortgage By Separate Instrument** for John A. Leonard, Jr., for a mortgage deed dated August 12, 2004, as recorded in Mortgage Volume 0971, pages 398-401, in the Belmont County Recorder's Office based upon the recommendation of Rick Healy, Belomar Regional Council.

**SATISFACTION OF MORTGAGE BY SEPARATE INSTRUMENT**

The undersigned hereby certifies that a certain mortgage deed(s) dated August 12, 2004 and recorded in the Office of the Recorder of Belmont County, Ohio in Mortgage Volume 0971 at pages 398-401, and executed by John A. Leonard, Jr., to the undersigned, has been fully paid and satisfied and the Recorder is authorized to discharge the same of record property:

10/19/16

Belmont County Commissioners:

Date

By: Ginny Favede /s/  
Ginny Favede  
Matt Coffland /s/  
Matt Coffland  
Mark A. Thomas /s/  
Mark A. Thomas

Upon roll call the vote was as follows:

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

**IN THE MATTER OF APPROVING THE RELEASE OF THE ACCESS AGREEMENT WITH XTO ENERGY, INC., DATED MARCH 2, 2016, FOR A TEMPORARY RIGHT OF INGRESS AND EGRESS/ENGINEERS**

Motion made by Mrs. Favede, approved by Mr. Coffland to approve the release of the Access Agreement with XTO Energy, Inc., dated March 2, 2016, for a temporary right of ingress and egress for the installation and maintenance of a temporary above-ground water line on CR 42(Fulton Hill Road), based upon the recommendation of Fred Bennett, County Engineer.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF APPROVING THE RELEASE OF A ROAD USE MAINTENANCE AGREEMENT (RUMA) DATED AUGUST 6, 2016, FROM HESS OHIO DEVELOPMENT, LLC, FOR THE USE OF 1.30 MILES OF CH 114 (FAIRVIEW ROAD)/ENGINEERS**

Motion made by Mrs. Favede, seconded by Mr. Coffland to approve the release of a Road Use Maintenance Agreement (RUMA) dated August 6, 2016, from Hess Ohio Development, LLC for the use of 1.30 miles CH 114 (Fairview Rd.), per Fred Bennett, Belmont County Engineer.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ENTERING INTO ROADWAY USE AND MAINTENANCE AGREEMENT FOR PIPELINE AND COMPRESSOR PROJECTS AND INFRASTRUCTURE WITH STRIKE FORCE EAST, LLC**

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 Strike Force East, LLC, effective October 19, 2016, for the purpose of "Pipeline or Drilling Activity" at 1.78 miles of CR-4 (Barton Road), 2.31 miles of CR-10 (Barton Blaine Road), 2.24 miles of CR 4 (Barton Colerain Road) and 0.52 miles of CR-28 (Mall Road) for the Dorsey to Empire Pipeline.

*Note: Blanket Bond #B009860 for \$2 million on file.*

**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 Strike Force East, 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 Richland and Colerain Townships 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 [Dorsey to Empire pipeline], including the equipment, facilities, impoundments, and pipelines necessary for the operation of the [Dorsey to Empire pipeline] (hereafter collectively referred to as "oil and gas development site") located in Richland and Colerain Townships in Belmont County, Ohio; and

**WHEREAS**, Operator intends to commence use 1.78 miles of CR 4 (Barton Road), 2.31 miles of CR 10 (Barton Blaine Road), 2.24 miles of CR 4 (Barton Colerain Road), and 0.52 miles of CR 28 (Mall Road) for the purpose of ingress to and egress from the pipeline or drilling facilities for the [Dorsey to Empire pipeline], 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 5 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 4 (Barton Road) to be utilized by Operator hereunder, is that exclusive portion beginning at the intersection with US 40 and ending at the intersection with the Dorsey Well Site Access Driveway. It is understood and agreed that the Operator shall not utilize any of the remainder of CR 4 (Barton Road) for any of its Pipeline or Drilling Activities hereunder.

2. The portion of CR 10 (Barton Blaine Road) to be utilized by Operator hereunder, is that exclusive portion beginning at the intersection with CR 4 (Barton Colerain Road) and ending at TR 436 (Rehm Road). It is understood and agreed that the Operator shall not utilize any of the remainder of CR 10 (Barton Blaine Road) for any of its Pipeline or Drilling Activities hereunder.
3. The portion of CR 4 (Barton Colerain Road) to be utilized by Operator hereunder, is that exclusive portion beginning at the intersection with SR 250 (Colerain Road) and ending at CR 10 (Barton Blaine Road). It is understood and agreed that the Operator shall not utilize any of the remainder of CR 4 (Barton Colerain Road) for any of its Pipeline or Drilling Activities hereunder.
4. The portion of CR 28 (Mall Road) to be utilized by Operator hereunder, is that exclusive portion beginning at the Southern intersection with I-70 Access (40.070950, -80.86134) and ending at US 40. It is understood and agreed that the Operator shall not utilize any of the remainder of CR 28 (Mall Road) for any of its Pipeline or Drilling Activities hereunder.
5. 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.
6. 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.
7. 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.
8. 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 \$2,740,000 & 00/100 DOLLARS (\$400,000.00/mi paved & \$100,000/mi gravel). However, no such bond or surety shall be required of Operator, if any of the following conditions are satisfied: The Operator has obtained a County-Wide Bond (B009860) in the amount of \$2,000,000 (Two Million Dollars), therefore satisfying Condition c below. This bond is on file at the Belmont County Engineer's Office and is for use of any County Road.
  - 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.
9. 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.
10. 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.
11. 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.
12. 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.
13. 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".
14. Operator assumes all liability for subcontractors and or agents working on Operator's behalf for this specific agreement.
15. This Agreement shall be binding upon Operator and Authority, and their respective successors and assigns.
16. 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.
17. Agreement shall be governed by the laws of the State of Ohio.
18. This Agreement shall be in effect on October 19, 2016.  
Executed in duplicate on the dates set forth below.

**Authority**

By: Matt Coffland /s/

Commissioner

By: Ginny Favede /s/

Commissioner

By: Mark A. Thomas /s/

Commissioner

By: Fred F. Bennett /s/

County Engineer

**Operator**

By: Joshua Snedden /s/

Printed name: Joshua Snedden

Company Name: Strike Force East, LLC

Title: Midstream Permitting Specialist

October 19, 2016

Dated: 10-19-16

Dated: 9/16/16

Approved as to Form:  
*David K. Liberati /s/ assist P.A.*

County Prosecutor

Upon roll call the vote was as follows:

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

**IN THE MATTER OF APPROVING AND AUTHORIZING COMMISSIONER MATT COFFLAND TO SIGN THE FINAL EXHIBIT FOR NEFFS SANITARY SEWER PROJECT, PHASE 1**

Motion made by Mrs. Favede, seconded by Mr. Thomas to approve and authorize Commissioner Matt Coffland to sign the final exhibit for the Neffs Sanitary Sewer Project, Phase 1, in the amount of \$262,555.65

*Note: The total actual loan cost has been reduced by 3% (\$16,758.87).*

Upon roll call the vote was as follows:

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

**IN THE MATTER OF APPROVING PURCHASE OF ONE (1) 2017 GMC SIERRA 1500 PICK-UP TRUCK FOR WATER DEPARTMENT THROUGH STATE OF OHIO COOPERATIVE PURCHASING CONTRACT**

Motion made by Mrs. Favede, seconded by Mr. Coffland to approve the purchase of one (1) 2017 GMC Sierra 1500 pick-up truck for the Water Department through the State of Ohio Cooperative Purchasing Contract (RS901216), for a total cost of \$27,299.50. The truck will be purchased with WWS#2 and #3 funds and will serve as an additional truck in their fleet, based upon recommendation of Director Kelly Porter.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF LIQUOR PERMIT FOR SBW DEVELOPMENT LLC, DBA SLEEP INN AND SUITES**

Motion made by Mrs. Favede, seconded by Mr. Coffland to advise the Ohio Division of Liquor Control, the Board of Belmont County Commissioners does not request a hearing on the matter of a request for a new D5A Permit No. 7638930, for SBW Development LLC, DBA Sleep Inn and Suites, 41371 Reco Road, Union Township, Belmont, Ohio 43718. There have been no objections received and the Board of County Commissioners has no objections to the permit.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF APPROVING CHANGE ORDER #1 FROM CARNEY & SLOAN, INC./SENIOR SERVICES COMMUNITY BUILDING PROJECT**

Motion made by Mrs. Favede, seconded by Mr. Coffland to approve Change Order #1 from Carney & Sloan, Inc., in the amount of \$47.00 (net amount of new charges of \$1,532.00 and a credit of \$1,485.00) for the kitchen equipment for the Senior Services of Belmont County - Community Building, Project # 14-019.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF APPROVING EXECUTION OF PAY REQUEST NUMBER 1 FROM CARNEY & SLOAN, INC./SENIOR SERVICES COMMUNITY BUILDING PROJECT**

Motion made by Mrs. Favede, seconded by Mr. Coffland to approve the execution of Pay Request Number 1 from Carney & Sloan, Inc., in the amount of \$107,855.00 for the kitchen equipment for the Senior Services of Belmont County - Community Building, Project # 14-019.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADVERTISING FOR BIDS FOR FULL SERVICE PREVENTATIVE MAINTENANCE PROGRAM FOR HVAC EQUIPMENT/ALL LOCATIONS**

Motion made by Mrs. Favede, seconded by Mr. Coffland to advertise for bids for a full service preventative maintenance program for all HVAC equipment at twenty-one Belmont County locations.

**BELMONT COUNTY COMMISSIONERS  
LEGAL NOTICE**

Advertisement for Request for Proposals

Notice is hereby given that the Belmont County Board of Commissioners is accepting sealed bids for the provision of a **full service preventative maintenance program for all HVAC equipment at specified Belmont County locations**. Specifications for this project can be obtained from the Commissioners' Office at the Courthouse, 101 West Main Street, St. Clairsville, Ohio, during normal business hours.

A mandatory pre-bid meeting is scheduled for November 9, 2016 at 1:30 p.m., in the Commissioners' Meeting Room on the first floor of the Belmont County Courthouse. Proposals received from bidders who do not attend the mandatory pre-bid meeting will be rejected.

Bids are to be addressed to the Belmont County Commissioners at the address below with the bidder and project names marked on the outside of the envelope. Late bids will be rejected as non-responsive. Bids will be publicly opened and read aloud in the Belmont County Commissioners' Meeting Room at the time and date listed below. Bidders are invited to attend the sealed bid opening but are not required to do so.

**BID NAME:** Full service preventative maintenance program for all HVAC equipment at specified Belmont County locations  
**DUE DATE/TIME:** November 22, 2016 at 9:30 a.m.  
**MAIL OR DELIVER TO:** Belmont County Commissioners  
101 West Main Street  
St. Clairsville, Ohio 43950

The Belmont County Commissioners reserve the right to reject any or all bids, to waive any informalities in the bids received, and to accept any bid or combination of bids which is deemed most favorable to the County at the time and under the conditions stipulated.

October 19, 2016

The Commissioners further declare that they will award the contract for this project to the lowest and best bid, which may not necessarily be the lowest bid. The bid Specifications contain a Bidder's Profile designed to gather certain information that may be considered in this regard. No single factor will control the Board's decision to award, and the Board reserves the right to exercise its full discretion. Any questions or requests for site visits can be e-mailed to Jack Regis, Facilities Manager, at [Jack.Regis@co.belmont.oh.us](mailto:Jack.Regis@co.belmont.oh.us), with the subject of "HVAC MAINT RFP," until 4:30 p.m. on Wednesday, November 16, 2016. Written responses will be issued by 4:00 p.m., on Friday, November 18, 2016.

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

**Times Leader Advertisement: Two (2) Tuesdays, October 25 and November 1, 2016**

Upon roll call the vote was as follows:

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

**IN THE MATTER OF AWARDING BID FOR HARDWARE AND INSTALLATION OF SECURITY AND COMMUNICATION SYSTEMS TO DAGOSTINO ELECTRONIC SERVICES, INC./SENIOR SERVICES COMMUNITY BUILDING**

Motion made by Mrs. Favede, seconded by Mr. Coffland to award the bid for the hardware and installation of security and communication systems at the new Senior Services of Belmont County – Community Building to Dagostino Electronic Services, Inc., in the amount of \$74,355.74 (Quote 54244-R1/Bid A).

Upon roll call the vote was as follows:

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

**OPEN PUBLIC FORUM-NONE**

**BREAK**

**IN THE MATTER OF BID OPENING FOR THE ENGINEER'S PROJECT 16-5 BEL-10-20.6 SLIP REPAIR**

This being the day and 9:30 a.m. being the hour that bids was to be on file in the Commissioners' Office for the Engineers Project 16-5 Bel-10-20.6 Slip Repair; they proceeded to open the following bids:

<b>NAME</b>	<b>BID BOND</b>	<b>BID AMOUNT</b>
<b>BBR Drilling Co. Inc</b> 41462 Palmer Road Belmont, Ohio 43718	X	<b>\$193,125.00</b>
<b>Crossroads Construction Inc.</b> 3155 Harding Lane Cambridge, Ohio 43725	X	<b>\$277,010.00</b>
<b>Ohio West Virginia Excavating</b> PO Box 128 Powhatan Point, Ohio 43942	X	<b>\$191,999.00</b>
<b>Shelly &amp; Sands, Inc</b> P.O. Box 66 Rayland, Ohio 43943	X	<b>\$246,430.00</b>
<b>Suburban Maintenance &amp; Construction</b> 16330 York Road North Royalton, Ohio 44133	X	<b>\$238,020.00</b>

(Engineers Estimate - \$262,800.00)

Present for opening Fred Bennett, County Engineer; Sam Haverty, Shelly & Sands; Tracy Temple, BBR Drilling; Robert DeFrank, Times Leader and Cathryn Stanley, Barnesville Enterprise.

Motion made by Mrs. Favede, seconded by Mr. Coffland to turn over all bids received for the Belmont County Engineer's Project 16-5 BEL10-20.6 Slip Repair, (Barton-Blaine Road) to County Engineer Fred Bennett, for review and recommendation.

Upon roll call the vote was as follows:

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

**9:40 Subdivision Hearing – Richland Township**

**Re: Ridges of Olde Cumberland**

Present: Fred Bennett, County Engineer and Rob Barr, Drafting Technician II. Mr. Barr reviewed maps with the Board of Commissioners.

**IN THE MATTER OF FINAL PLAT APPROVAL "Hearing Had 9:40 A.M."**  
**FOR REPLAT OF LOTS 1, 2, 3, 14, 15, & 16 OF THE**  
**RIDGES OF OLDE CUMBERLAND (STONES THROW)**  
**RICHLAND TOWNSHIP SEC. 15, T-7, R-4**

**"FINAL PLAT APPROVAL"**

**O.R.C. 711.05**

Motion made by Mrs. Favede to grant the final plat for the following:

**RESOLUTION**

**WHEREAS**, this day there was presented to the Board for approval the Final Plat for Replat of Lots 1, 2, 3, 14, 15 & 16, Richland Township Sec. 15, T-7, R-4, which appears to be regular in form and approved by the proper parties;

**THEREFORE**, said plat is hereby approved, upon recommendation of the County Engineer and with concurrence of the Township Trustees.

Mr. Coffland seconded the motion and upon roll call the vote was as follows:

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

October 19, 2016

**9:50 Agenda Item: Subdivision Hearing-Union Township  
Re: Dedication of Cherrywood Dr., Havenwood Addn.,**

**IN THE MATTER OF THE HEARING HELD RE:  
DEDICATION OF CHERRYWOOD DRIVE,  
HAVENWOOD ADDITION, UNION TOWNSHIP**

Present: Fred Bennett, County Engineer; Rob Barr, Drafting Technician II; John Spiga, Jr., Union Township Trustee; Robert DeFrank, Times Leader and Cathryn Stanley, Barnesville Enterprise. Mr. Bennett said the developer just called and they are not able to do the work that needs completed until next week. They also want to sealcoat the road, but it's too late in the year to do it. The developer offered to put some money in escrow for the township for the sealcoat to be done next year. Mr. Spiga said the Union Township Trustees wanted to postpone the hearing until the work was done and they wanted the escrow issue in writing.

Motion made by Mrs. Favade seconded by Mr. Coffland to postpone the Subdivision hearing in regards to the dedication of Cherrywood Drive in Havenwood Addition, Union Township, Section 21, T-8, R-5, to Wednesday, November 16, 2016, at 9:30 a.m. pursuant to the Ohio Revised Code Section 711.05 and proceed with the required notifications.

Upon roll call the vote was as follows:

Mrs. Favade	Yes
Mr. Coffland	Yes
Mr. Thomas	Yes

**IN THE MATTER OF HEARING CONTINUED ]  
FOR DEDICATION OF CHERRYWOOD DRIVE ]  
IN HAVENWOOD ADDITION ]  
UNION TWP. , SEC. 21, T-8, R-5 ]**

[Belmont Co. Commissioners  
[Courthouse  
[St. Clairsville, Ohio 43950  
[Date: October 19, 2016

**NOTICE OF NEW SUB-DIVISION**

*Revised Code Sec. 711.05*

To: Suz Pubal, F.O., Union Township Trustees, 67050 Visnic Road, Belmont, OH 43718

You are hereby notified that the 16th day of November, 2016, at 9:30 o'clock A.M. has been fixed as the date, and the office of the Commissioners, in the Court House, St. Clairsville, Ohio, as the place where the Commissioners will act on the above stated matter.

By order of the Belmont County Commissioners.

Jayne Long /s/  
Clerk of the Board

- Mail by certified return receipt requested
- cc: Union Township Trustees

**BREAK**

**10:00 Richard "Dick" Stobbs, Chairman, Gold Star Family Committee**

**Re: Certificate of Appreciation presentation**

Present: Richard Stobbs and Barb Reilly, Gold Star Family Committee; Mick Zingo, Belmont County Veterans Commission; Chester Crooks, Sons of the American Legion; Tom Weyrick and Tom Cottello, VFW Post 626 and Bruce Coffland.

Mr. Stobbs explained the Gold Star Family Committee started in 2006 at the Martins Ferry American Legion. He said a 'military sacrifice' license plate was created for families who have lost a loved one in a non-combat role while serving in the military. Commissioner Coffland attended the unveiling ceremony of the license plate in Columbus in June 2015, on behalf of the Board of Commissioners. Mr. Stobbs presented a certificate of appreciation to Commissioner Coffland for his support. "It's my honor to be able to work with the veterans and Veterans Day should be the most celebrated day of the year," said Commissioner Coffland.

**IN THE MATTER OF ENTERING  
EXECUTIVE SESSION AT 10:25 A.M.**

Motion made by Mrs. Favade seconded by Mr. Coffland to enter executive session with Katie Bayness, HR Administrator and Bryan Minder, 911 Director, pursuant to ORC 121.22(G)(4) Collective Bargaining.

Upon roll call the vote was as follows:

Mrs. Favade	Yes
Mr. Coffland	Yes
Mr. Thomas	Yes

**IN THE MATTER OF ADJOURNING  
EXECUTIVE SESSION AT 11:06 A.M.**

Motion made by Mrs. Favade seconded by Mr. Coffland to exit executive session at 11:06 a.m.

Upon roll call the vote was as follows:

Mrs. Favade	Yes
Mr. Coffland	Yes
Mr. Thomas	Yes

**AS A RESULT OF EXECUTIVE SESSION- NO ACTION TAKEN**

**11:00 Ginny Shrimplin/CORSA**

**RE: Courthouse Appraisal Report**

Present: Ginny Shrimplin and Allie Redman, CORSA; Clay Bethel and Bob Bethel, Bethel Insurance; Barb Blake, Fiscal Manager and Robert DeFrank, Times Leader.

Ms. Shrimplin gave an overview on the Courthouse appraisal report. She said CORSA hired a new appraisal company, HCA Asset Management Company, and have decided to appraise all the historical buildings first. Ms. Shrimplin explained the difference between reproduction versus replacement cost. If the county chooses reproduction cost instead of replacement cost, an appraisal needs done every five years. Belmont County had three buildings appraised, the Courthouse, Annex I (Western Court/Prosecutor's offices) and Sheriff's museum and (old) jail. Reproduction cost is cost to repair, rebuild, or replace with material of like kind and quality compatible to those originally used. Replacement cost is cost to rebuild or replace with new materials of like size, kind, and quality. Mr. Thomas noted we are spending \$2.2 million to renovate the exterior of the courthouse using Casino revenue; no tax payer's dollars are being used. Ms. Shrimplin said the county can go with different policies on any of the three buildings.

**IN THE MATTER OF AWARDING BID FOR ENGINEER'S PROJECT 16-5 BEL-10-20.6  
SLIP REPAIR (BARTON-BLAINE ROAD) TO OHIO-WV EXCAVATING COMPANY**

Motion made by Mrs. Favade, seconded by Mr. Coffland to award the bid for the Belmont County Engineer's Project 16-5 BEL-10-20.6 SLIP REPAIR (Barton-Blaine Road) project to the lowest bidder, Ohio-WV Excavating Company, in the amount of \$191,999.00, based upon the recommendation of Fred Bennett, County Engineer.

Upon roll call the vote was as follows:

Mrs. Favade	Yes
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October 19, 2016

Mr. Coffland	Yes
Mr. Thomas	Yes

**IN THE MATTER OF ADJOURNING  
COMMISSIONERS MEETING AT 11:50 A.M.**

Motion made by Mrs. Favede, seconded by Mr. Coffland to adjourn the meeting at 11:50 a.m.  
Upon roll call the vote was as follows:

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

Read, approved and signed this 26th day of October, 2016.

Ginny Favede /s/\_\_\_\_\_

Mark A. Thomas /s/\_\_\_\_\_ COUNTY COMMISSIONERS

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