

The Board of Commissioners of Belmont County, Ohio, met this day in regular session. Present: J. P. Dutton, Jerry Echemann and Josh Meyer, Commissioners and Bonnie Zuzak, 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 COVID-19 UPDATE- Rob Sproul, Deputy Health Commissioner, said testing is still limited, but the FDA did approve a new reagent which may allow for more testing. He said none of the hospitals are experiencing a surge right now, they are continuing to work with local hospitals in case there would be a surge. As of this morning, there are ninety-two COVID-19 cases, twenty-one are out of quarantine, four remain hospitalized and there have been seven deaths. Mr. Sproul said there has been an uptick in numbers, but thirty of the last forty-two were from the prison or healthcare facilities. He said the Governor will start phasing the coming out of the stay at home order which will be done slowly so we don't get another peak. He noted the Health Department will have a full-staff after May 1st. They will be tasked with enforcing the Governor's mandates. Mr. Dutton asked how quickly can the hospitals ramp up if needed. Mr. Sproul said it can happen very quickly. Mr. Echemann inquired the difference between the amount of cases the prisons have compared to county jails. Mr. Sproul said he thinks it's due to inmates at prisons moving around more than ones at the county jails and in the prisons the inmates are together in larger cells. He added it would be beneficial for everyone to get tested in the future, but this won't be mandated. Mr. Meyer said a positive is a lot of people are recovering from the virus.

IN THE MATTER OF APPROVING RECAPITULATION OF VOUCHERS FOR THE VARIOUS FUNDS

Motion made by Mr. Dutton, 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 \$789,198.73

Upon roll call the vote was as follows:

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

A00 GENERAL FUND AND THE B00 DOG & KENNEL FUND

FROM	TO	AMOUNT
E-0257-A017-A00.000 Contingencies	R-1600-B000-B11.574 Transfers	\$115,000.00

Upon roll call the vote was as follows:

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

IN THE MATTER OF ADDITIONAL APPROPRIATIONS FOR VARIOUS FUNDS/CLOSED CARRY-OVER PURCHASE ORDERS

Motion made by Mr. Dutton, seconded by Mr. Echemann to make the following additional appropriation, in accordance with the Amended Official Certificate of Estimated Resources as revised by the Budget Commission, under the date of April 22, 2020:

CARRYOVER PURCHASE ORDERS THAT HAVE BEEN CLOSED AND REQUIRE REAPPROPRIATION

S55 TARGETED COMM ALTERN TO PRISON/ADULT PROBATION

E-1545-S055-S01.000	Grant Expenses	\$52,559.20
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Upon roll call the vote was as follows:

Mr. Dutton	Yes
Mr. Echemann	Yes
Mr. Meyer	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 April 22, 2020 meeting date:

UND AUTO TAX APPROPRIATIONS

E-9801-Y001-Y01.000	UND AUTO TAX	142,379.50
E-9801-Y001-Y03.000	TOWNSHIP-PERMISSIVE TAX	58,643.93
E-9801-Y001-Y05.000	PEASE TOWNSHIP	3,139.25
E-9801-Y001-Y06.000	GOSHEN TOWNSHIP	1,150.64
E-9801-Y001-Y07.000	WARREN TOWNSHIP	1,539.69
E-9801-Y001-Y08.000	PULTNEY TOWNSHIP	2,889.34
E-9801-Y001-Y09.000	FLUSHING TOWNSHIP	489.36
E-9801-Y001-Y10.000	COLERAIN TOWNSHIP	1,228.68
E-9801-Y001-Y11.000	KIRKWOOD TOWNSHIP	138.19
E-9801-Y001-Y12.000	MEAD TOWNSHIP	687.96
E-9801-Y001-Y13.000	RICHLAND TOWNSHIP	1,963.66
E-9801-Y001-Y14.000	SMITH TOWNSHIP	434.14
E-9801-Y001-Y15.000	SOMERSET TOWNSHIP	237.54
E-9801-Y001-Y16.000	UNION TOWNSHIP	665.49

E-9801-Y001-Y17.000	WASHINGTON TOWNSHIP	126.27
E-9801-Y001-Y18.000	WAYNE TOWNSHIP	186.26
E-9801-Y001-Y19.000	WHEELING TOWNSHIP	521.21
E-9801-Y001-Y20.000	YORK TOWNSHIP	252.34
	Total Auto Tax	216,673.45
	MUNICIPAL AUTO LICENSE	
E-9802-Y002-Y08.000	MARTINS FERRY	
	COUNTY AUTO LICENSE	
E-9803-Y003-Y01.000	COUNTY AUTO LICENSE	16,498.20
	GASOLINE TAX	
E-9804-Y004-Y01.000	COUNTY GASOLINE TAX	287,925.37
	INDIGENT APPLICATION FEES	
E-9841-Y041-Y01.000	REMIT TO STATE	
E-9841-Y041-Y02.000	REMIT TO COUNTY	
	Total Indigent Application Fees	0.00

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 following meeting dates:

****APRIL 08, 2020****

A00 GENERAL FUND

E-0061-A002-B05.000 Intense Probation-Clerk of Courts \$15,905.22

S55 TARGETED COMM ALTERN TO PRISON/ADULT PROB

E-1545-S055-S01.000 Grant Expenses \$35,492.00

S77 COMM-BASED CORRECTIONS ACT GRANT/ADULT PROB

E-1520-S077-S01.002 Salaries \$17,386.75
 E-1520-S077-S02.005 Medicare \$252.00
 E-1520-S077-S03.003 PERS \$2,434.25
 E-1520-S077-S04.006 Hospitalization \$3,184.00
 E-1520-S077-S05.004 Workers Comp \$313.00

****APRIL 22, 2020****

A00 GENERAL FUND

E-0057-A006-F06.011 Veterinary Services \$3,707.13
 E-0058-A006-F01.002 Salary \$10,815.00
 E-0058-A006-F02.003 PERS \$1,514.00
 E-0170-A006-G12.000 Indigent Clients-Payment to State \$2,499.00
 E-0181-A003-A06.011 Contract-Services \$10,000.00
 E-0256-A014-A07.005 Medicare \$156.82
 E-0256-A014-A14.004 Workers Comp \$324.45
 E-0257-A015-A14.000 Attorney Fees \$912.30

B00 DOG & KENNEL FUND

E-1600-B000-B07.000 Veterinary Services \$52,000.00
 E-1600-B000-B13.006 Hospitalization \$63,000.00

H00 PUBLIC ASSISTANCE FUND/BCDJFS

E-2510-H000-H05.000 Public Assistance \$71,919.74

L01 SOIL CONSERVATION/BSWCD

E-1810-L001-L01.002 Salaries \$5,186.00

S30 OAKVIEW JUVENILE REHABILITATION

E-8010-S030-S51.002 Salaries \$143,409.27
 E-8010-S030-S53.000 Medical \$3,348.00
 E-8010-S030-S55.010 Supplies \$378.93
 E-8010-S030-S58.000 Communications \$4,808.96
 E-8010-S030-S59.000 Fuel/Utilities \$17,300.00
 E-8010-S030-S60.000 Maintenance & Repair \$6,000.00
 E-8010-S030-S63.000 General \$5,900.00
 E-8010-S030-S66.003 PERS \$24,883.08
 E-8010-S030-S67.004 Workers Comp \$14,747.47
 E-8010-S030-S68.006 Hospitalization \$230.00
 E-8010-S030-S70.005 Medicare \$1,980.75

W80 PROSECUTOR'S/VICTIM ASSISTANCE

E-1511-W080-P01.002 Salary \$5,380.32
 E-1511-W080-P02.010 Supplies \$500.00
 E-1511-W080-P03.000 Travel \$56.00
 E-1511-W080-P04.000 Other \$264.00
 E-1511-W080-P05.003 PERS \$200.00
 E-1511-W080-P15.000 Rent \$608.00

April 22, 2020

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. Dutton, seconded by Mr. Echemann to request the Belmont County Budget Commission certify the following monies.
GENERAL FUND/REIMBURSEMENT FRO CAT STRAY SHUN-\$3,707.13 deposited into R-0057-A006-A05.500 Animal Shelter Reimbursement Vet Bills on 04-20-2020.

JOHN JURCO/REFUNDS AND REIMBURSEMENT-\$471.30 deposited into R0050-A000-A45.500 on 04/15/2020 (*Money was refunded since an invoice was paid twice*).

LEPC MOU PAYMENT-\$12,810.27 deposited into R0050-A000-A42.500 on 04/15/2020 (*This is for the MOU between LEPC and the Commissioners*).

Upon roll call the vote was as follows:

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

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

Motion made by Mr. Dutton, seconded by Mr. Echemann to execute payment of Then and Now Certification dated April 22, 2020, presented by the County Auditor pursuant to O.R.C. 5705.41(d) 1, and authorizing the drawing of warrant(s) in payment of amounts due upon contract to order.

Upon roll call the vote was as follows:

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

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

Motion made by Mr. Dutton, seconded by Mr. Echemann to approve the minutes of the Belmont County Board of Commissioners regular meeting of April 8, 2020.

Upon roll call the vote was as follows:

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

IN THE MATTER OF OFFER TO PURCHASE BY BELMONT COUNTY COMMISSIONERS, ON BEHALF OF WATER AND SEWER DISTRICT/BARACK

Motion made by Mr. Dutton, seconded by Mr. Echemann to offer to purchase by the Belmont County Commissioners, Belmont County, Ohio, on behalf of the Belmont County Water and Sewer District through its agent, Kelly Porter, Director of the Belmont County Water and Sewer District, a 0.076 acre tract of real estate from a 15.246 acre tract of real estate, parcel no. 26-01947.000 owned by Lana J and Roger Barack for the amount of \$2,000.00.

Note: This property is used for the St. Joe Sanitary Sewer Lift Station.

OFFER TO PURCHASE

This Offer of Purchase ("Offer") is made this 20th day of April, 2020, by the Belmont County Commissioners, Belmont County, Ohio, on behalf of the Belmont County Water and Sewer District through its agent, Kelly Porter, Director of the Belmont County Water and Sewer District. The Belmont County Commissioners hereby offer to purchase a 0.076 acre tract of real estate from a 15.246 acre tract of real estate identified by Parcel No. 26-01947.000 currently owned by you. The 0.076 acre tract is described on the map and legal description attached to this offer. This acquisition is necessary in order to construct, repair, and maintain a sewer pump station which currently exists on this property.

The Belmont County Commissioners offer to pay to you the sum of Two Thousand and 00/100 Dollars (\$2,000.00) for acquisition of the 0.076 acre tract of real estate.

You have Twenty-one (21) days from the date this offer is presented to you to accept this offer. You may accept the offer by signing your acceptance below and returning it to Kelly Porter at the Belmont County Water and Sewer District, 67711 Oakview Drive, P. O. Box 457, St. Clairsville, OH 43950, within the 21-day period.

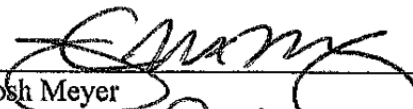
If the offer is accepted, you will be contacted to arrange a closing. At the closing you will be required to execute a Quitclaim Deed which grants to Belmont County, Ohio, the 0.076 acre tract described herein. Upon execution of that document you will receive your check for \$2,000.00.

Belmont County will pay for the preparation of the Quitclaim Deed and for recording the same.

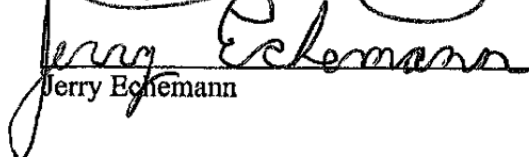
BOARD OF COUNTY COMMISSIONERS,
BELMONT COUNTY, OHIO on behalf of the
BELMONT COUNTY WATER AND SEWER
DISTRICT



J. P. Dutton



Josh Meyer



Jerry Echemann

OFFER ACCEPTED: _____
Lana J. Barack

Date

Roger Barack

Upon roll call the vote was as follows:

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

Mr. Dutton said this is related to title work being done for the USDA sewer package.

IN THE MATTER OF ENTERING INTO A VENDOR AGREEMENT WITH SHAHEEN LAW OFFICE, ON BEHALF OF BCDJFS, FOR PROVISION OF ADULT PROTECTIVE SERVICES-LEGAL SERVICES

Motion made by Mr. Dutton, seconded by Mr. Echemann to enter into a Vendor Agreement with Shaheen Law Office, on behalf of Belmont County Department of Job & Family Services, for the provision of Adult Protective Services-Legal Services effective May 1, 2020 through April 30, 2021, in the maximum amount of \$10,000.00.

**BELMONT COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES
VENDOR AGREEMENT**

This agreement to provide **Adult Protective Services – Legal Services** is entered into on this **1st day of May, 2020** by and between the Belmont County Department of Job and Family Services, hereinafter referred to as the **“Department”** and **Shaheen Law Office**, a provider of **Legal Services**, hereinafter referred to as the **“Provider.”** This agreement will be effective from **May 1, 2020** through **April 30, 2021** inclusive, unless otherwise terminated.

I. GENERAL REGULATIONS

- A. The Provider agrees that the use or disclosure of any information concerning qualified recipients for any purpose not directly related to the delivery of purchased services is prohibited except upon the written consent of the recipients or guardians.
- B. The Provider understands that this written agreement supersedes all oral agreements.
- C. The Provider agrees to hold harmless the Belmont County Department of Job and Family Services, the Belmont County Board of Commissioners and the Ohio Department of Job and Family Services against all liability, loss, damage and/or related expenses incurred through the provision of services under this agreement.
- D. The Provider agrees that in the performance of this agreement there shall be no discrimination against any client because of race, color, sex, religion, national origin or handicapped conditions as specified in the Civil Rights Act of 1964 and the Rehabilitation Act of 1973 and all subsequent amendments. It is further agreed discrimination and the right to and method of appeal will be made available to all persons served under this agreement.
- E. In the event the Provider receives an overpayment, the Provider agrees to repay the Belmont County Department of Job and Family Services the amount to which he/she was not entitled.
- F. In the event that state and/or federal reimbursement is no longer available to the Department, therefore, requiring changes or termination of this agreement, such changes or termination will be effective on the date that state and/or federal reimbursement is no longer available or later as otherwise stipulated by the Department.
- G. This agreement may be terminated by the Provider or the Department upon seven (7) days written notice. Failure to honor the terms of this agreement and/or related state, federal or local regulations shall result in the immediate termination of this agreement. If any of the terms of this agreement change, the Provider must notify the Department immediately.
- H. The Provider agrees to adhere to all applicable rules and regulations in the Ohio Administrative Code governing the delivery of the service including provision of insurance.
- I. Eligibility for Services: The Belmont County Department of Job and Family Services will determine eligibility for all service recipients directly. Eligibility of individuals to receive purchased services shall be determined in accordance with the policy and procedures established by the Ohio Department of Job and Family Services in the Ohio Administrative Code.
- J. Amendment of Agreement: This agreement may be amended at any time by a written amendment signed by both parties and submitted to the Ohio Department of Job and Family Services in the manner required by state regulations.

II. PAYMENT PROCEDURES

- A. The Belmont County Department of Job and Family Services agrees to pay the Provider **\$80.00** per hour for **125** unit hours of service.
- B. The maximum amount billable under this agreement is **\$10,000.00**.
- C. The Provider understands that the payment for all services provided in accordance with the provisions of this agreement depends upon the availability of county, state and federal matching funds.
- D. The Provider understands that a recipient for whom services are provided may be referred by the Belmont County Department of Job and Family Services. Other than this fee set by the Department, no additional fees may be charged for services rendered under this agreement.
- E. The Provider agrees to submit an invoice to the Department monthly within five (5) working days following the last working day of the billing period. The Department agrees to review the invoices and authorize with adjustments, if needed, reimbursement for services provided within fifteen (15) to twenty (20) working days after receipt of the invoice.
- F. Duplicate Billing: The Provider warrants that claims made to the Belmont County Department of Job and Family Services for payment for purchased services shall be for actual services rendered to eligible individuals and do not duplicate claims made by the Provider to other sources of funds for the same service.

I hereby understand and agree to the terms of this agreement. This agreement signed on the 22nd day of April, 2020.

Mike Schlanz /s/
Mike Schlanz, Interim Director
Belmont County Department of Job and Family Services
310 Fox-Shannon Place
St. Clairsville OH 43950
(740)695-1075

4/16/2020
Date

Michael Shaheen /s/
Michael J. Shaheen, Provider
Shaheen Law Offices
128 South Marietta Street
St. Clairsville OH 43950
(740)695-4448

4/16/2020
Date

J. P. Dutton /s/
J. P. Dutton, President
Belmont County Board of Commissioners

4/22/20
Date

Jerry Echemann /s/
Jerry Echemann, Vice-President
Belmont County Board of Commissioners

4-22-20
Date

Josh Meyer /s/
Josh Meyer, Commissioner
Belmont County Board of Commissioners

4-22-20
Date

Approved as to form:

April 22, 2020

David K. Liberati /s/ Assist. P.A.

4-21-20

Belmont County Prosecutor

Date

Upon roll call the vote was as follows:

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

IN THE MATTER OF ACCEPTING ESTIMATE #1055 FROM ABC

LAWN CARE/HEALTH DEPARTMENT

Motion made by Mr. Dutton, seconded by Mr. Echemann to accept estimate #1055 from ABC Lawn Care, LLC, for one security camera and installation in the amount of \$725.40 for the Belmont County Health Department.

Note: ABC Lawn Care, LLC expanded their lawn care business into security camera installation and sales in 2018 in response to their customers' requests for better home and business protection.

Upon roll call the vote was as follows:

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

IN THE MATTER OF ADOPTING PRELIMINARY CONSENT LEGISLATION

RESOLUTION/ PROJECT BEL-470-3.22

Motion made by Mr. Dutton, seconded by Mr. Echemann to adopt the Preliminary Consent Legislation resolution empowering the Belmont County Engineer, on behalf of the Board of Belmont County Commissioners, to enter into contracts with the Director of the Ohio Department of Transportation to complete Project BEL-470-3.22 for repair of the structure carrying CR 214 over IR 470.

Note: The entire cost of the project will be borne by ODOT.

PRELIMINARY CONSENT LEGISLATION

Resolution # N/A
PID No. 99615
County/Route/Section BEL-470-3.22

The following is a Resolution enacted by the Board of County Commissioners of Belmont County, Ohio, hereinafter referred to as the Local Public Agency (LPA), in the matter of the stated described project.

SECTION I - Project Description

WHEREAS, the STATE has identified the need for the described project:

This project is located in Pultney Township at the interchange of CR 214 and IR 470. The project will repair the structure carrying CR 214 over IR 470 by replacing the bridge railing, backwalls, expansion joints and approach slabs. The project will also place a new concrete overlay on the deck and repair the substructure units. Traffic will be maintained throughout the duration of the project. The entire cost of the project (PID 99615) will be borne by the Ohio Department of Transportation.

NOW THEREFORE, be it ordained by the Board of County Commissioners of Belmont County, Ohio.

SECTION II - Consent Statement

Being in the public interest, the LPA gives consent to the Director of Transportation to complete the above described project.

SECTION III - Cooperation Statement

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

ODOT shall assume and bear 100% of the necessary costs of the State's highway improvement project. In the event the County requests certain features or appurtenances be included within the State's highway improvement project's design and construction, and which features and appurtenances are determined by the State and FHWA to be not necessary for the State's project, the County shall contribute 100% of the cost of those items.

PID No. 99615

SECTION IV - Utilities and Right of Way Statement

The LPA grants permission to the Director of the Ohio Department of Transportation to acquire in the name of the LPA all necessary right of way required for the described project.

The LPA agrees to be responsible to ensure that all utility accommodations, relocations and reimbursements will comply with the current provisions of 23 CFR and the ODOT Utilities Manual.

SECTION V - Maintenance

Upon completion of the project, and unless otherwise agreed, the LPA shall: (1) provide adequate maintenance for the project 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 project; (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

The County Engineer of said Belmont County is hereby empowered on behalf of the Board of County Commissioners of Belmont County to enter into contracts with the Director of Transportation necessary to complete the above described project.

Passed: APRIL 22, 2020.

Attested: Bernie Hymar
Clerk

[Signature]
Belmont County Commissioner

Attested: Bernie Hymar
Clerk

[Signature]
Belmont County Commissioner

Attested: Bernie Hymar
Clerk

[Signature]
Belmont County Commissioner

This Resolution is hereby declared to be an emergency measure to expedite the highway project and to promote highway 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 in force from and after the earliest period allowed by law.

Upon roll call the vote was as follows:

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

IN THE MATTER OF APPROVING THE ENGAGEMENT LETTER WITH DINSMORE & SHOHL LLP/ENGINEER EQUIPMENT BOND

Motion made by Mr. Dutton, seconded by Mr. Echemann to approve and sign the Engagement Letter with Dinsmore & Shohl, LLP, to act as Bond Counsel regarding the \$85,000 Engineer Equipment Bond, Series 2020 of the County of Belmont, Ohio.

Upon roll call the vote was as follows:

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

IN THE MATTER OF ADOPTING RESOLUTION AUTHORIZING ISSUANCE AND SALE OF \$85,000 ENGINEER EQUIPMENT BONDS, SERIES 2020

Motion made by Mr. Dutton, seconded by Mr. Echemann to adopt the resolution authorizing the issuance and sale of \$85,000 Engineer Equipment Bonds, Series 2020 for the purpose of paying part of the costs of acquiring a new track hoe and related equipment thereto and matters related thereto.

ENTERED IN COMMISSIONERS' JOURNAL
NO. 103, PAGE NO. N/A

The Board of County Commissioners of the County of Belmont, Ohio, met in regular session at 9:00 o'clock a.m., on April 22, 2020, at the commissioners meeting room located in the Courthouse, St. Clairsville, Ohio, with the following members present:

Mr. Dutton Mr. Echemann Mr. Meyer

Absent: _____

There was presented to the Board a Certificate As To Maximum Maturity of Bonds and Bond Anticipation Notes signed by the County Auditor.

Mr. Dutton moved the adoption of the following resolution:

COUNTY OF BELMONT, OHIO
RESOLUTION NO. N/A

RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF \$85,000 ENGINEER EQUIPMENT BONDS, SERIES 2020 FOR THE PURPOSE OF PAYING PART OF THE COSTS OF ACQUIRING A NEW TRACK HOE AND RELATED EQUIPMENT THERETO AND MATTERS RELATED THERETO

WHEREAS, the County of Belmont, Ohio (the "County") desires to acquire a new track hoe and related equipment thereto (the "Project"); and

WHEREAS, the County Auditor, as fiscal officer of the County, has estimated that the life of the improvements and assets constituting the Project is at least five (5) years, and certified that the maximum maturity of securities issued therefor is ten (10) years; and

WHEREAS, this Board of County Commissioners (the "Board") desires to finance such acquisition, in part, by issuing general obligation bonds under the provisions of Chapter 133 of the Ohio Revised Code (the "Act"); and

WHEREAS, the United States of America, acting through the Rural Housing Service, United States Department of Agriculture (the "Government") has agreed to purchase such bonds upon the terms set forth herein; and

WHEREAS, the Board expects that debt service on such bonds will be paid from the general revenues of the County (the "Revenues");

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of the County of Belmont, Ohio:

SECTION 1. That it is necessary to issue securities in the form of bonds of the County in the principal sum of \$85,000, for the purpose of paying part of the costs of the Project, under authority of the general laws of the State of Ohio, particularly the Act. Such bonds shall be dated the date of their issuance, shall be numbered from R-1 upward in order of issuance, shall be in fully registered form without coupons, and shall bear interest at the rate of two and seventy-five hundredths percent (2.75%) per annum on the basis of a 365-day year, which interest shall be payable annually on a date to be set forth in the bonds, commencing on such date in 2021. The bonds shall mature on such annual date in the following years and in the respective principal amounts:

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
2021	\$7,500	2026	\$8,600
2022	7,700	2027	8,800
2023	7,900	2028	9,100
2024	8,200	2029	9,300
2025	8,300	2030	9,600

The principal amounts in forgoing payment schedule may be revised to reflect any reduction in the interest rate on the Bonds while maintaining substantially equal payments of principal and interest in each calendar year with those in any other calendar year. With the Government purchasing all of such bonds, the bonds shall be initially issued as a single bond in the denomination of \$85,000, registered as to both principal and interest in the name of "United States of America, acting through the Rural Housing Service, United States Department of Agriculture", or as otherwise directed by the Government. Such bonds shall be in the denomination of \$100 and any integral multiple thereof, provided that if the Government is the owner of the bonds, the bonds shall be in a principal amount equal to the aggregate principal amount of the bonds.

If the total par value of such bonds is not paid by the Government to the County at the time of initial delivery of the bonds, such par value shall be advanced to the County in one or more installments upon request of the County, and interest shall accrue on the amount of each advance from the actual date of such advance.

Such bonds shall be callable for redemption at any time prior to maturity at the option of the County in such order of maturity as the County shall determine at par plus accrued interest to the date of redemption. The County shall send notice of such optional redemption by first class mail, postage prepaid, to the registered holders of the bonds or portions thereof to be redeemed at least 30 days prior to the date of redemption. If less than all the bonds of a single maturity are to be redeemed, the selection of bonds or parts thereof to be redeemed shall be made in such manner as the County shall determine. Upon such redemption of less than the entire principal amount of an outstanding bond, a new bond or bonds of authorized denominations of the same maturity and for the unredeemed principal amount will be issued to the owner of the partially redeemed bond in exchange therefor.

It is hereby determined that the issuance of the bonds upon the terms described herein, including the redemption provisions specified above, will be in the best interest of the County.

SECTION 2. That such bonds shall be signed by at least two of the members of the Board and the County Auditor, provided that all but one of such signatures may be facsimiles. Such bonds shall be designated "Engineer Equipment Bonds, Series 2020", shall be payable to the registered holder thereof by check or draft mailed by the County to such holder's address as it appears on the registration records, without deduction for exchange, collection or service charges, and shall recite that they are issued pursuant to the provisions of the Act and this resolution. Upon payment of the final such payment, the holder of each bond shall cancel the bond and return it to the County.

The bonds shall not be transferable until the entire aggregate principal amount of the bonds has been paid by the Government to the County. Thereafter, the bonds shall be transferable by the registered holder thereof in person or by his attorney duly authorized in writing at the office of the County upon presentation and surrender thereof to the County. No such transfer shall be effective until entered upon the registration records maintained by the County. Upon such transfer, a new bond or bonds of authorized denominations of the same maturity and for the same aggregate principal amount will be issued to the transferee in exchange therefor.

The County may deem and treat the registered holders of the bonds as the absolute owners thereof for all purposes, and the Board shall not be affected by any notice to the contrary. The County may appoint a bank or trust company to serve as paying agent, registrar and transfer agent for the bonds.

SECTION 3. That the Board hereby covenants that it will restrict the use of the proceeds of the bonds hereby authorized in such manner and to such extent, if any, and take such other actions as may be necessary, after taking into account reasonable expectations at the time the debt is incurred, so that they will not constitute obligations the interest on which is subject to federal income taxation or "arbitrage bonds" under Sections 103(b)(2) and 148 of the Internal Revenue Code of 1986, as amended (the "Code") and the regulations prescribed thereunder, including any expenditure requirements, investment limitations, or rebate requirements. The County Auditor or any other officer having responsibility with respect to the issuance of the bonds is authorized and directed to give an appropriate certificate on behalf of the County, on the date of delivery of the bonds for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances and reasonable expectations pertaining to the use of the proceeds thereof and the provisions of said Sections 103(b)(2) and 148 and regulations thereunder.

SECTION 4. That it is hereby determined that all acts, conditions and things necessary to be done precedent to and in the issuance of such bonds in order to make the same legal, valid and binding obligations of the County have been done, have happened and have been

performed in regular and due form as required by law, and that such issue of bonds and the tax for the payment of their principal and interest as the same fall due and are payable do not exceed any limitations of indebtedness or taxation fixed by law.

SECTION 5. That such bonds shall be sold to the Government in accordance with its offer to purchase, which is hereby accepted. The proceeds from the sale of such bonds, except the premium, if any, and accrued interest, shall be used for the purpose aforesaid and for no other purpose and for which purpose such proceeds are hereby appropriated; any premium and accrued interest shall be transferred to the bond retirement fund to be applied to the payment of the principal of and interest on the bonds in the manner provided by law.

SECTION 6. That for the payment of such bonds and the interest thereon, the full faith, credit and revenue of the County are hereby irrevocably pledged, and for the purpose of providing the necessary funds to pay the interest on the bonds promptly when and as the same falls due, and also to provide a fund sufficient to discharge the bonds at maturity, there shall be and is hereby levied on all the taxable property in the County, within applicable limitations, in addition to all other taxes, a direct tax annually during the period the bonds are to run in an amount sufficient to provide funds to pay interest upon the bonds as and when the same falls due and also to provide a fund for the discharge of the principal of the bonds at maturity, which tax shall not be less than the interest and sinking fund tax required by Article XII, Section 11 of the Constitution of Ohio.

Said tax shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner and at the same time that taxes for general purposes for each of said years are certified, extended or collected. Said tax shall be placed before and in preference to all other items and for the full amount thereof. The funds derived from said tax levies hereby required shall be placed in a separate and distinct fund, which, together with all interest collected on the same, shall be irrevocably pledged for the payment of the interest on and the principal of the bonds when and as the same shall fall due; provided, that in each year to the extent that Revenues or moneys from other sources are available for the payment of the bonds and are appropriated for such purpose, the amount of such tax shall be reduced by the amount of such Revenues or other moneys so available and appropriated.

SECTION 7. That so long as the Government is the holder of any of said bonds, the County will comply with all applicable regulations of the Government relating to the Project and the bonds and with the Government's Form RD 1942-47/RUS Bulletin 1780-27 "Loan Resolution (Public Bodies)" relating thereto adopted by the Board, and (i) will acquire and maintain such insurance and fidelity bond coverage as may be required by the Government, and (ii) will not, among other things, defease such bonds without the prior written consent of the Government.

The County shall, at any and all times, cause to be done all such further acts and things and cause to be executed and delivered all such further instruments as may be necessary to carry out the purpose of said bonds and this resolution. The provisions of this resolution shall constitute a contract between the County and the holders of any of said bonds, and after the issuance of said bonds this resolution shall not be repealed or amended in any respect which will adversely affect the rights and interest of the bondholders, nor shall the Board adopt any law, ordinance or resolution in any way adversely affecting the rights of the bondholders so long as any of said bonds or interest thereon remains unpaid. All of the obligations set forth and covenants made under this resolution are hereby established as duties specifically enjoined by law and resulting from an office, trust or station upon the Board within the meaning of Section 2731.01 of the Ohio Revised Code.

SECTION 8. That Dinsmore & Shohl LLP, attorneys, be and are hereby retained as bond counsel to the County with respect to the issuance of such bonds to prepare the necessary authorizing documents, and related closing documents for the issuance of such bonds and, if appropriate, rendering its approving legal opinion to the Government in connection therewith. At least two members of the Board, the County Auditor, and any of them, are hereby authorized, alone or with others, to enter into an agreement with said firm for such services.

SECTION 9. That it is found and determined that all formal actions of the Board concerning and relating to the adoption of this resolution were adopted in an open meeting of the Board; and that all deliberations of the Board and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law, including Section 121.22 of the Ohio Revised Code.

SECTION 10. That the Clerk of the Board be and is hereby directed to forward a certified copy of this resolution to the County Auditor.

SECTION 11. That this resolution shall take effect immediately upon its adoption.

Mr. Echemann seconded the resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

AYES: Mr. Dutton Mr. Echemann Mr. Meyer

NAYS: _____

ADOPTED, this 22nd day of April, 2020.

Bonnie Zuzak /s/
Clerk
Board of County Commissioners
County of Belmont, Ohio

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADOPTING THE USDA LOAN RESOLUTION
AUTHORIZING AND PROVIDING FOR INCURRENCE OF INDEBTEDNESS
FOR THE PURPOSE OF PROVIDING A PORTION OF THE COST OF
ACQUIRING, CONSTRUCTING, ENLARGING, IMPROVING, AND/OR
EXTENDING ITS PUBLIC SAFETY VEHICLES FACILITY TO SERVE AN
AREA LAWFULLY WITHIN ITS JURISDICTION TO SERVE**

Motion made by Mr. Dutton, seconded by Mr. Echemann to adopt the USDA Loan Resolution (Form RD 1942-47) authorizing and providing for the incurrence of indebtedness for the purpose of providing a portion of the cost of acquiring, constructing, enlarging, improving, and/or extending its public safety vehicles facility to serve an area lawfully within its jurisdiction to serve.

Note: This is for a USDA Loan in the amount of \$85,000 and USDA Grant Funding in the amount of \$100,000 for the purchase of a track hoe for the Belmont County Engineer's Department.

Position 5

USDA
Form RD 1942-47
(Rev. 12-97)

LOAN RESOLUTION
(Public Bodies)

FORM APPROVED
OMB NO. 0575-0015

A RESOLUTION OF THE County Commissioners
OF THE Belmont County
AUTHORIZING AND PROVIDING FOR THE INCURRENCE OF INDEBTEDNESS FOR THE PURPOSE OF PROVIDING
A PORTION OF THE COST OF ACQUIRING, CONSTRUCTING, ENLARGING, IMPROVING, AND/OR EXTENDING ITS
Public Safety Vehicles
FACILITY TO SERVE AN AREA LAWFULLY WITHIN ITS JURISDICTION TO SERVE.

WHEREAS, it is necessary for the Belmont County
(Public Body)
(herein after called Association) to raise a portion of the cost of such undertaking by issuance of its bonds in the principal amount of
85,000.00

pursuant to the provisions of Chapter 133 of the Ohio Revised Code; and

WHEREAS, the Association intends to obtain assistance from the Rural Housing Service, Rural Business - Cooperative Service, Rural Utilities Service, or their successor Agencies with the United States Department of Agriculture, (herein called the Government) acting under the provisions of the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.) in the planning, financing, and supervision of such undertaking and the purchasing of bonds lawfully issued, in the event that no other acceptable purchaser for such bonds is found by the Association:

NOW THEREFORE in consideration of the premises the Association hereby resolves:

1. To have prepared on its behalf and to adopt an ordinance or resolution for the issuance of its bonds containing such items and in such forms as are required by State statutes and as are agreeable and acceptable to the Government.
2. To refinance the unpaid balance, in whole or in part, of its bonds upon the request of the Government if at any time it shall appear to the Government that the Association is able to refinance its bonds by obtaining a loan for such purposes from responsible cooperative or private sources at reasonable rates and terms for loans for similar purposes and periods of time as required by section 333(c) of said Consolidated Farm and Rural Development Act (7 U. S. C. 1983 (c)).
3. To provide for, execute, and comply with Form RD 400-4, "Assurance Agreement," and Form RD 400-1, "Equal Opportunity Agreement," including an "Equal Opportunity Clause," which clause is to be incorporated in, or attached as a rider to, each construction contract and subcontract involving in excess of \$ 10,000.
4. To indemnify the Government for any payments made or losses suffered by the Government on behalf of the Association. Such indemnification shall be payable from the same source of funds pledged to pay the bonds or any other legal permissible source.
5. That upon default in the payments of any principal and accrued interest on the bonds or in the performance of any covenant or agreement contained herein or in the instruments incident to making or insuring the loan, the Government at its option may (a) declare the entire principal amount then outstanding and accrued interest immediately due and payable, (b) for the account of the Association (payable from the source of funds pledged to pay the bonds or any other legally permissible source), incur and pay reasonable expenses for repair, maintenance, and operation of the facility and such other reasonable expenses as may be necessary to cure the cause of default, and/or (c) take possession of the facility, repair, maintain, and operate or rent it. Default under the provisions of this resolution or any instrument incident to the making or insuring of the loan may be construed by the Government to constitute default under any other instrument held by the Government and executed or assumed by the Association, and default under any such instrument may be construed by the Government to constitute default hereunder.
6. Not to sell, transfer, lease, or otherwise encumber the facility or any portion thereof, or interest therein, or permit others to do so without the prior written consent of the Government.
7. Not to defease the bonds, or to borrow money, enter into any contract or agreement, or otherwise incur any liabilities for any purpose in connection with the facility (exclusive of normal maintenance) without the prior written consent of the Government if such undertaking would involve the source of funds pledged to pay the bonds.
8. To place the proceeds of the bonds on deposit in an account and in a manner approved by the Government. Funds may be deposited in institutions insured by the State or Federal Government or invested in readily marketable securities backed by the full faith and credit of the United States. Any income from these accounts will be considered as revenues of the system.
9. To comply with all applicable State and Federal laws and regulations and to continually operate and maintain the facility in good condition.
10. To provide for the receipt of adequate revenues to meet the requirements of debt service, operation and maintenance, and the establishment of adequate reserves. Revenue accumulated over and above that needed to pay operating and maintenance, debt service and reserves may only be retained or used to make prepayments on the loan. Revenue cannot be used to pay any expenses which are not directly incurred for the facility financed by the Government. No free service or use of the facility will be permitted.

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0575-0015. The time required to complete this information collection is estimated to average 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

11. To acquire and maintain such insurance and fidelity bond coverage as may be required by the Government.
12. To establish and maintain such books and records relating to the operation of the facility and its financial affairs and to provide for required audit thereof as required by the Government, to provide the Government a copy of each such audit without its request, and to forward to the Government such additional information and reports as it may from time to time require.
13. To provide the Government at all reasonable times access to all books and records relating to the facility and access to the property of the system so that the Government may ascertain that the Association is complying with the provisions hereof and of the instruments incident to the making or insuring of the loan.
14. That if the Government requires that a reserve account be established and maintained, disbursements from that account may be used when necessary for payments due on the bond if sufficient funds are not otherwise available. With the prior written approval of the Government, funds may be withdrawn for:
 - (a) Paying the cost of repairing or replacing any damage to the facility caused by catastrophe.
 - (b) Repairing or replacing short-lived assets.
 - (c) Making extensions or improvements to the facility.

Any time funds are disbursed from the reserve account, additional deposits will be required until the reserve account has reached the required funded level.
15. To provide adequate service to all persons within the service area who can feasibly and legally be served and to obtain the Government's concurrence prior to refusing new or adequate services to such persons. Upon failure to provide services which are feasible and legal, such person shall have a direct right of action against the Association or public body.
16. To comply with the measures identified in the Government's environmental impact analysis for this facility for the purpose of avoiding or reducing the adverse environmental impacts of the facility's construction or operation.
17. To accept a grant in an amount not to exceed \$ 100,000

under the terms offered by the Government; that the President of the Board and County Commissioners of the Association are hereby authorized and empowered to take all action necessary or appropriate in the execution of all written instruments as may be required in regard to or as evidence of such grant; and to operate the facility under the terms offered in said grant agreement(s).

The provisions hereof and the provisions of all instruments incident to the making or the insuring of the loan, unless otherwise specifically provided by the terms of such instrument, shall be binding upon the Association as long as the bonds are held or insured by the Government or assignee. The provisions of sections 6 through 17 hereof may be provided for in more specific detail in the bond resolution or ordinance; to the extent that the provisions contained in such bond resolution or ordinance should be found to be inconsistent with the provisions hereof, these provisions shall be construed as controlling between the Association and the Government or assignee

The vote was: Yeas 3 Nays 0 Absent _____.

IN WITNESS WHEREOF, the County Commissioners of the Belmont County has duly adopted this resolution and caused it to be executed by the officers below in duplicate on this 22nd day of APRIL 2020.

(SEAL)

Attest:
 X [Signature]
 Auditor
 Title

By [Signature]
 Title President of the Board

Upon roll call the vote was as follows:

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

County Engineer Terry Lively said the Ohio Department of Transportation (ODOT) will be rehabilitating the bridge on County Road 214 that crosses over Interstate 70. "It's a good project for the county, we definitely need it," said Mr. Lively. He explained the motions for the USDA is housekeeping paperwork regarding the \$100,000 grant and \$85,000 loan they received to purchase a track hoe. Mr. Dutton added a lot of much needed work has been done in the county by ODOT over the last five to six years. Mr. Lively said ODOT will continue to focus on this area of the state.

OPEN PUBLIC FORUM-Richard Hord, Martins Ferry, commented on concerns regarding a local medical office complex being nearly empty of physicians. Mr. Dutton said local health care right now is disconcerting. He said, "I think there's a healthcare demand in the area, I think it was evident prior to COVID and I think it'll become even more evident after COVID and after additional economic development." Mr. Meyer said, "COVID-19 has affected the medical field. They've had to reduce the way they see patients and only see patients on an as needed emergent basis, so they've had to reduce hours as well." Mr. Dutton said they are continuing to press upon the fact we believe our region is underserved.

April 22, 2020

RECESS

IN THE MATTER OF ENTERING EXECUTIVE SESSION AT 9:34 A.M

Motion made by Mr. Dutton, seconded by Mr. Echemann to enter executive session with Mike Schlanz, DJFS Interim Director, Brenna Rocchio, DJFS Public Assistance Administrator and Lori O'Grady, DJFS HR Manager, pursuant to ORC 121.22(G)(1) Personnel Exception to consider the employment and discipline of public employees.

Upon roll call the vote was as follows:

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

IN THE MATTER OF ADJOURNING EXECUTIVE SESSION AT 10:04 A.M.

Motion made by Mr. Dutton, seconded by Mr. Echemann to exit executive session at 10:04 a.m.

Upon roll call the vote was as follows:

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

Mr. Dutton said as a result of executive session there is no business for the board to consider at this time.

10:00 Subdivision Hearing-Cherry Wood Drive (Private Rd.), Richland Twp.

Present: Will Eddy, Drafting Technician II. Mr. Eddy reviewed a map of the area. He said the private road is being created due to a property split. The lane has been in existence for a while. Mr. Dutton noted since it is a private road it is the responsibility of the property owner to take care of it.

**IN THE MATTER OF FINAL PLAT APPROVAL
FOR CHERRY WOOD DRIVE (PRIVATE ROAD)
RICHLAND TOWNSHIP, SEC. 22, T-6, R-3**

“Hearing Had 9:30 A.M.”

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

Motion made by Mr. Dutton 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 Cherry Wood Drive (Private Road), Richland Township, Sec. 22, 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. Dutton	<u>Yes</u>
Mr. Echemann	<u>Yes</u>
Mr. Meyer	<u>Yes</u>

I do hereby certify the foregoing to be a true and correct copy of Journal Entry of April 22, 2020, as recorded in Volume 103 of the County Commissioners' Journal.

Bonnie Zuzak /s/

Bonnie Zuzak, Clerk

cc: Engineer
Township F.O.
Health Dept.

RECESS

IN THE MATTER OF ENTERING EXECUTIVE SESSION AT 10:28 A.M

Motion made by Mr. Dutton, 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 and compensation of public employees and ORC 121.22(G)(4) Collective Bargaining.

Upon roll call the vote was as follows:

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

IN THE MATTER OF ADJOURNING EXECUTIVE SESSION AT 12:03 P.M.

Motion made by Mr. Dutton, seconded by Mr. Echemann to exit executive session at 12:03 p.m.

Upon roll call the vote was as follows:

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

Mr. Dutton said as a result of executive session there is no further action for the board to consider at this time.

RECESS

Mr. Dutton said there is no further business to be considered by the board at this time, but the meeting will be left open due to the uncertain nature of activities related to COVID-19 pandemic.

Reconvened Monday, April 27, 2020 at 9:04 a.m. Present: Commissioners Dutton, Echemann and Meyer.

Mr. Dutton said the meeting of April 22 was left open. There is no further business for the board to consider at this time.

**IN THE MATTER OF ADJOURNING
COMMISSIONERS MEETING AT 9:04 A.M.**

Motion made by Mr. Dutton, seconded by Mr. Echemann to adjourn the meeting at 9:04 a.m.
Upon roll call the vote was as follows:

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

Read, approved and signed this 6th day of May, 2020.

J. P. Dutton /s/ _____

Jerry Echemann /s/ _____ COUNTY COMMISSIONERS

Josh Meyer /s/ _____

We, J. P. Dutton and Bonnie Zuzak, President and Clerk respectively of the Board of Commissioners of Belmont County, Ohio, do hereby certify the foregoing minutes of the proceedings of said Board have been read, approved and signed as provided for by Sec. 305.11 of the Revised Code of Ohio.

J.P. Dutton /s/ _____ PRESIDENT

Bonnie Zuzak /s/ _____ CLERK