

St. Clairsville, Ohio

November 20, 2018

The Board of Commissioners of Belmont County, Ohio, met this day in regular session. Present: J. P. Dutton, Josh Meyer 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 Mr. Dutton, seconded by Mr. Meyer 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 \$1,584,119.98

Upon roll call the vote was as follows:

Mr. Dutton	Yes
Mr. Meyer	Yes
Mr. Thomas	Yes

IN THE MATTER OF TRANSFERS WITHIN FUND

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

A00 GENERAL FUND

FROM	TO	AMOUNT
E-0048-A002-K03.012 Equipment	E-0048-A002-K05.000 Other Expenses	\$492.27
E-0051-A001-A50.000 Budget Stabilization	E-0252-A008-C01.000 Fees-Registration	\$408.80

B00 DOG & KENNEL FUND

FROM	TO	AMOUNT
E-1600-B000-B08.003 PERS	E-1600-B000-B09.004 Workers Comp	\$1,370.57

J00 REAL ESTATE ASSESSMENT/AUDITORS

FROM	TO	AMOUNT
E-1310-J000-J06.000 Other Expenses	E-1310-J000-J16.007 Unemployment	\$2,215.00

M67 ALTERNATIVE SCHOOL/JUVENILE COURT

FROM	TO	AMOUNT
E-0400-M067-M05.008 Insurances	E-0400-M067-M03.004 Workers Comp	\$393.86

S49 MENTAL HEALTH

FROM	TO	AMOUNT
E-2310-S049-S52.012 Equipment	E-2310-S049-S61.004 Workers Comp	\$500.00

S86 NORTHERN COURT GENERAL SPEC PROGRAM

FROM	TO	AMOUNT
E-1561-S086-S08.000 Other Expenses	E-1561-S086-S05.005 Medicare	\$200.00

S87 EASTERN COURT GENERAL SPEC PROGRAM

FROM	TO	AMOUNT
E-1571-S087-S08.000 Other Expenses	E-1571-S087-S03.006 Hospitalization	\$2,000.00

W80 PROSECUTORS-VICTIM ASST PROGRAM

FROM	TO	AMOUNT
E-1511-W080-P06.004 Workers Comp	E-1511-W080-P05.003 PERS	\$250.00

Upon roll call the vote was as follows:

Mr. Thomas	Yes
Mr. Meyer	Yes
Mr. Dutton	Yes

IN THE MATTER OF ADDITIONAL APPROPRIATIONS

Motion made by Mr. Thomas, seconded by Mr. Meyer to make the following additional appropriations, in accordance with the Official Certificate of Estimated Resources as approved by the Budget Commission, under the November 20, 2018 meeting:

A00 GENERAL FUND

E-0057-A006-F06.011	Veterinary Services	\$1,347.28
E-0257-A017-A00.000	Contingencies	\$18,005.56

O12 NEFFS BOND RETIREMENT/BCSSD

E-9312-O012-O01.050	Principal Loan Payments	\$15,000.00
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P95 HAZARD MITIGATION GRANT/EMA

E-1725-P095-P01.011	Contract Services	\$6,250.00
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Upon roll call the vote was as follows:

Mr. Thomas	Yes
Mr. Meyer	Yes
Mr. Dutton	Yes

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

Motion made by Mr. Dutton, seconded by Mr. Meyer to request the Belmont County Budget Commission certify the following monies.

GENERAL FUND/REIMBURSEMENT FROM CAT STRAY SHUN-\$1,347.28 deposited into R-0057-A006-A05.500 Animal Shelter Reimbursement Vet Bills 11/16/18.

REIMBURSEMENT FROM SHERIFF/JULY 2018 TO OCTOBER 2018-\$18,005.56 deposited into R-0050-A000-A40.500 on various dates (see below)

8/3/20018	\$4,501.39
9/14/2018	\$4,501.39
10/12/2018	\$4,501.39
10/31/2018	\$4,501.39

Upon roll call the vote was as follows:

Mr. Dutton	Yes
Mr. Meyer	Yes
Mr. Thomas	Yes

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

Motion made by Mr. Dutton, seconded by Mr. Meyer to execute payment of Then and Now Certification dated November 20, 2018, 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:

Mr. Dutton	Yes
Mr. Meyer	Yes
Mr. Thomas	Yes

Mr. Dutton made the following announcement:

The following changes have been made to the regular meeting schedule:

- No meeting will be held the week of December 23, 2018, due to the Christmas holiday.
- Thursday, January 3, 2019, instead of Wednesday, January 2, 2018, due to the New Year's holiday.

Note: All other meetings will be on Wednesdays at 9:00 a.m. as usual.

IN THE MATTER OF GRANTING PERMISSION FOR COUNTY EMPLOYEES TO TRAVEL

Motion made by Mr. Dutton, seconded by Mr. Meyer granting permission for county employees to travel as follows:

DJFS-Christine Parker to Columbus, OH, on December 3-4, 2018, to attend the Differential Response Leadership Council meeting. A county car will be used for travel. Estimated expenses: \$184.20. John Regis to Caldwell, OH, on December 5, 2018, to attend the TPOC Fall Conference. A county vehicle will be used for travel. Estimated expenses: \$15.00.

HR DEPARTMENT-Katie Bayness to Columbus, OH, on December 10, 2018, to attend the CCAO/CEOA Winter Conference.

SENIORS-Kay Driscoll to Moundsville, WV, on December 4, 11 & 18, 2018, for a senior outing to the Four Seasons Pool. Kay Driscoll to Wheeling, WV, on December 12, 2018, for a senior outing to the Festival of Lights and TJ's Restaurant. County vehicles will be used for travel.

Upon roll call the vote was as follows:

Mr. Dutton	Yes
Mr. Meyer	Yes
Mr. Thomas	Yes

IN THE MATTER OF RESCINDING THE MOTION OF NOVEMBER 7, 2018, AUTHORIZING THE HIRING OF KATIE HICKS AS FULL-TIME PERMANENT ELIGIBILITY REFERRAL SPECIALIST II/DEPT. OF JOB AND FAMILY SERVICES

Motion made by Mr. Dutton, seconded by Mr. Meyer to rescind the motion of November 7, 2018, authorizing the hiring of Katie Hicks as full-time permanent Eligibility Referral Specialist II for the Belmont County Department of Job and Family Services, effective December 3, 2018.

Upon roll call the vote was as follows:

Mr. Dutton	Yes
Mr. Meyer	Yes
Mr. Thomas	Yes

IN THE MATTER OF AUTHORIZING THE HIRING OF AMY GUNNING AS A FULL-TIME PERMANENT ELIGIBILITY REFERRAL SPECIALIST II FOR THE BELMONT COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES

Motion made by Mr. Dutton, seconded by Mr. Meyer to adopt the following:

RESOLUTION

WHEREAS, pursuant to the Ohio Revised Code, the Belmont County Board of Commissioners serves as co-appointing authority for the Belmont County Department of Job and Family Services; and

WHEREAS, in this capacity, the Board has the authority to establish compensation and benefit levels and authorize any hiring and/or other employment changes.

NOW THEREFORE, BE IT RESOLVED THAT, the Belmont County Board of Commissioners does hereby grant the Director of the Belmont County Department of Job and Family Services, the authority to hire Ms. Amy Gunning, effective December 3, 2018, as an Eligibility Referral Specialist II. Ms. Gunning will be employed as a full-time permanent, bargaining unit employee. Compensation shall be in accordance with the salary schedule as indicated in the current bargaining unit labor contract.

Upon roll call the vote was as follows:

Mr. Dutton	<u>Yes</u>
Mr. Meyer	<u>Yes</u>
Mr. Thomas	<u>Yes</u>

IN THE MATTER OF AWARDING BID TO THOMAS GARAGE, INC., FOR SENIOR SERVICES OF BELMONT COUNTY FOR FOUR NEW ALL-WHEEL DRIVE SEDANS AND FOUR NEW HOTSHOT VEHICLES WITH MEAL DELIVERY PACKAGE

Motion made by Mr. Dutton, seconded by Mr. Meyer to award the bid to the low bidder, Thomas Garage, Inc., for Senior Services of Belmont County for four (4) new all-wheel drive sedans, in the amount of \$115,044.00 and four (4) new Hotshot vehicles with meal delivery package, in the amount of \$188,258.00, based upon the recommendation of Gary Armitage, Director.

Upon roll call the vote was as follows:

Mr. Dutton	Yes
Mr. Meyer	Yes
Mr. Thomas	Yes

Above motion amended on March 6, 2019, for the corrected amount of \$180,344.00.

IN THE MATTER OF CERTIFYING ALL DELINQUENT ACCOUNTS FOR BELMONT COUNTY SANITARY SEWER DISTRICT TO THE COUNTY AUDITOR

Motion made by Mr. Dutton, seconded by Mr. Meyer to approve the certification of the delinquent accounts for the Belmont County Water and Sewer District WWS#3 and SSD#2 to the Belmont County Auditor to be placed on the Tax Duplicate and collected in the same manner as other real estate taxes for the year 2018.

Upon roll call the vote was as follows:

Mr. Dutton	Yes
Mr. Meyer	Yes
Mr. Thomas	Yes

**IN THE MATTER OF THE VACATION OF AN
UNNAMED ALLEY IN SUNNYSIDE ADDITION
RICHLAND TWP. SEC.29, T-7, R-4/RD IMP 1169**

**Office of County Commissioners
Belmont County, Ohio**

The Board of County Commissioners of Belmont County, Ohio, met in Regular session on the 20th day of November, 2018, at the office of the Commissioners with the following members present:

Mr. Dutton
Mr. Meyer
Mr. Thomas

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

Mr. Dutton 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, as ordered heretofore, made on journal of the date of November 7, 2018, and a copy of this resolution be forwarded to the Richland Township Trustees.

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

<u>Mr. Dutton</u>	<u>Yes</u>
<u>Mr. Meyer</u>	<u>Yes</u>
<u>Mr. Thomas</u>	<u>Yes</u>

Adopted the 20th day of November, 2018.

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

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

Commissioner Dutton noted there was no opposition to the closing.

**IN THE MATTER OF APPROVING REQUEST
FROM SUMMIT MIDSTREAM, UTICA, LLC FOR
RELEASE OF ROAD USE MAINTENANCE AGREEMENT**

Motion made by Mr. Dutton, seconded by Mr. Meyer to approve the request from Summit Midstream, Utica, LLC for the release of the Road Use Maintenance Agreement (RUMA) dated February 15, 2017, for the use of 0.76 miles of CR5 (Glencoe-St. Clairsville Road) based upon the recommendation of Terry Lively, Belmont County Engineer.

Note: The roads have been restored to satisfactory condition per the County Engineer.

Upon roll call the vote was as follows:

Mr. Dutton	Yes
Mr. Meyer	Yes
Mr. Thomas	Yes

**IN THE MATTER OF AUTHORIZING THE BELMONT
COUNTY PROSECUTOR TO PROCEED WITH FILING
LITIGATION AGAINST THE BELMONT COUNTY HUMANE
SOCIETY ON BEHALF OF BELMONT COUNTY**

Motion made by Mr. Dutton, seconded by Mr. Thomas to authorize the Belmont County Prosecutor to proceed with filing litigation against the Belmont County Humane Society on behalf of Belmont County.

Upon roll call the vote was as follows:

Mr. Dutton	Yes
Mr. Thomas	Yes
Mr. Meyer	No

RECESS

**9:30 Public Hearing-Road Improvement 1171
Re: Vacation of a portion of McGregor Hill Rd (T-317)**

Present: Andrew Hadzima, Drafting Technician II; Pultney Township Trustees Frank Shaffer and Mark Cervelli; Petitioner Mike Banig; and McGregor Hill Road residents; Don Harr, Kermit Sweigart, Debi Ponsetti, Bob Anderson, Nancy Anderson, Roger Clifford, Phyllis McVey, Howard Myers, John McVey, Dixie Mills, Peter Mills, Earl Matthews, Sharon Banig, Andy Barricklow, Bob Wiggins and Tim Zingo. Mr. Hadzima presented maps and described the area of proposed vacation. Present at the view was Terry Lively, Belmont County Engineer, Andrew Hadzima, Commissioners Dutton and Meyer, Pultney Township Trustees Frank Shaffer and Mark Cervelli, Neffs Fire Chief Mike Knowlton, Petitioner Mike Banig and multiple landowners.

IN FAVOR OF CLOSING:

Earl Matthews is in favor of the closing due to vehicles speeding and heavy trucks turning around.

Sharon Banig is in favor of the closing due to vehicles speeding and trash being dumped on property. She is also worried about the safety of the children playing and riding their bikes. Mrs. Banig said the road needs fixed and properly stabilized. She asked if the road can be made a no through way. She also said a lot of drug trafficking is going on.

Mr. Thomas explained this is a hearing for the pros and the cons of closing this road. He said the road in question is a township road. The law says the petition for road closures goes through a procedure through the Engineer’s, regardless of the road, and ultimately comes through the County Commissioners. Fixing the road is through the Township Trustees.

Mike Banig, Petitioner, said he collected 22 signatures on the petition, only 10 were needed. He asked for a no through road sign to be put up.

Mr. Thomas said you can’t prohibit a public road.

Mike Banig said he has never seen an ambulance use the road or a fire truck. He wanted it on record he is worried about the kids on the road and vehicles speeding.

Mr. Thomas asked if a posted limit is on the road

Pultney Township Trustee Frank Shaffer said 25 mph signs are posted, but not legal because no speed survey was done so it’s really 55 mph.

Mr. Thomas explained, per Ohio law, if a road does not go through a speed survey all roads in the county are 55 mph.

Bob Wiggins said he has lived on the road since 1958. He questioned if the bridge at the bottom support a fire truck. He noted if the road is closed there is a good chance the home owners/fire insurance will go up.

AGAINST THE ROAD CLOSURE:

Pete Mills presented written opposition to the Board and gave a history of various uses of the road by him and others. He said public use consisted of mail, paper, UPS, garbage pickup, etc. Mr. Mills said the road has served as a detour several times and emergency vehicles use it for a faster response time. He added there is no turnaround for snow plow or escape in case of well blowout. He noted 48 families live on the road.

Debi Ponsetti said the fire chief explained response times to lower end would increase from 5 minutes to 10 or 15 minutes.

Kermit Sweigart said several years ago he has a medical emergency and got to the hospital in 20 minutes. If he would have arrived in 40 minutes he wouldn't be here today. He is worried about the response times for emergency vehicles.

Andy Barricklow, whose in-laws live on the road, said his biggest concern if the road is closed is an emergency situation. He asked, if the road is closed, how hard is it to reopen.

Mr. Hadzima said it would have to be upgraded and brought back to the Engineer's code requirements which would be very expensive.

Mr. Dutton said the County Engineer will review all comments from today's hearing and make his recommendation.

NOTICE OF PUBLIC ROAD HEARING

CONTINUED

Revised Code Sec. 5553.05

**IN THE MATTER OF THE VACATION OF
A PORTION OF MCGREGOR HILL RD (T-317)
PULTNEY TWP. SEC. 13, T-6, R-3/RD IMP 1171
HEARING CONTINUED**

[BEL. CO. COMMISSIONERS
[COURT HOUSE
[ST. CLAIRSVILLE, OH 43950
[DATE November 20, 2018

Motion made by Mr. Dutton, seconded by Mr. Thomas to continue the hearing for **Road Improvement 1171** for the vacation of a portion of McGregor Hill Road (T-317), Pultney Township, at 9:30 a.m., Wednesday, December 12, 2018, and to send the required notifications per ORC 5553.04.

To Marla Krupnik, F.O., Pultney Township Trustees, 1410 High St., Bellaire, OH 43906, and the owner(s) of property abutting road petitioned for vacation.

You are hereby notified that the Board of Commissioners has fixed **the 12th day of December, 2018 at 9:30** o'clock A.M., at the office of the Commissioners, in the Court House, St. Clairsville, Ohio, as the place for the **continued** hearing on the above stated matter.

If you have any objections, you or your agent should appear at this hearing matter.

By order of the Belmont County Commissioners.

Jayne Long /s/
Clerk of the Board

Mail by certified return receipt requested.

cc: Pultney Township Trustees
Gene Wells, ODNR
Adjacent Property Owners

Upon roll call the vote was as follows:

Mr. Dutton	Yes
Mr. Thomas	Yes
Mr. Meyer	Yes

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

Motion made by Mr. Dutton, seconded by Mr. Meyer to enter executive session with Katie Bayness, HR Administrator, pursuant to ORC 121.22(G)(1) Personnel Exception to consider the discipline of a public employee.

Upon roll call the vote was as follows:

Mr. Dutton	Yes
Mr. Meyer	Yes
Mr. Thomas	Yes

**IN THE MATTER OF ADJOURNING
EXECUTIVE SESSION AT 10:40 A.M.**

Motion made by Mr. Dutton, seconded by Mr. Meyer to exit executive session at 10:40 a.m.

Upon roll call the vote was as follows:

Mr. Dutton	Yes
Mr. Meyer	Yes
Mr. Thomas	Yes

AS A RESULT OF EXECUTIVE SESSION –NO ACTION TAKEN AT THIS TIME

November 20, 2018

**IN THE MATTER OF ADJOURNING
COMMISSIONERS MEETING AT 10:41 A.M.**

Motion made by Mr. Dutton, seconded by Mr. Thomas to adjourn the meeting at 10:41 a.m.
Upon roll call the vote was as follows:

Mr. Dutton	Yes
Mr. Thomas	Yes
Mr. Meyer	Yes

Read, approved and signed this 28th day of November, 2018.

J. P. Dutton /s/ _____

Mark A. Thomas /s/ _____ COUNTY COMMISSIONERS

Josh Meyer /s/ _____

We, J. P. Dutton 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.

J. P. Dutton /s/ _____ PRESIDENT

Jayne Long /s/ _____ CLERK