

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 \$3,300,759.52**

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:

**A00 GENERAL FUND**

<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
E-0141-A001-C08.000 Advertising & Printing	E-0141-A001-C02.002 Salaries	\$467.30
E-0141-A001-C08.000 Advertising & Printing	E-0141-A001-C07.000 Travel	\$32.70
E-0170-A006-G02.002 Salary	E-0170-A006-G09.003 PERS	\$2,700.00
E-0257-A015-A15.074 Transfers Out	E-0131-A006-A02.002 Admin Salaries	\$10,000.00
E-0257-A015-A15.074 Transfers Out	E-0131-A006-A03.002 Jail Salaries	\$289,000.00
E-0257-A015-A15.074 Transfers Out	E-0131-A006-A03.010 Supplies	\$3,500.00
E-0257-A015-A15.074 Transfers Out	E-0131-A006-A04.002 Road Salaries	\$225,000.00
E-0257-A015-A15.074 Transfers Out	E-0131-A006-A06.011 Contract Servs.	\$400.00
E-0257-A015-A15.074 Transfers Out	E-0131-A006-A08.000 Food	\$70,000.00
E-0257-A015-A15.074 Transfers Out	E-0131-A006-A09.000 Medical	\$20,000.00
E-0257-A015-A15.074 Transfers Out	E-0131-A006-A12.000 Travel	\$24,000.00
E-0257-A015-A15.074 Transfers Out	E-0131-A006-A15.007 Unemployment	\$750.00
E-0257-A015-A15.074 Transfers Out	E-0131-A006-A17.012 Cruiser	\$15,000.00
E-0257-A015-A15.074 Transfers Out	E-0131-A006-A25.000 Housing of Prisoners	\$99,950.00

**S30 OAKVIEW JUVENILE REHABILITATION**

<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
E-8010-S030-S40.000 Grant Holding	E-8010-S030-S51.002 Salaries	\$100.00

**S33 DISTRICT DETENTION HOME/SARGUS**

<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
E-0910-S033-S43.000 Travel & Training	E-0910-S033-S47.006 Hospitalization	\$2,500.00
E-0910-S033-S43.000 Travel & Training	E-0910-S033-S50.005 Medicare	\$1,114.38

**W80 PROSECUTORS-VICTIM ASSISTANCE PROGRAM**

<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
E-1511-W080-P06.004 Workers Comp	E-1511-W080-P02.010 Supplies	\$28.99

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:

**Y99 PAYROLL DEDUCTIONS AND THE A00 GENERAL FUND**

<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
E-9899-Y099-Y30.000 CSA 2005-2006	R-0040-A000-A47.574 Transfers In	\$259.35
E-9899-Y099-Y41.000 CSA 2010-2011	R-0040-A000-A47.574 Transfers In	\$547.37
E-9899-Y099-Y42.000 CSA 2011-2012	R-0040-A000-A47.574 Transfers In	\$30.34
E-9899-Y099-Y43.000 CSA 2012-2013	R-0040-A000-A47.574 Transfers In	\$357.08
E-9899-Y099-Y44.000 CSA 2013-2014	R-0040-A000-A47.574 Transfers In	\$194.68
E-9899-Y099-Y45.000 CSA 2014-2015	R-0040-A000-A47.574 Transfers In	\$2,060.23
E-9899-Y099-Y46.000 CSA Partial 2015	R-0040-A000-A47.574 Transfers In	\$1,292.02
E-9899-Y099-Y47.000 CSA 2016	R-0040-A000-A47.574 Transfers In	\$630.36
E-9899-Y099-Y48.000 CSA 2017	R-0040-A000-A47.574 Transfers In	\$1,210.85
E-9899-Y099-Y49.000 CSA 2018	R-0040-A000-A47.574 Transfers In	\$804.70

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 30, 2019 meeting:

**A00 GENERAL FUND**

E-0051-A001-A51.000	Oil and Gas	\$6,738.61
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**N14 SSD CAPITAL IMPROVEMENTS/BCSSD**

E-9014-N014-N04.055	Contract Services	\$50,000.00
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**N45 ROADWAY IMPROVEMENTS/ENGINEERS**

E-9045-N045-N14.055	FHWA	\$2,609.75
E-9045-N045-N15.055	FHWA	\$1,694.00
E-9045-N045-N16.055	FHWA	\$1,225.25
E-9045-N045-N18.055	FHWA	\$896.50
E-9045-N045-N19.055	FHWA	\$637.50
E-9045-N045-N20.055	FHWA	\$842.25

E-9045-N045-N22.055	FHWA	\$637.50
E-9045-N045-N23.055	FHWA	\$579.00
E-9045-N045-N25.055	FHWA	\$301.50
<b><u>S12 PORT AUTHORITY</u></b>		
E-9799-S012-S07.000	Professional Services	\$69,137.30
<b><u>S33 DISTRICT DETENTION HOME/SARGUS</u></b>		
E-0910-S033-S33.002	Salaries	\$36,000.00
E-0910-S033-S39.000	Food Service Expenses	\$2,500.00
E-0910-S033-S40.000	Medical	\$3,500.00
<b><u>W80 PROSECUTORS-VICTIM ASSISTANCE PROGRAM</u></b>		
E-1511-W080-P01.002	Salaries	\$3,871.44
E-1511-W080-P05.003	PERS	\$1,000.00
E-1511-W080-P07.006	Hospitalization	\$1,000.00
E-1511-W080-P08.005	Medicare	\$100.00
E-1511-W080-P15.000	Rent	\$608.00
<b><u>SHERIFF/VARIOUS FUNDS</u></b>		
E-0131-A006-A07.000	Training	\$478.68
E-0131-A006-A09.000	Medical	\$314.59
E-0131-A006-A23.000	Background	\$250.16
E-0131-A006-A24.000	E-SORN	\$442.00
E-0131-A006-A26.000	K-9	\$235.00
E-0131-A006-A32.000	Warrant Fee	\$920.00
E-1652-B016-B02.000	DUI	\$55.00
E-5100-S000-S01.010	Commissary	\$33,228.66
E-5101-S001-S06.000	CCW License	\$1,153.00
E-5101-S001-S07.012	CCW Equipment	\$1,985.00
E-9710-U010-U06.000	Reserve	\$729.11

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. **OIL & GAS RECEIPT SEPTEMBER AND OCTOBER 2019/GENERAL FUND-\$6,738.61** deposited into R-0050-A000-A02.500 on various dates in September and October 2019.

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 30, 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: **COURT OF COMMON PLEAS/PROBATE JUVENILE DIVISION**-John Markus to Athens, OH, on October 29, 2019, for a guardianship investigation.

**DJFS**-Michael Schlanz, Sarah Smith, Stephanie Frey and Lisa Davis to Cadiz, OH, on November 21, 2019, to attend the CCMEP meeting. A county car will be used for travel. Estimated expenses: \$60.00.

**SENIORS**-Tish Kinney to Amish Country on November 7, 2019, for a senior outing. Daisy Braun to Triadelphia, WV, on November 19, 2019, for a senior outing to the Highlands. 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 October 22, 2019.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADOPTING RESOLUTION TO REMAIN A MEMBER OF THE NEGOTIATION CLASS CERTIFIED IN THE IN RE: NATIONAL PRESCRIPTION OPIATE LITIGATION, MDL 2804**

Motion made by Mr. Meyer, seconded by Mr. Echemann to adopt the resolution to remain a member of the Negotiation Class Certified in the *In Re National Prescription Opiate Litigation*, MDL 2804.

**RESOLUTION**

Adopted: 10-30-19

Subject: In the Matter of Resolution to Remain a Member of the Negotiation Class Certified in the *In Re National Prescription Opiate Litigation*, MDL 2804

**WHEREAS**, it continues to be the desire of the Belmont County Board of Commissioners to pursue any and all claims for relief as a litigating plaintiff in civil litigation captioned *In Re: National Prescription Opiate Litigation*, Case No. 1:17-MD-2804 against any and all defendants necessary; and

**WHEREAS**, on or about the 23<sup>rd</sup> day of September, 2019, Belmont County, Ohio, received a notice from the United States District Court for the Northern District of Ohio, advising Belmont County officials how the County's rights are affected by a Negotiation Class seeking to settle claims against manufacturers, distributors, and retailers of prescription opiate drugs for monies spent addressing the opioid crisis; and

**WHEREAS**, If a potential Class Member intends to opt-out of the class certified in *In re National Prescription Opiate Litigation*, MDL 2804, an Exclusion Request Form must be returned either by email to [info@OpioidsNegotiationClass.info](mailto:info@OpioidsNegotiationClass.info) or by first class mail to NPO Litigation, P.O. Box 6727 Portland, OR 97228-6727, no later than November 22, 2019; and

**WHEREAS**, it is not necessary to complete the Exclusion Request Form if Belmont County, Ohio, wants to remain a Class Member and wants to share in any potential negotiated Class Settlement; and

**WHEREAS**, it is the desire of the Belmont County, Ohio, Board of Commissioners, to remain a member in the proposed Negotiation Class and to share in any potential negotiated Class settlement.

**NOW, THEREFORE, BE IT RESOLVED:**

Section 1: No official or employee of Belmont County, Ohio, shall be authorized to take any action on behalf of Belmont County, Ohio, to exclude Belmont County, Ohio, from and/or opt-out of the Negotiation Class certified by the United States District Court in the Northern District of Ohio in *In re National Prescription Opiate Litigation*, MDL 2804.

Section 2: It is the policy of the Belmont County, Ohio, Board of Commissioners for Belmont County, Ohio, to remain a member of the Negotiated Class certified in the *In re National Prescription Opiate Litigation*, MDL 2804.

Section 3: This resolution shall be in full force and effect from and after the earliest period allowed by law, as a statement of policy for Belmont County, Ohio.

Passed this 30<sup>th</sup> day of OCTOBER, 2019.

[Signature]  
Jerry Echemann  
DECA

ATTEST:

[Signature]  
CLERK

Upon roll call the vote was as follows:

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

Mr. Meyer explained the lawsuit is against manufacturers of opioids.

**IN THE MATTER OF ENTERING INTO A ROADWAY USE MAINTENANCE AGREEMENT WITH OHIO GATHERING COMPANY**

Motion made by Mr. Meyer, seconded by Mr. Echemann to enter into a **Roadway Use Maintenance Agreement** with Ohio Gathering Company, effective October 30, 2019, for the use of 1.60 miles of CR-6 (Sharon Road) and 1.10 miles of CR-14 (Farmington Road) for pipeline activity.

*Note: County-Wide Bond #K15756408 for \$1 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 Ohio Gathering Company, L.L.C., whose mailing address is 43050 Industrial Park Road, Cadiz, Ohio 43907 (Hereafter "Operator"), and shall be as follows:

**RECITALS**

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

**WHEREAS**, Operator is the owner of certain right of way and field agreements, and intends to construct, operate and maintain certain facilities [Ohio Gathering Company Pipelines], including pipeline and appurtenant equipment, facilities, impoundments, and pipelines necessary for the operation of the [Ohio Gathering Company Pipelines] (hereafter collectively referred to as "Pipeline Activity") located in Colerain Township, in Belmont County, Ohio; and

**WHEREAS**, Operator intends to commence use 1.60 miles of CR-6 (Sharon Road) and 1.10 miles of CR-14 (Farmington Road) for the purpose of ingress to and egress from the pipeline facilities [Ohio Gathering Company Pipelines], for traffic necessary for the purpose of constructing the pipeline facilities, (hereinafter referred to collectively as "Pipeline 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 Activity; and

**WHEREAS**, if any county or township roads contemplated herein contain any railroad crossings, Section 4 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 Activity condition or as modified pursuant to Appendix A, thereon for any damages thereto, as a result of Pipeline 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 Activity, prior to the start of Pipeline 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-6 (Sharon Road), to be utilized by Operator hereunder, is that exclusive portion beginning at the intersection of CR-14 (Farmington Road) and ending at the intersection of US-250 (Colerain Street). It is understood and agreed that the Operator shall not utilize any of the remainder of CR-6 (Sharon Road) for any of its Pipeline Activities hereunder.
2. The portion of CR-14 (Farmington Road), to be utilized by Operator hereunder, is that exclusive portion beginning at the intersection of CR-6 (Sharon Road) and ending at the intersection of US-250 (Colerain Street). It is understood and agreed that the Operator shall not utilize any of the remainder of CR-14 (Farmington Road) for any of its Pipeline Activities hereunder.
3. 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 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 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.
4. The Operator shall give notice to the railroad at least thirty (30) days prior to any known Pipeline 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.
5. 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 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 Activity, at Operator's sole expense. Following completion of all restoration work, this Agreement shall be terminated and of no further force or effect.
6. All motor vehicles to be utilized by Operator hereunder, whether owned by Operator or others, shall comply with all legal size, load and weight limits in accordance with State Law, and all non-conforming vehicles shall require the proper local permit.
7. Operator shall furnish the Authority with a written Letter of Authority, setting forth all necessary contact information, including a twenty four (24) hour emergency contact number, for the authorized local representative of the Operator, and such information shall be maintained and kept current at all times concerned hereunder.
8. If Authority determines that any additional traffic signage is needed, or desired, as a result of this Agreement and in the interests of safety, then Operator shall provide for such signage at Operator's sole expense. In the event that any other safety concerns should arise during the course of this Agreement, Operator and Authority agree that they will mutually discuss such concerns and reach a resolution satisfactory to all concerned.
9. Operator acknowledges that pursuant to Ohio Attorney General Opinion 2012-029 issued on September 19, 2012, the County is required to comply with Revised Code 4115.03-.16 when the total overall project cost to the Operator is fairly estimated to be more than the amount prescribed in Ohio Revised Code Section 4115.03 (B)(4). Operator further acknowledges that at the time any necessary road maintenance or repairs are required, the estimated costs and actual cost of such work to be performed pursuant to this agreement will be solely within the knowledge of Operator since Operator is responsible for paying 100% of said cost. Therefore, Operator hereby agrees that Operator will take all measures to ensure compliance with Ohio's Prevailing Wage Laws.
10. Operator shall protect, save, indemnify, and hold the Authority, its officials, agents and employees harmless from any liability, claims, damages, penalties, charges, or costs including reasonable attorney's fees which may arise or be claimed as a result of any violations of any laws or ordinances, or any loss, damage or expense, including injury or death to any person, from any cause or causes from Operator's use of the roads pursuant to this Agreement. "The forgoing indemnity shall not apply to the extent that such claims are attributable to the fault or negligence of the Authority".
11. Operator assumes all liability for subcontractors and or agents working on Operator's behalf for this specific agreement.
12. This Agreement shall be binding upon Operator and Authority, and their respective successors and assigns.
13. In any event that any clause, provision or remedy in this Agreement shall, for any reason, be deemed invalid or unenforceable, the remaining clauses and provisions shall not be affected, impaired or invalidated and shall remain in full force and effect.
14. Agreement shall be governed by the laws of the State of Ohio.
15. This Agreement shall be in effect on October 30, 2019.

**Executed in duplicate on the dates set forth below.**

**Authority**

By: Josh Meyer /s/

Commissioner

**Operator**

By: J. W. Breen /s/

October 30, 2019

By: Jerry Echemann /s/  
Commissioner

By: J. P. Dutton /s/  
Commissioner

By: Terry Lively /s/  
County Engineer

Dated: 10-30-19

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

County Prosecutor  
Upon roll call the vote was as follows:

Printed name: Jeffrey Breen

Company Name: Ohio Gathering Company, LLC

Title: Transportation Permits Manager

Dated: 10/25/19

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

**IN THE MATTER OF APPROVING THE REQUEST OF ENVIRONMENTAL SERVICE LABORATORIES, INC. FOR ACCESS TO COUNTY PROPERTY, PARCEL ID #52-00555.000**

Motion made by Mr. Echemann, seconded by Mr. Dutton to approve and authorize Commission President Josh Meyer to sign the request of Environmental Service Laboratories, Inc., for access to county property, parcel ID #52-00555.000, located in Powhatan Point, York Township, to perform a pre-drilling water analysis for Gulfport Appalachia, LLC.

Upon roll call the vote was as follows:

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

Mr. Meyer noted there is no water source on this property.

**IN THE MATTER OF ACCEPTING THE RESIGNATION OF MINDI BAKER, FULL-TIME SENIOR CENTER COORDINATOR**

Motion made by Mr. Meyer, seconded by Mr. Echemann to accept the resignation of Mindi Baker as full-time Senior Center Coordinator at Senior Services of Belmont County, effective October 29, 2019.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ACCEPTING THE RESIGNATION OF DALINA FINSLEY, TEMPORARY EMPLOYEE/EASTERN DIVISION COURT**

Motion made by Mr. Meyer, seconded by Mr. Echemann to approve the resignation of Dalina Finsley, temporary employee for the Belmont County Eastern Division Court, effective October 28, 2019.

Upon roll call the vote was as follows:

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

Mr. Meyer said Ms. Finsley was filling in on a temporary basis for a court employee who was out for several weeks and is now back to work.

**IN THE MATTER OF QUARTERLY TOURISM REPORT**

Mrs. Ballint, Executive Director, Belmont County Tourism Council, gave her report for July, August and September, 2019. She announced the Blame My Roots Fest will be coming back in 2020. She said the Belmont County Fair was a success this year with 20,000 people in attendance. There are improvements planned to the fairgrounds that include better lighting and paved walkways. The Barnesville Pumpkin Festival had another successful event, it brought over 100,000 plus visitors to the area.

**10:00 Public Hearing-Road Improvement 1164**

**Re: Vacation of an unnamed alley in Poorman's Subdivision, Pultney Township**

Present: Andrew Hadzima, Drafting Technician II, John Longwell, petitioner, Frank Shaffer, Mark Cervelli and Scott Porter, Pultney Township Trustees. Mr. Hadzima presented maps and described the area for vacation. Present at the viewing were Terry Lively, Belmont County Engineer, Commissioner Meyer, Mr. Shaffer, Mr. Longwell and Mr. Hadzima. Mr. Hadzima also presented a letter from the Pultney Township Trustees regarding their vote to approve the vacation.

**REPORT OF COUNTY ENGINEER  
OHIO REV. CODE, SEC. 5553.06  
ROAD IMP #1164**

**DATE: October 23, 2019**

**IN THE MATTER OF  
THE VACATION OF UNAMED ALLEY  
PULTNEY TOWNSHIP, SEC. 27 T-2, R-2  
POORMAN'S SUBDIVISION CAB. B SLIDE 104**

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

The undersigned, in obedience to your order, dated **October 16, 2019**

Proceeded on **October 30, 2019** to make an accurate survey and plat of the Public Road proposed to be improved and respectfully submits the following report:

In the opinion of the undersigned the proposed improvement should be granted.

An accurate survey and plat, and an accurate and detailed description of each tract of land which the undersigned County Engineer believe will be necessary to be taken in the event the proposed improvement is made, together with the name of each owner, accompany this report and are made a part thereof.

An accurate and detailed description of the proposed improvement describing therein the centerline and right-of-way lines follow:

"See Attached Plat"

Terry Lively /s/

**Terry D. Lively, P.S., P.E.,  
COUNTY ENGINEER OF BELMONT CO, OH**

**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

**RESOLUTION-GRANTING PROPOSED IMPROVEMENT  
ORDERING RECORD, ETC.**

***Rd. Imp. #1164***

The Board of County Commissioners of Belmont County, Ohio, met in regular session on the 30th day of October, 2019 in 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, This day this matter came on to be heard on the report, survey, plat, and detailed and accurate descriptions as filed by the County Engineer, and said report having been read in open session, the Board proceeded with the hearing of testimony bearing upon the necessity of the said improvement for the public convenience or welfare and offered either for or against going forward with the proposed improvement by interested persons; and

WHEREAS, Said Board has considered said report and all the testimony offered, and all the facts and conditions pertaining to said matter; therefore, be it

RESOLVED, That said Board of County Commissioners do find said improvement will serve the public convenience and welfare; and be it further

RESOLVED, That said improvement as set forth and defined in said report, survey, plat and detailed and accurate descriptions as filed by the County Engineer be and the same is hereby granted and said road is hereby ordered vacated.

RESOLVED, That the County Engineer be and he is hereby directed to cause and record the proceeding, including the survey and plat and accurate and detailed description of said proposed improvement, to be forthwith entered in the proper road records of said County; and be it further

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 the 30th day of October, 2019

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

**IN THE MATTER OF ENTERING  
EXECUTIVE SESSION AT 10:34 A. M.**

Motion made by Mr. Meyer, seconded by Mr. Echemann to enter into executive session with Public Defender Frank Pierce pursuant to ORC 121.22(G)(1) Personnel Exception to consider the compensation 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 10:59 A.M.**

Motion made by Mr. Meyer seconded by Mr. Echemann to exit executive session at 10:59 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 decision to be made at this time.

**IN THE MATTER OF ENTERING  
EXECUTIVE SESSION AT 11:00 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 discipline of a public employee.

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 11:39 A.M.**

Motion made by Mr. Meyer seconded by Mr. Echemann to exit executive session at 11:39 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 decision to be made at this time.

**IN THE MATTER OF ENTERING  
EXECUTIVE SESSION AT 11:39 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 of public employees and ORC 121.22(G)(4) Collective Bargaining.

Upon roll call the vote was as follows:

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

Bryan Minder, 911 Director, joined executive session at 11:39 a.m. for the collective bargaining portion and exited at 12:02 p.m.

**IN THE MATTER OF ADJOURNING  
EXECUTIVE SESSION AT 12:44 P.M.**

October 30, 2019

Motion made by Mr. Meyer seconded by Mr. Echemann to exit executive session at 12:44 p.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 RESCINDING MOTION APPROVING USE OF THE EASTERN DIVISION COURT COMPUTER FUND TO PAY A PORTION OF THE SALARIES OF ROSALEE RALSTON (WESTERN COURT CLERK) AND DONNA COTTAGE (NORTHERN DIVISION COURT CLERK)**

Motion made by Mr. Meyer, seconded by Mr. Echemann to rescind the motion made on December 10, 2009 approving the use of the Eastern Division Court Computer Fund to pay a portion of the salaries of Rosalee Ralston (Western Court Clerk) and Donna Cottage (Northern Division Court Clerk) who were temporarily sharing the duties and acting as the Clerk for Eastern Division Court.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF APPROVING INCREASING COURT CLERK DONNA COTTAGE AND ROSALEE RALSTON'S ANNUAL SALARY TO \$55,000.00 PAID FROM THE GENERAL FUND IN ACCORDANCE WITH THE CURRENT PAY SCALE**

Motion made by Mr. Meyer, seconded by Mr. Echemann to approve increasing Court Clerk Donna Cottage and Rosalee Ralston's annual salary to \$55,000.00 paid from the general fund in accordance with the current pay scale. Any salary exceeding \$55,000.00 will be compensated from the respective Court's special projects fund until the time of their resignation.

Upon roll call the vote was as follows:

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

Mr. Meyer noted this does not result in a pay increase, it is just an increase in the amount being utilized by the General Fund.

**IN THE MATTER OF ADJOURNING COMMISSIONERS MEETING AT 2:30 P.M.**

Motion made by Mr. Meyer, seconded by Mr. Echemann to adjourn the meeting at 2:30 p.m.  
Upon roll call the vote was as follows:

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

Read, approved and signed this 6th day of November, 2019.

*Jerry Echemann /s/* \_\_\_\_\_

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

COUNTY COMMISSIONERS

*Commissioner Meyer – Absent* \_\_\_\_\_

We, Jerry Echemann and Jayne Long, Vice-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.

*Jerry Echemann /s/* \_\_\_\_\_ VICE-PRESIDENT

*Jayne Long /s/* \_\_\_\_\_ CLERK