

The Board of Commissioners of Belmont County, Ohio, met this day in regular session. Present: Josh Meyer, Jerry Echemann and J. P. Dutton, 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. Meyer, seconded by Mr. Echemann 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 \$1,048,910.67

Upon roll call the vote was as follows:

| | |
|--------------|-----|
| Mr. Meyer | Yes |
| Mr. Echemann | Yes |
| Mr. Dutton | Yes |

IN THE MATTER OF TRANSFERS WITHIN FUND

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

A00 GENERAL FUND

| FROM | TO | AMOUNT |
|---------------------------------|--------------------------|---------------|
| E-0131-A006-A03.002 Jail-Salary | E-0131-A006-A08.000 Food | \$50,000.00 |

S30 OAKVIEW JUVENILE REHABILITATION

| FROM | TO | AMOUNT |
|-------------------------------------|------------------------------|---------------|
| E-8010-S030-S59.000 Fuel/Utilities | E-8010-S030-S51.002 Salaries | \$2,000.00 |
| E-8010-S030-S67.004 Workers Comp | E-8010-S030-S51.002 Salaries | \$11,164.04 |
| E-8010-S030-S68.006 Hospitalization | E-8010-S030-S51.002 Salaries | \$4,000.00 |

Upon roll call the vote was as follows:

| | |
|--------------|-----|
| Mr. Dutton | Yes |
| Mr. Meyer | Yes |
| Mr. Echemann | Yes |

IN THE MATTER OF ADDITIONAL APPROPRIATIONS

Motion made by Mr. Dutton, 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 July 03, 2019 meeting:

A00 GENERAL FUND

| | | |
|---------------------|-----------------------------------|------------|
| E-0170-A006-G12.000 | Indigent Clients-Payment to State | \$1,052.52 |
| E-0257-A015-A14.000 | Attorney Fees | \$1,453.48 |

B00 DOG & KENNEL FUND

| | | |
|---------------------|---------------------|-------------|
| E-1600-B000-B02.002 | Salaries | \$63,000.00 |
| E-1600-B000-B07.000 | Veterinary Services | \$30,700.00 |
| E-1600-B000-B08.003 | P.E.R.S. | \$8,800.00 |
| E-1600-B000-B13.006 | Hospitalization | \$31,000.00 |
| E-1600-B000-B17.011 | Contract Services | \$30,700.00 |

E10 911 FUND

| | | |
|---------------------|----------------|------------|
| E-2200-E010-E07.000 | Other Expenses | \$2,174.70 |
|---------------------|----------------|------------|

E11 9-1-1 WIRELESS

| | | |
|---------------------|-------------------|-------------|
| E-2301-E011-E01.011 | Contract Services | \$10,725.99 |
|---------------------|-------------------|-------------|

L01 SOIL CONSERVATION/BSWCD

| | | |
|---------------------|----------|------------|
| E-1810-L001-L01.002 | Salaries | \$1,833.33 |
|---------------------|----------|------------|

M67 ALTERNATIVE SCHOOL/JUVENILE COURT

| | | |
|---------------------|------------|----------|
| E-0400-M067-M05.008 | Insurances | \$286.19 |
|---------------------|------------|----------|

S12 PORT AUTHORITY

| | | |
|---------------------|-----------------------|-------------|
| E-9799-S012-S07.000 | Professional Services | \$10,000.00 |
|---------------------|-----------------------|-------------|

SHERIFF/VARIOUS FUNDS

| | | |
|---------------------|---------------|------------|
| E-0131-A006-A07.000 | Training | \$5,194.00 |
| E-0131-A006-A09.000 | Medical | \$338.50 |
| E-0131-A006-A17.010 | Cruisers | \$367.62 |
| E-0131-A006-A23.000 | Background | \$377.00 |
| E-0131-A006-A24.000 | E-SORN | \$508.00 |
| E-0131-A006-A26.000 | K-9 | \$600.00 |
| E-1652-B016-B02.000 | DUI | \$75.00 |
| E-5100-S000-S01.010 | Commissary | \$1,736.73 |
| E-5101-S001-S06.000 | CCW License | \$2,113.00 |
| E-5101-S001-S07.012 | CCW Equipment | \$2,470.00 |
| E-9710-U010-U06.000 | Reserve | \$703.17 |

Y30 ISSUE TWO MATCH MONIES/ENGINEER

| | | |
|---------------------|------------------|----------|
| E-9830-Y030-Y10.000 | Project Payments | \$500.00 |
|---------------------|------------------|----------|

OAKVIEW JUVENILE REHABILITATION

| | | |
|---------------------|--------------------------|-------------|
| E-8010-S030-S64.012 | Equipment | \$22,329.00 |
| E-8010-S030-S72.000 | Capital Repairs | \$26,866.00 |
| E-8011-S031-S02.000 | Food (NSLA/Meal Tickets) | \$2,264.02 |
| E-8012-S032-S00.000 | Activity Fund | \$412.30 |

Upon roll call the vote was as follows:

| | |
|--------------|-----|
| Mr. Dutton | Yes |
| Mr. Meyer | Yes |
| Mr. Echemann | Yes |

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

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

July 3, 2019

B00 DOG & KENNEL FUND/GENERAL FUND TRANSFER-\$164,200.00 transferred from the General Fund into R-1600-B000-B11.574 on 7/03/19.

Upon roll call the vote was as follows:

| | |
|--------------|-----|
| Mr. Meyer | Yes |
| Mr. Echemann | Yes |
| Mr. Dutton | Yes |

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

Motion made by Mr. Meyer, seconded by Mr. Echemann to execute payment of Then and Now Certification dated July 3, 2019, 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. Meyer | Yes |
| Mr. Echemann | Yes |
| Mr. Dutton | Yes |

IN THE MATTER OF GRANTING PERMISSION FOR COUNTY EMPLOYEES TO TRAVEL

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

JAIL-Debra Butler to Lancaster, OH, on July 30, 2019, to attend the CORSA training: Jail Healthcare: Legal Liability update and Healthcare Solutions Training Seminars.

SENIORS-Donna Steadman to Moundsville, WV, on July 2, 9, 16 & 23, 2019, for a senior outing to the Four Seasons Pool. Donna Steadman to Cumberland, OH, on July 30, 2019, for a senior outing to The Wilds. County vehicles will be used for travel.

Upon roll call the vote was as follows:

| | |
|--------------|-----|
| Mr. Meyer | Yes |
| Mr. Echemann | Yes |
| Mr. Dutton | Yes |

IN THE MATTER OF APPROVING MINUTES OF REGULAR BOARD OF COMMISSIONERS MEETING

Motion made by Mr. Meyer, seconded by Mr. Echemann to approve the minutes of the Belmont County Board of Commissioners regular meeting of June 26, 2019.

Upon roll call the vote was as follows:

| | |
|--------------|-----|
| Mr. Meyer | Yes |
| Mr. Echemann | Yes |
| Mr. Dutton | Yes |

IN THE MATTER OF TRANSFER OF LIQUOR PERMIT

Motion made by Mr. Meyer, seconded by Mr. Echemann 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 the transfer of liquor permit number 0346887 from Titan Food and Beverage LLC, DBA Barton Trap, 1st Floor & Basement & Patio, 70736 Main St., Colerain Twp., Barton, Oh 43905 to B&L Ohio Properties LLC, 70736 Main St., Colerain Twp., Barton, OH 43905. 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:

| | |
|--------------|-----|
| Mr. Meyer | Yes |
| Mr. Echemann | Yes |
| Mr. Dutton | Yes |

IN THE MATTER OF ADOPTING PRELIMINARY CONSENT LEGISLATION RESOLUTION EMPOWERING COUNTY ENGINEER, ON BEHALF OF THE BOARD OF COMMISSIONERS, TO ENTER ALL CONTRACTS AND AGREEMENTS WITH ODOT FOR BEL-CR46-2.39

Motion made by Mr. Meyer, seconded by Mr. Echemann to adopt the Preliminary Legislation resolution empowering the Belmont County Engineer, on behalf of the Board of Belmont County Commissioners, to enter into all contracts and agreements with the Ohio Department of Transportation that are necessary in connection with the following project:

- BEL-CR46-2.39 (New Cut Road) PID 110724

Note: This emergency project is 80% federally funded, 20% county funded and is for a 130' long slide repair.

PRELIMINARY LEGISLATION

Participatory

Rev. 6/26/00

Ordinance/Resolution # : N/A

PID No. : 110724

County/Route/Section: BEL-CR46-2.39

The following is a/an Resolution enacted by the Belmont County Commissioners of Belmont County, Ohio, hereinafter referred to as the Local Public Agency (LPA).

SECTION I – Project(s) Description

WHEREAS, the LPA and STATE have determined the need for the described projects under a declaration of emergency by the Governor of Ohio:

BEL-CR46-2.39 (PID 110724): 130' long slide repair by drilled shaft retaining wall

WHEREAS, the State has set aside available Federal-aid funds for financing these improvements from funds allocated by the Federal Highway Administration, U.S. Department of Transportation for emergency highway repairs.

NOW THEREFORE, be it ordained by the Belmont County Commissioners of Belmont County, Ohio.
(LPA)

SECTION II – Consent Statement

Being in the public interest, the LPA gives consent to the Director of Transportation to develop, construct and complete the above described projects.

SECTION III – Cooperation Statement

The LPA shall cooperate with the Director of Transportation in the above described projects as follows:

The LPA agrees to participate in all associated costs of the projects including; preliminary design engineering, environmental analysis and reporting, right of way, if necessary, construction, and construction engineering.

The LPA and STATE agree that the STATE has set aside available Federal-aid funds for the financing these improvements from funds allocated by the Federal Highway Administration U.S. Department of Transportation for emergency highway repairs at Eighty Per Cent (80%) with the LPA participating in such remaining costs at Twenty Per Cent (20%); and

At present, the cost estimates for development, design and construction of the projects are indicated on Exhibit A attached hereto. The LPA further agrees to pay 100% of the cost of those features requested by the LPA which are determined by the State and Federal Highway Administration to be unnecessary for the Projects.

The LPA further agrees that change orders and extra work contracts required to fulfill the construction contracts shall be processed as needed. The State shall not approve a change order or extra work contract until it first gives notice, in writing, to the LPA. The LPA shall contribute its share of the cost of these items in accordance with other sections herein.

The LPA further agrees to pay 100% of the cost to install and/or repair curb ramps at all necessary intersections to ensure compliance with the Americans with Disabilities Act.

PID No.: 110724

SECTION IV – Utilities and Right-of-Way Statement

The LPA agrees to acquire and/or make available to ODOT, in accordance with current State and Federal regulations, all necessary right-of-way required for the described Projects. The LPA also understands that right-of-way includes eligible utility costs.

The LPA agrees to be responsible for all utility accommodation, relocation and reimbursement and agrees that such accommodation, relocations, and reimbursements shall comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

SECTION V – Maintenance

Upon completion of the Projects, and unless otherwise agreed, the LPA shall: (1) provide adequate maintenance for the Projects in accordance with all applicable State and Federal law, including, but not limited to, Title 23, U.S.C., Section 116; (2) provide ample financial provisions, as necessary, for the maintenance of the Projects; (3) maintain

the right-of-way, keeping it free of obstructions; and (4) hold said right-of-way inviolate for public highway purposes.

SECTION VI Authority to Sign

I, Terry Lively, County Engineer of said Belmont County Commissioners is hereby empowered on behalf of the
(Contractual Agent) (LPA)

Belmont County Commissioners to enter into and all contracts or agreements with the Director of Transportation
(LPA)

that are necessary in connection with the development, design and construction to complete the above described projects.

Passed: July 3, 2019.

(Date)

Attested: Jayne Long /s/
(Clerk)

Terry Lively /s/ Belmont Co. Engineer
(Contractual Agent of LPA – title)

Attested: Jayne Long /s/ Clerk
(Title)

Josh Meyer /s/
(President of the Board of Commissioners)

The Resolution is hereby declared to be an emergency measure to expedite the highway project and to promote highway
(Ordinance/Resolution)

safety. Following appropriate legislative action, it shall take effect and be in force immediately upon its passage and approval, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Upon roll call the vote was as follows:

| | |
|--------------|-----|
| Mr. Meyer | Yes |
| Mr. Echemann | Yes |
| Mr. Dutton | Yes |

Mr. Meyer said the damage is from the storms of 2018 and the federal funding is just coming in.

OPEN PUBLIC FORUM-Mike Bianconi, Pease Township Trustee and county resident, said he attended informational meetings regarding the injection well and he learned a lot. He said several years ago they “snuck” an injection well in on (CR) 214. “I don’t think we should be the dumping ground for this stuff,” said Mr. Bianconi. He said Pease Township Trustees will be passing a letter against the injection well and asked the Commissioners do the same. Mr. Meyer said, “The last couple of weeks we’ve publicly stated that we oppose the injection well site, that it is a poor site, and we’ve also been working on this for several weeks prior, as soon as the issue came up.” He said Commissioner Dutton has been in contact with ODNR and we have contacted Don Jones, state representative, and talked to him about this particular issue. He (Representative Jones) is going to contact the director of ODNR. Mr. Meyer noted he is referencing ODNR so much because they have the permitting authority. He said they have talked to Senator Hoagland and a representative from ODNR and clearly stated their objection to the location of the well and they will continue to do so. Mr. Dutton agreed with Mr. Meyer that they were involved from the start, within a couple of days from when they received notice he spoke to ODNR. He was told at that point they were just getting ready to assign a geologist to their permit. The process hadn’t even started yet. They were going to assign a geologist to start the geological evaluation of the site. Mr. Dutton said he is very familiar with that interchange as he grew up in Flushing and currently lives near the site. “To me, my first reaction to this continues to be the same thing. I remember when there were actually businesses on that location. It’s been quite some time since then but to me, it wasn’t a good fit for that location. Again, I conveyed this to ODNR. At that point we kind of continued to convey that to everyone we have spoken to since.” He added they have spoken to a lot of residents who have called the office and stated they don’t think this is a good site. Mr. Dutton said there is currently production happening in Belmont County and a portion of that production is going outside of this county or outside of the state. Mr. Dutton said he attended the informational meeting on Monday night that Mr. Bianconi mentioned. He said, “I don’t think I have any environmental concerns at this point, but I will continue to educate myself as much as humanly possible on those aspects of it. But my concern right now is the site and if it’s a good match for a facility like this.” Mr. Dutton said, “After talking to ODNR, I know there is a process to this. There is no time line in terms of how long that process can take. They told me that the first time I called. I had asked how long will this evaluation will take. They said it is site by site. There was no indication given to me on how long it would take.” Mr. Dutton noted there is currently production in Belmont County and it’s going outside of this county and state. He said, “We would not be alone in terms of having these locations in Belmont County. They do exist in other counties, they do exist in other states, they do exist across the country.” Mr. Dutton said he wants to keep this as factual as possible, as a board they try to keep close to the facts as possible. If they deviate from that he doesn’t think, sometimes, good decisions are made. He added they have open public forum for this reason, when time allows, so residents can ask questions and they try to make themselves as accessible as possible. Mr. Dutton said they are asked why the board doesn’t pass an ordinance or law against this. He explained county government doesn’t have the authority to pass laws or ordinances; villages and municipalities have that authority. He said, “We follow the state laws that are provided to us.” Mr. Echemann said he is also opposed to the site. He would prefer to see a business go in that location. “We do have oil and gas in our county, and I don’t think we can have all this oil and gas activity without some injection well,” said Mr. Echemann. Frank Papini, St. Clairsville resident, said since the Army Corps of Engineers is involved due to the wetland situation, he feels they should be contacted to see what their decision is going to be about this as well as leaning on our state senators. Amanda Smith, St. Clairsville resident who lives within a mile of the injection site, said saying this is not an environmental issue with the water situation, the air quality situation and the wetlands is an appalling statement. She said, “As a voter, and every voter in Belmont County, should ask that be the Commissioners’ stance.” She added ODNR has stated this is in the Commissioners’ hands at this point, as well at Senator

Hoagland and Representative Don Jones. They said you need to do a resolution that said this should be stopped. Mr. Meyer said he has talked to Senator Hoagland and Don Jones on several occasions. He said as Commissioner Dutton stated, they can't pass laws that will stop anything. He said just because they pass a resolution it will not stop the state from doing anything. Ms. Smith said, just do it, it shows you hear us, represent us and support us. Mr. Meyer said they will take the next steps they need to take and put pressure on ODNR. He added he will talk to Senator Hoagland and Don Jones and write a letter of rejection to the state and ODNR. Mr. Dutton said regarding his environmental statement it was his statement and not of the Commissioners as a whole. "I said I'll continue to educate myself." He noted he lives 1/2 mile from the location himself. He said, "Our state legislators have direct oversight over ODNR. If a letter is truly the next step, we've not been told that." Mr. Meyer said he talked to Senator Hoagland this morning and was not told that. Steve Hill said to keep in mind that Saginaw mine is under that site and they "took quite a bit of coal out so finding a block of coal to punch through is going to be very slim." Jim Martinek also said it was "extremely important" for the board to put their opposition in writing. He expressed concerns about the materials being injected and said, "We need to be very, very careful because we might be poisoning the future. It's not worth taking a chance." Mr. Dutton agreed in writing is important. He added that this is the third public meeting in a row in which the board has made comments which are in their minutes, which are online, which are also in writing. He said ODNR has a process, they are going to evaluate whether this proposed well is constructed and how everything that goes into it is environmentally safe for the residents of Belmont County, Richland Township, State of Ohio. He said, "I don't want to see it if it's not environmentally safe." Margie Young who lives by Ohio University asked what happens if people have to be evacuated and I-70 and SR40 would be shut down. How would we evacuate the prison, colleges, schools, residents and 911 center. "It would be almost impossible," she said. Mr. Dutton said, "I completely agree and we all agree. I've communicated that." Mr. Meyer said, "We will put it in writing." He noted his son attends a school in that area. He said, "We appreciate your comments and take them to heart." Ms. Smith said, "We've had so many people say it's on the commissioners so I think if you just write a letter and all 3 sign and send to ODNR." Mr. Dutton said, "We will make it clear, our opinion on how this impacts the local community." He said just to make it clear, ODNR is a state agency, it has a state representative and a state senator that have oversight over that, just like we have oversight over county entities. He added we will do all we can as we have for the last three months. Karen Martinek asked Mr. Dutton if he doesn't like the term dumping ground, what term would he use if our laws are so poor that Pennsylvania and New Jersey want to bring their waste to Belmont County? He replied he thinks it becomes a problem when terms are thrown loosely, sometimes it buries the facts of the issue. As to how we compare to other states, he thinks that is a question for state legislators who make state law. He said if the board sees a deficiency with any issue at the local level, they communicate it to their state legislators. Mr. Dutton said when terminology like that is used it can skew the facts, for him the term dumping ground envisions it's only in our borders and that's not true, there are other (injection well) locations outside of Belmont County. Mr. Meyer said he appreciates everyone coming in to share their thoughts.

BREAK

Mr. Meyer clarified the following executive session has nothing to do with the injection well and has been on the board's agenda since last week.

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

Motion made by Mr. Meyer, seconded by Mr. Echemann to enter executive session with Katie Bayness, HR Administrator, pursuant to ORC 121.22(G)(1) Personnel Exception to consider the employment, compensation and discipline of public employees.

Upon roll call the vote was as follows:

| | |
|--------------|-----|
| Mr. Meyer | Yes |
| Mr. Echemann | Yes |
| Mr. Dutton | Yes |

IN THE MATTER OF ADJOURNING EXECUTIVE SESSION AT 11:16 A.M.

Motion made by Mr. Meyer, seconded by Mr. Echemann to exit executive session at 11:16 a.m.

Upon roll call the vote was as follows:

| | |
|--------------|-----|
| Mr. Meyer | Yes |
| Mr. Echemann | Yes |
| Mr. Dutton | Yes |

AS A RESULT OF EXECUTIVE SESSION-

IN THE MATTER OF APPROVING THE PROMOTION OF CHAD SUTTON/ BELMONT COUNTY WATER AND SEWER DISTRICT

Motion made by Mr. Meyer, seconded by Mr. Echemann to approve the promotion of Chad Sutton from Utility Worker to Mechanic/Distribution Maintenance for Belmont County Water & Sewer District, effective July 7, 2019.

Upon roll call the vote was as follows:

| | |
|--------------|-----|
| Mr. Meyer | Yes |
| Mr. Echemann | Yes |
| Mr. Dutton | Yes |

IN THE MATTER OF ISSUING A SUSPENSION TO CORY CLARK/SENIOR SERVICES OF BELMONT COUNTY

Motion made by Mr. Meyer, seconded by Mr. Echemann to issue a suspension to Senior Services employee Cory Clark. Suspension will be served July 9, 2019.

Upon roll call the vote was as follows:

| | |
|--------------|-----|
| Mr. Meyer | Yes |
| Mr. Echemann | Yes |
| Mr. Dutton | Yes |

July 3, 2019

July 3, 2019

**IN THE MATTER OF ADJOURNING
COMMISSIONERS MEETING AT 11:57 A.M.**

Motion made by Mr. Meyer, seconded by Mr. Echemann to adjourn the meeting at 11:57 a.m.
Upon roll call the vote was as follows:

| | |
|--------------|-----|
| Mr. Meyer | Yes |
| Mr. Echemann | Yes |
| Mr. Dutton | Yes |

Read, approved and signed this 10th day of July, 2019.

Josh Meyer /s/ _____

Jerry Echemann /s/ _____ COUNTY COMMISSIONERS

J. P. Dutton /s/ _____

We, Josh Meyer 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.

Josh Meyer /s/ _____ PRESIDENT

Jayne Long /s/ _____ CLERK