

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 \$303,312.52**

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:

**W80 PROSECUTORS/VICTIM ASSISTANCE PROGRAM**

<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
E-1511-W080-P02.010 Supplies	E-1511-W080-P01.002 Salaries	\$132.00
E-1511-W080-P07.006 Hospitalization	E-1511-W080-P01.002 Salaries	\$250.00

Upon roll call the vote was as follows:

Mr. Dutton	Yes
Mr. Meyer	Yes
Mr. Echemann	Yes

**IN THE MATTER OF TRANSFERS BETWEEN FUND**

Motion made by Mr. Dutton, seconded by Mr. Meyer to approve the following transfers between funds as follows:

**S66 DEVELOPMENTAL DISABILITIES AND THE S67 RESERVE ACCOUNT/BRD. OF DD**

<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
E-2410-S066-S84.074 Transfers Out	R-2411-S067-S11.574 Transfers In	\$1,200,000.00

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 October 02, 2019 meeting:

**S33 DISTRICT DETENTION HOME/SARGUS**

E-0910-S033-S33.002	Salaries	\$40,000.00
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Upon roll call the vote was as follows:

Mr. Dutton	Yes
Mr. Meyer	Yes
Mr. Echemann	Yes

**IN THE MATTER OF TRANSFER OF FUNDS FOR HOSPITALIZATION CHARGEBACKS FOR SEPTEMBER & OCTOBER 2019**

Motion made by Mr. Meyer, seconded by Mr. Echemann to make the following transfer of funds for Hospitalization Chargebacks for September & October 2019.

From:		To:	
NUMBER	ACCOUNT	NUMBER	AMOUNT
E-0170-A006-G10.000	PUBLIC DEFENDER	R-9891-Y091-Y01.500	8,162.40
E-0181-A003-A11.000	BD OF ELECTIONS	R-9891-Y091-Y01.500	16,885.98
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	44,893.20
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	12,957.72
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	2,958.84
E-1518-S075-S03.002	MHAS SUBSIDY GRANT	R-9891-Y091-Y01.500	739.71
E-1520-S077-S04.006	CORRECTIONS ACT	R-9891-Y091-Y01.500	3,698.55
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	10,407.12
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	2,958.84
E-1815-L005-L15.006	WATERSHED COORD.	R-9891-Y091-Y01.500	984.26

E-2310-S049-S63.000	MENTAL HEALTH	R-9891-Y091-Y01.500	8,519.46
E-2410-S066-S80.000	MENTAL RETARDATION	R-9891-Y091-Y01.500	131,516.04
E-2510-H000-H16.006	HUMAN SERVICES	R-9891-Y091-Y01.500	168,813.98
E-2760-H010-H12.006	CHILD SUPPORT	R-9891-Y091-Y01.500	18,980.86
E-2811-K200-K10.006	K-1	R-9891-Y091-Y01.500	561.18
E-2811-K200-K10.006	K-2	R-9891-Y091-Y01.500	6,682.98
E-2812-K000-K20.006	K-11	R-9891-Y091-Y01.500	54,483.84
E-2813-K000-K39.006	K-25	R-9891-Y091-Y01.500	17,038.92
E-4110-T075-T52.008	WIC	R-9891-Y091-Y01.500	3,550.60
E-5005-S070-S06.006	SENIOR SERVICE PROG	R-9891-Y091-Y01.500	97,540.56
E-6010-S079-S07.006	CLRK OF COURTS	R-9891-Y091-Y01.500	4,642.38
E-1561-S086-S03.006	Northern Court-Special	R-9891-Y091-Y01.500	2,958.84
E-1571-S087-S03.006	Eastern Court - Special	R-9891-Y091-Y01.500	2,958.84
E-1551-S088S03.006	Western Court-Special	R-9891-Y091-Y01.500	2,958.84
E-8010-S030-S68.006	OAKVIEW JUVENILE	R-9891-Y091-Y01.500	35,914.32
E-9799-S012-S02.006	Port Authority	R-9891-Y091-Y01.500	1,122.36
	<b>WATER DEPARTMENT</b>		
E-3702-P005-P31.000	WWS #3 Revenue	R-9891-Y091-Y01.500	55,381.72
E-3705-P053-P15.000	SSD #2 Revenue	R-9891-Y091-Y01.500	15,426.92
	<b>COUNTY HEALTH</b>		
E-2210-E001-E15.006	County Health	R-9891-Y091-Y01.500	12,530.27
E-2233-F085-F01.002	Child & Family Health Services	R-9891-Y091-Y01.500	295.88
E-2211-F069-F04.000	Trailer Park	R-9891-Y091-Y01.500	218.34
E-2227-F074-F06.000	Home Sewage Treatment Syst.	R-9891-Y091-Y01.500	3,362.88
E-2213-F075-F02.003	Vital Stats	R-9891-Y091-Y01.500	3,514.90
E-2231-F083-F01.002	Public Health Em Preparedness	R-9891-Y091-Y01.500	763.18
E-2232-F084-F02.008	Visiting Nurse	R-9891-Y091-Y01.500	1,549.83
E-2215-F077-F01.002	Reproductive Health & Wellness	R-9891-Y091-Y01.500	579.54
E-2216-F078-F02.002	Tobacco	R-9891-Y091-Y01.500	0.00
E-2236-F088-F01.002	Get Vaccinated Program	R-9891-Y091-Y01.500	591.76
E-2237-F089-F01.002	Integrated Naloxone Access/Infrat	R-9891-Y091-Y01.500	408.12
E-2218-G000-G06.003	Food Services	R-9891-Y091-Y01.500	4,402.56
E-2230-F082-F01.002	Personal Responsibility Ed. Prog.	R-9891-Y091-Y01.500	295.88
E-2219-N050-N05.000	Water Systems	R-9891-Y091-Y01.500	632.58
E-2220-P070-P01.002	Swimming Pools/Spa	R-9891-Y091-Y01.500	259.16
	<b>Juv Court/Grants</b>		
E-0400-M067-M05.008	Alternative School	R-9891-Y091-Y01.500	1,122.36
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	1,122.36
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	8,876.52

TOTALS 774,225.38

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 October 2, 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: **SENIORS**-Donna Steadman to Moundsville, WV, on October 1, 8, 15, 22 & 29, 2019, for a senior outing to the Four Seasons Pool. Patty Doty to Berlin, OH, on October 15, 2019, for a senior outing to the Amish Farm. Senior Centers to Marietta, OH, on October 23, 2019, for a senior outing to ride the Valley Gem Sternwheeler. Susan Neavin to Wheeling, WV, on October 24, 2019, for a senior outing to the Empress Emporium. 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 September 25, 2019.

Upon roll call the vote was as follows:

Mr. Meyer Yes  
Mr. Echemann Yes  
Mr. Dutton Yes

**IN THE MATTER OF ADOPTING THE PROCLAMATION IN RECOGNITION OF BREAST CANCER AWARENESS MONTH**

Motion made by Mr. Meyer, seconded by Mr. Echemann to adopt the proclamation in recognition of Breast Cancer Awareness Month.

**Proclamation**

**National Breast Cancer Awareness Month**

**WHEREAS**, breast cancer is the second most common cancer in American women. Currently, the average risk of a woman in the United States developing breast cancer during her lifetime is 1 in 8. There will be 330,530 new cases diagnosed in 2019; and

**WHEREAS**, death rates from female breast cancer dropped 40% from 1989 to 2016 due to early detection, increase awareness and better treatments; and

**WHEREAS**, at this time there are more than 3.1 million breast cancer survivors in the United States; and

**WHEREAS**, we recognize breast cancer survivors, those battling the disease, their families and friends who are a source of love and encouragement, and applaud the efforts of medical professionals and researchers working to find a cure for this deadly disease; and

**WHEREAS**, National Breast Cancer Awareness Month is an opportunity to unite all citizens in Belmont County to raise awareness of the disease.

**NOW, THEREFORE, BE IT RESOLVED** the Belmont County Commissioners do hereby recognize October as **BREAST CANCER AWARENESS MONTH** and call this observance to the attention of all our citizens.

Adopted this 2nd day of October, 2019.

**BELMONT COUNTY COMMISSIONERS**

*Josh Meyer /s/*

*Jerry Echemann /s/*

*J. P. Dutton /s/*

Upon roll call the vote was as follows:

Mr. Meyer Yes  
Mr. Echemann Yes  
Mr. Dutton Yes

**IN THE MATTER OF AUTHORIZING KATHERINE KELICH, BELMONT COUNTY TREASURER, TO SIGN THE MASTER SERVICES AGREEMENT WITH PAYMENTUS CORPORATION**

Motion made by Mr. Meyer, seconded by Mr. Echemann to authorize Katherine Kelich, Belmont County Treasurer, to sign the Master Services agreement with Paymentus Corporation, for electronic bill payment services.

Upon roll call the vote was as follows:

Mr. Meyer Yes  
Mr. Echemann Yes  
Mr. Dutton Yes

**IN THE MATTER OF AUTHORIZING COUNTY ENGINEER TO SIGN AND SUBMIT LETTER OF INTENT**

Motion made by Mr. Meyer, seconded by Mr. Echemann to authorize County Engineer Terry Lively to sign and submit the Letter of Intent to request supplemental financial assistance for damage caused by the flash flooding and severe storms June 16-21, 2019 and July 7, 2019, from the State Disaster Relief Program.

Upon roll call the vote was as follows:

Mr. Meyer Yes  
Mr. Echemann Yes  
Mr. Dutton Yes

Mr. Lively explained back in late June, early July, severe storms caused approximately \$600,000 in damages in the county, mostly in the Willow Grove area. A bridge was lost and also half of the road. The bridge has been rebuilt, but the retaining wall and road still need repaired. Another bridge is in peril. Governor DeWine declared a state disaster and money from the state's "rainy day" funds will be used to pay for the damages. Mr. Lively expects reimbursement at 50 – 75% for the new bridge and to be eligible for funds to repair the retaining wall and road.

**IN THE MATTER OF AWARDING THE BID FOR ENGINEER'S PROJECT 19-5**

Motion made by Mr. Meyer, seconded by Mr. Echemann to award the bid and enter into contract with the low bidder, Ohio-West Virginia Excavating Co., in the amount of \$314,397.00 for the Belmont County Engineer's Project 19-5 BEL-CR20-0.56 (PW#177) SLIDE REPAIR (Blaine Chermont Rd.) based upon the recommendation of Terry Lively, County Engineer.

**CONTRACT WITH BELMONT COUNTY COMMISSIONERS**

**BELMONT COUNTY ENGINEER'S**

**PROJECT #19-5: BEL-CR20-0.56 (PW#177) SLIDE REPAIR**

Auditor's Office, Belmont County, Ohio

This contract made and entered into this 2nd day of October, 2019 between **OHIO - WEST VIRGINIA EXCAVATING CO.**, P.O. Box 128, Powhatan Point, OH 43942 and Jerry Echemann, Josh Meyer and J.P. Dutton, Commissioners of Belmont County, WITNESSETH that said **OHIO - WEST VIRGINIA EXCAVATING CO.** hereby agrees to furnish all labor, materials, equipment, tools, transportation, supplies, and other

incidentals and all tasks necessary to repair the roadway slide and pavement damage areas along CR20 (Blaine - Chermont Road) and all related Work described by the Contract Documents.

All Work for BEL-CR20-0.56 shall be completed by May 31, 2020. An Interim Completion Date of January 31, 2020 has been set for completion of all Work items except the asphalt base course, asphalt surface course, tack coat and pavement marking items if the asphalt plants have been closed for the 2019 construction season. Both lanes of the roadway shall be open to traffic by the Interim Completion Date.

Contractor and Subcontractor shall pay the prevailing rate of wages as required under Chapter 4115, Ohio Revised Code, and comply with all other bidder specifications.

All Work shall be in accordance with the State of Ohio Department of Transportation Construction and Materials Specifications (CMS), dated January 1, 2019, and shall be under the direction of the County Engineer.

**PROJECT #19-5: BEL-CR20-0.56 (PW#177) SLIDE REPAIR**

**PROJECT #19-5 TOTAL = \$314,397.00**

And it is further understood and agreed upon by the parties above, that all the materials used shall be of the best kinds usually used for such purposes. That said **OHIO - WEST VIRGINIA EXCAVATING CO.** shall cause to be executed a bond to the satisfaction of the Commissioners for the faithful performance of the work, and for the security of the County, against pecuniary loss.

**BELMONT COUNTY COMMISSIONERS**  
 Josh Meyer /s/ \_\_\_\_\_  
 Jerry Echemann /s/ \_\_\_\_\_  
 J. P. Dutton /s/ \_\_\_\_\_

**OHIO - WEST VIRGINIA EXCAVATING CO.**  
 By: W. Roger Lewis /s/ \_\_\_\_\_  
 W. Roger Lewis, President  
 Print/Type Signature

**BEL-CR20-0.56 (PW#177) BLAINE - CHERMONT ROAD SLIDE REPAIR**

APPROXIMATE QUANTITY	ITEM	UNIT PRICE	TOTAL AMOUNT
1,800 FT	STEEL PILE HP14x73, FURNISHED, APP	\$47.00	\$84,600.00
1,524 FT	DRILLED SHAFTS, 30" DIAMETER, INTO & ABOVE BEDROCK, APP	\$60.00	\$91,440.00
118 EACH	CONCRETE MISC.: 8" x 24" x 57" PRECAST CONCRETE LAGGING	\$235.00	\$27,730.00
LUMP SUM	CONCRETE MISC.: CAST-IN-PLACE CONCRETE LAGGING, APP	\$1,500.00	\$1,500.00
25 CY	CLASS QC1 CONCRETE, FOOTING, APP	\$550.00	\$13,750.00
LUMP SUM	UNCLASSIFIED EXCAVATION, INCLUDING ROCK AND/OR SHALE, APP	\$17,000.00	\$17,000.00
96 CY	POROUS BACKFILL, WITH GEOTEXTILE FABRIC	\$120.00	\$11,520.00
161 CY	EXCAVATION	\$27.00	\$4,347.00
31 CY	EMBANKMENT	\$50.00	\$1,550.00
130 CY	AGGREGATE BASE	\$100.00	\$13,000.00
369 SY	SUBGRADE COMPACTION	\$5.00	\$1,845.00
180 FT	FULL DEPTH PAVEMENT SAWING	\$5.00	\$900.00
39 CY	ASPHALT CONCRETE BASE, PG64-22 (301)	\$240.00	\$9,360.00
21 CY	ASPHALT CONCRETE SURFACE COURSE, TYPE 1, PG64-22 (448)	\$315.00	\$6,615.00
43 GAL	TACK COAT (407)	\$5.00	\$215.00
39 CY	TRAFFIC COMPACTED SURFACE, TYPE A OR B, APP	\$75.00	\$2,925.00
40 FT	12" CONDUIT, TYPE A, APP, 707.33	\$95.00	\$3,800.00
112.5 FT	GUARDRAIL, TYPE MGS W/STEEL POSTS, APP	\$32.00	\$3,600.00
2 EACH	ANCHOR ASSEMBLY, MGS TYPE E (MASH 2016 COMPLIANT)	\$3,200.00	\$6,400.00
3 EACH	MAILBOX REMOVED AND RESET	\$100.00	\$300.00
0.10 MILE	EDGE LINE, 4" (642)	\$9,500.00	\$950.00
0.05 MILE	CENTER LINE (642)	\$19,000.00	\$950.00
1,000 EACH	EROSION CONTROL	\$1.00	\$1,000.00
LUMP SUM	MAINTAINING TRAFFIC	\$4,600.00	\$4,600.00
LUMP SUM	MOBILIZATION	\$4,500.00	\$4,500.00
	<b>BEL-CR20-0.56 TOTAL</b>		<b>\$314,397.00</b>

Upon roll call the vote was as follows:

Mr. Meyer	Yes
Mr. Echemann	Yes
Mr. Dutton	Yes

**IN THE MATTER OF THE VACATION OF UNNAMED ALLEY IN POORMAN'S SUBDIVISION PULTNEY TOWNSHIP, SEC. 27, T-2, R-2**

Motion made by Mr. Meyer, seconded by Mr. Echemann to accept the following Public Road Petition for the vacation of an unnamed alley in Poorman's Subdivision located in Pultney Township, Sec. 27, T-2, R-2 and recorded in Cabinet A Slide 85 of the Belmont County Recorder's Office 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 #1164 in accordance with Ohio Revised Code Section 5553.04.

**PUBLIC ROAD PETITION**  
**Rev. Code Sec. 5553.04**  
**WITH PETITION**  
**Belmont County, Ohio**  
**IMP- 1164**

**December 21, 2017**

**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: Unnamed Alley in Poorman's Subdivision which is located Pultney Sec. 27 T-2 R-2 and recorded in Cabinet A Slide 85 in the Belmont County Recorder's Office 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 Dead end of the alley at the north east corner of lot 5 going in a southern direction for 40 ft to the Pultney/Mead township line near the southeast corner of lot 5 with a width of 12 ft.

*NOTE: remaining alley will be vacated by city ordinance.*

**PUBLIC ROAD PETITION**

NAME (SIGN & PRINT) TAX MAILING ADDRESS (PLEASE PRINT)

Joan Brown /s/	30 East 34 <sup>th</sup> St.
Joan Brown	
Ralph Heller /s/	50 E. 34 <sup>th</sup> St.
Ralph Heller	
Daniel Pettit /s/	3401 Elk Avenue
Daniel Pettit	
Charlotte A. Kovalyk /s/	57380 Hospital Rd.
Charlotte A. Kovalyk	Bellaire, Ohio 43906
Wanetta Janosik /s/	57704 Hospital Rd
Wanetta Janosik	Bellaire, Oh. 43906
George Janosik /s/	57704 Hospital Rd.
George Janosik	Bellaire, Ohio 43906
Jason Janosik /s/	57680 Hospital Road
Jason Janosik	Belmont, OH 43718
William Crozier	57120 Windy Hill Road
William Crozier /s/	Bellaire, Ohio 43906
Eric H. Booth	66020 McGregor
E. H. Booth /s/	Bellaire, OH 43906
Carolyn Gaughan	51 E 34 <sup>th</sup> Street
Carolyn Gaughan /s/	Shadyside, OH 43947
Heather Gaughan	W. East 34 <sup>th</sup> St.
Heather Gaughan /s/	Shadyside, Ohio 43947
Jaclyn Brooks	10 E. 34 <sup>th</sup> Street
Jaclyn Brooks /s/	Shadyside, OH 43947
Neal Luedy /s/	3408 Hart Street
Neal Luedy	Shadyside, OH 43947
Bill Elliott	41 E. 34 <sup>th</sup> Street
Bill Elliott /s/	Shadyside, Oh 43947
Jack Sechrest	57256 Springhill Rd.
Jack Sechrest /s/	Bellaire, OH 43906
Dennis J. Beltrondo	57299 New Cut Road
Dennis J. Beltrondo /s/	Shadyside, Oh.
Michael Doyle	4871 Noble St.
Michael Doyle /s/	Bellaire, OH 43906

Upon roll call the vote was as follows:

Mr. Meyer	Yes
Mr. Echemann	Yes
Mr. Dutton	Yes

**IN THE MATTER OF THE VACATION OF AN**  
**UNNAMED ALLEY IN POORMAN'S SUBDIVISION**  
**PULTNEY TWP. SEC. 27, T-2, R-2/RD IMP 1164**

**Office of County Commissioners**

**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. 1164**

The Board of County Commissioners of Belmont County, Ohio, met in regular session on the 2nd day of October, 2019 at the office of the Commissioners with the following members present:

Mr. Meyer  
Mr. Echemann  
Mr. Dutton

Mr. Meyer 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 an unnamed alley in Poorman's Subdivision located in Pultney Township, Section 27, T-2, R-2 and recorded in Cabinet A Slide 85 of the Belmont County Recorder's office.

RESOLVED, That the 16th day of October, 2019 at 12:30 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 30th day of October, 2019, at 10:00 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. Echemann seconded the Resolution and the roll being called upon its adoption; the vote resulted as follows:

Mr. Meyer	Yes
Mr. Echemann	Yes
Mr. Dutton	Yes

Adopted October 2, 2019

Jayne Long /s/

Clerk, Belmont County, Ohio

1. "Locating," "establishing," "altering," "straightening," "vacating," or "changing the direction of."
2. "Locating," "establishing," "altering," "straighten," "vacate," or "change the direction of"
3. Insert "a part of," if so.

**NOTICE OF TIME AND PLACE OF VIEW AND OF FINAL HEARING  
PUBLIC ROAD (by publication)  
Rev. Code, Sec., 5553.05  
ROAD IMP. # 1164**

Notice is hereby given that there is before the Board of County Commissioners of Belmont County, Ohio, the matter of the vacation of an unnamed alley in Poorman's Subdivision located in Pultney Twp. Sec. 27, T-2, R-2 and recorded in Cabinet A Slide 85 of the Belmont County Recorder's office, a public road, the general route and termini of which Road are as follows:

Starting at the Dead end of the alley at the north east corner of lot 5 going in a southern direction for 40 ft to the Pultney/Mead Township line near the southeast corner of lot 5 with a width of 12 ft.

Said Board of County Commissioners has fixed the 16th day of October, 2019, at 12:30 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 30th day of October, 2019, at 10:00 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 – October 8, 2019 and October 15, 2019**

**IN THE MATTER OF ENTERING INTO A ROADWAY USE AND  
MAINTENANCE AGREEMENT WITH STRIKE FORCE EAST, LLC**

Motion made by Mr. Meyer, seconded by Mr. Echemann to enter into a **Roadway Use and Maintenance Agreement** with Strike Force East, LLC, effective October 2, 2019, for the use of 1.84 miles of CR 2 (Deep Run Rd.) for pipeline or drilling activity for the BUEMS003-Nixon VY to Starvaggi and McKeegan pipeline.

*Note: County-wide Bond #019063032 for \$3 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 Energy Drive, Canonsburg, PA 15317 (Hereafter "Operator"), and shall be as follows:

**RECITALS**

**WHEREAS**, Authority has control of the several county/township roads within Pease 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 [BUEMS003-Nixon VY to Starvaggi and McKeegan pipeline], including the equipment, facilities, impoundments, and pipelines necessary for the operation of the [BUEMS003-Nixon VY to Starvaggi and McKeegan pipeline] (hereafter collectively referred to as "oil and gas development site") located in Richland, Pease, and Pultney Township in Belmont County, Ohio; and

**WHEREAS**, Operator intends to commence use 1.84 miles of CR 2 (Deep Run Road) for the purpose of ingress to and egress from the pipeline or drilling facilities for the [BUEMS003-Nixon VY to Starvaggi and McKeegan 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 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 2 (Deep Run Road) to be utilized by Operator hereunder, is that exclusive portion beginning at the intersection with CR 16 (Nixon Run Road) and ending at the intersection with TR 469 (Pattons Run Road). It is understood and agreed that the Operator shall not utilize any of the remainder of CR 2 (Deep Run 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 \$736,000 & 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 (019063032) in the amount of \$3,000,000 (Three 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.
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". Operator assumes all liability for subcontractors and or agents working on Operator's behalf for this specific agreement.
11. This Agreement shall be binding upon Operator and Authority, and their respective successors and assigns.
12. 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.
13. Agreement shall be governed by the laws of the State of Ohio.
14. This Agreement shall be in effect on October 2, 2019.

Executed in duplicate on the dates set forth below.

<p><b>Authority</b>                  By: <u>Josh Meyer /s/</u>                  Commissioner                  By: <u>Jerry Echemann /s/</u>                  Commissioner                  By: <u>J. P. Dutton /s/</u>                  Commissioner                  By: <u>Terry Lively /s/</u>                  County Engineer                  Dated: <u>October 2, 2019</u>                  Approved as to Form:  <u>David K. Liberati /s/ Assist. P.A.</u></p>	<p><b>Operator</b>                  By: <u>R Cordell Pierce /s/</u>                  Printed name: <u>R Cordell Pierce</u>                  Company Name: <u>Strike Force East, LLC</u>                  Title: <u>Attorney in Fact</u>                  Dated: <u>August 15, 2019</u></p>
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**County Prosecutor**

Upon roll call the vote was as follows:

Mr. Meyer	Yes
Mr. Echemann	Yes
Mr. Dutton	Yes

**IN THE MATTER OF APPROVING TO SIGN THE CREDIT AND SERVICE FORM FROM MANCAN, INC/ANIMAL SHELTER**

Motion made by Mr. Echemann, seconded by Mr. Dutton to approve and authorize Commission President Josh Meyer to sign the Credit and Service Form from Mancan, Inc., for placement of temporary kennel staff at the Belmont County Animal Shelter.

Upon roll call the vote was as follows:

Mr. Echemann	Yes
Mr. Dutton	Yes
Mr. Meyer	Yes

Mr. Meyer said an employee from the Animal Shelter is off for a personal family matter. This allows for temporary employment.

**IN THE MATTER OF APPROVING PAY REQUEST NUMBER 2 (TO 9/30/19) FROM KALKREUTH ROOFING & SHEET METAL, INC/SARGUS JUVENILE DETENTION CENTER ROOFING PROJECT**

October 2, 2019

Motion made by Mr. Meyer, seconded by Mr. Echemann to approve Pay Request Number 2 (to 9/30/19) from Kalkreuth Roofing & Sheet Metal, Inc., in the amount of \$ 139,580.00 for the Belmont County Sargus Juvenile Detention Center Roofing Project, based upon the recommendation of Jeff Vaughn, project architect.

Upon roll call the vote was as follows:

Mr. Meyer	Yes
Mr. Echemann	Yes
Mr. Dutton	Yes

Mr. Meyer noted the Board will reconvene on Tuesday, October 8 for Departmental Budget hearings.

**RECESS**

**9:31 Subdivision Hearing-Dale Drive (Private Road)**

Present: Will Eddy, Drafting Technician II. Mr. Eddy reviewed maps of the area. He said this is dedicating a private road off of an existing road. The property owner is splitting off a parcel for a relative.

**IN THE MATTER OF FINAL PLAT APPROVAL  
OF DALE DRIVE (PRIVATE ROAD)  
RICHLAND TOWNSHIP, SEC. 28, T-6, R-3**

**“Hearing Had 9:30 A.M.”**

**“FINAL PLAT APPROVAL”  
O.R.C. 711.05**

Motion made by Mr. Meyer to grant the final plat for the following:

**RESOLUTION**

**WHEREAS**, this day there was presented to the Board for approval of the Final Plat for dedication of Dale Drive (Private Road), Richland Township, Sec. 28, T-6, R-3, 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. Echemann seconded the motion and upon roll call the vote was as follows:

Mr. Meyer	Yes
Mr. Echemann	Yes
Mr. Dutton	Yes

**RECESS**

**IN THE MATTER OF ENTERING  
EXECUTIVE SESSION AT 9:49 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 compensation, discipline, and employment 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 10:48 A.M.**

Motion made by Mr. Meyer seconded by Mr. Echemann to exit executive session at 10:48 a.m.

Upon roll call the vote was as follows:

Mr. Meyer	Yes
Mr. Echemann	Yes
Mr. Dutton	Yes

Mr. Meyer said as a result of executive session there is no action to be taken at this time.

**RECESS UNTIL TUESDAY, OCTOBER 8 BUDGET HEARINGS**

**Reconvened Tuesday, October 8, 2019, at 10:23 a.m. Present: Commissioners Meyer, Echemann and Dutton, Clerk Jayne Long and Assistant Clerks Jaclynn Smolenak and Lisa Vannoy.**

**Budget Hearings**

2020 budget requests were reviewed with each department. Mr. Meyer advised all departments that during the board’s budget hearing with the Auditor that he is anticipating the same allocation as last year which is approximately \$22.5 million. Tax collections are down slightly at this point. He explained each department will be given their budget amount for the year and the department will be responsible for appropriating it in the line items as necessary. He said this is the procedure that has been in place for the last couple of years.

**EMA-Present:** Dave Ivan, Director and Glen Trudo, Deputy Director. Mr. Ivan said there was an increase of \$20,000 in this year’s budget request due to increased utility cost estimates and a pay increase for himself and his Administrative Assistant. There is also an increase of \$5,000 for some equipment replacement. Mr. Ivan noted two antennae towers will need to be inspected at an estimated cost of \$5,000. Estimates for a new vehicle for the Deputy Director were reviewed. Estimates are over \$50,000 so it will need to be bid. EMA’s wish list for the monies from the XTO well incident settlement were reviewed. Mr. Ivan said the most needed items are portable radios, air monitors, document scanner for emergency plans and a drone.

**BUILDING AND GROUNDS-Present:** Jack Regis, Facilities Manager. Mr. Regis reviewed repairs and estimated costs that will be needed at various county buildings. Mr. Regis said staffing is good at this time. He will reevaluate when the new building is completed.



October 2, 2019

**IN THE MATTER OF ADJOURNING  
COMMISSIONERS MEETING AT 11:49 A.M.**

Motion made by Mr. Meyer, seconded by Mr. Echemann to adjourn the meeting at 11:49 a.m.  
Upon roll call the vote was as follows:

Mr. Meyer	Yes
Mr. Echemann	Yes
Mr. Dutton	Yes

Read, approved and signed this 9th day of October, 2019.

*Josh Meyer /s/* \_\_\_\_\_

*J. P. Dutton /s/* \_\_\_\_\_ COUNTY COMMISSIONERS

*Jerry Echemann /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