

St. Clairsville, Ohio

May 27, 2020

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.

Mr. Dutton gave a procedural update. He said things are operating the same here, in terms of county buildings, they continue to evaluate that on a day by day basis. The buildings, in most cases, remain open to the public by appointment only. The public is asked to call ahead, to deal with issues remotely if possible or if they need to come to the courthouse that remains available to them. Mr. Dutton said they appreciate the public's patience throughout this and hopefully it hasn't interfered with people's interaction with county government. He added they are trying to remain cautious and conservative. Mr. Dutton said they also will continue to evaluate keeping their meetings at 10 or less. "We are kind of proud, we've kept our meetings as close to normal as possible throughout this entire process. It was very important for us to try to keep this as normal as possible within reason," he said. Mr. Dutton noted the cleaning staff cleans before and after the meetings. He said they will continue to have the live feed in the hallway and will rotate people in and out as needed so everyone has the opportunity to address the board if they want to. "We try to balance between safety for everyone and trying to keep our meetings operating as close to normal as possible," said Mr. Dutton.

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 \$1,297,218.87

Upon roll call the vote was as follows:

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

IN THE MATTER OF TRANSFERS WITHIN FUND

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

A00 GENERAL FUND

FROM	TO	AMOUNT
E-0051-A001-A42.000 CIC/DOD	E-0051-A001-A28.000 Other Expenses	\$5,000.00
E-0131-A006-A02.002 Admin Salaries	E-0131-A006-A25.000 Housing of Prisoners	\$11,770.00
E-0141-A001-C02.002 Salaries	E-0141-A001-C13.007 Unemployment-Treas	\$6,415.50

W82 D.R.E.T.A.C./TREASURER

FROM	TO	AMOUNT
E-1410-W082-T04.000 Other Expenses	E-1410-W082-T01.002 Salaries	\$5,000.00

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 following meeting dates:

****JANUARY 02, 2020****

Y79 UNCLAIMED FORECLOSURE FUNDS/TREASURER

E-9879-Y079-Y03.000	Unclaimed Funds	\$9,013.09
---------------------	-----------------	------------

Upon roll call the vote was as follows:

Mr. Dutton	Yes
Mr. Meyer	Yes
Mr. Echemann	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 May 27, 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 May 13, 2020.

Upon roll call the vote was as follows:

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

IN THE MATTER OF APPROVING THE VILLAGE OF HOLLOWAY'S APPLICATION FOR MUNICIPAL STREET FUND/VEHICLE LICENSE TAX

Motion made by Mr. Dutton, seconded by Mr. Echemann to approve the Village of Holloway’s application in accordance with O.R.C. Section 4504.04 for the use of Municipal Street Fund/Vehicle License Tax in the amount of \$6,381.82 based upon the recommendation of Belmont County Engineer, Terry Lively, for street improvements to Stewart Street (SR 331 to Ashton Street).

Note: The estimated cost is \$9,600.00 of which \$6,381.82 will be paid from this source.

Upon roll call the vote was as follows:

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

IN THE MATTER OF APPROVING THE MEMORANDUM OF UNDERSTANDING WITH BELMONT COUNTY ANIMAL RESCUE LEAGUE/HUMANE OFFICER

Motion made by Mr. Dutton, seconded by Mr. Echemann to approve and sign the Memorandum of Understanding between the Board of Belmont County Commissioners and the Belmont County Animal Rescue League regarding the provision of Humane Officer duties.

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (hereinafter “MOU”) is entered into as of the date last signed by the parties hereto and between the Board of Belmont County Commissioners, Belmont County, Ohio, (hereinafter “the Commissioners”), a body corporate and politic of the State of Ohio, and the Belmont County Animal Rescue League (hereinafter “BCARL”), an Ohio corporation not-for-profit that is actively engaged in the promotion of care of domestic animals in Belmont County; and BCARL is a county society organized under Ohio Revised Code Section 1717.05. The Commissioners operate the county animal shelter (“Shelter”) located at 45244 National Road, St. Clairsville, OH 43950.

WITNESSETH

WHEREAS, the parties mutually recognize the importance of investigating and prosecuting any person guilty of an act of cruelty to animals; and,

WHEREAS, one of the objectives of BCARL is the inculcation of Humane principles and the enforcement of the laws for the prevention of cruelty to animals; and,

WHEREAS, BCARL is authorized to appoint agents for the purpose of prosecuting any person guilty of an act of cruelty to animals; and

WHEREAS, BCARL has agreed to provide an individual(s) to perform the duties of Humane Agent pursuant to Ohio Revised Code Section 1717.06; and,

WHEREAS, BCARL has agreed to appoint one or more Humane Agents through the Belmont County Probate Court; and, BCARL desires to assume the responsibility for enforcing the animal cruelty laws for and prosecuting the violators thereof; and,

WHEREAS, the Commissioners support the endeavors of BCARL to enforce the animal cruelty laws; and,

WHEREAS, Ohio Revised Code Section 1717.07 provides that the Commissioners shall be responsible for a reasonable salary for Humane Agent in an amount not less than twenty-five dollars per month; and,

WHEREAS, the Commissioners and BCARL have agreed that BCARL will continue to work on enforcing the animal cruelty laws and that the Commissioners will be responsible for the payment of a reasonable salary for the work performed as set forth herein.

NOW THEREFORE, in consideration of the mutual covenants and conditions and promises set forth herein. The Commissioners and BCARL do hereby agree as follows:

I. ENFORCEMENT OF OHIO’S ANIMAL CRUELTY LAWS

1. BCARL shall be responsible for complying with current law in appointing appropriate individuals to serve as Humane Agents for the purpose of enforcing animal cruelty laws. BCARL shall assure that any Humane Agent duly appointed by BCARL and approved by the Probate Court pursuant to this contract shall maintain accurate records, including case reports and compilations of all calls, reports, and animal cruelty investigations, prosecutions, and the care and disposition and of any animals seized by the Humane Agent.

2. To assist the Humane Agent in his/her duties, County shall make available to BCARL a YELLOW TRUCK and TRAILER more particularly described on Exhibit A attached hereto and made a part hereof by incorporation. The YELLOW TRUCK and TRAILER shall be available for BCARL’s use. BCARL shall ensure that the YELLOW TRUCK and TRAILER are only operated by qualified, licensed, and insured individuals, and BCARL shall provide such policies as required by, and insurance satisfactory to, Commissioners, naming Commissioners as an additional insured on said policy. The YELLOW TRUCK and TRAILER shall be utilized during the term of this agreement and any extensions thereof, but shall promptly be returned to the County upon expiration of this agreement.

II. PAYMENT PROVISIONS

1. As reimbursement to BCARL for the cost of one or more Humane Agents, and pursuant to Ohio Revised Code Sections 1717.05 and 1717.07, Commissioners shall pay to BCARL during the term of this agreement the sum of Fifteen Thousand Dollars (\$15,000.00) in monthly payments of One thousand Two Hundred and Fifty Dollars (\$1,250.00) each, which shall be paid on the 1st day of the month. Throughout the term of this contract, the parties understand and agree that this monthly payment shall be for the first Twelve (12) months only, and that should a new contract be entered into upon termination of this contract, or should this contract be extended, the County will endeavor to reduce the monthly sum paid as reimbursement for the Humane Agents. BCARL will work with Commissioners to see that said sum is reduced. The Commissioners and BCARL understand and agree that any individual with whom BCARL contracts to serve as Humane Agent shall not be an employee or agent of Commissioners, and shall not report to or take direction from the Commissioners or any of Commissioners’ agents.

III. DURATION

1. The initial term of this agreement shall be Twelve (12) months commencing upon execution of this agreement. The parties anticipate working together in an attempt to continue the relationship, but neither party shall have the right to renew or extend this agreement without the mutual consent of the other. Either party may terminate this agreement without cause upon Thirty (30) days’ notice in writing to the other party. All notices pursuant to this agreement shall be in writing and hand delivered to the person and addressed set forth below.

Commissioners:	BCARL:
<u>Belmont County Commissioners</u>	<u>MaryEllen Gust</u>
<u>101 West Main Street</u>	<u>Its: President</u>
<u>St. Clairsville, Ohio 43950</u>	<u>41981 National Rd. Belmont, OH 43718</u>

IV. MISCELLANEOUS

1. **GOVERNING LAW** – The laws of the State of Ohio shall govern this agreement and any performance hereunder; and, venue shall be Belmont County.

2. **AMENDMENTS** – This agreement may only be amended in a writing signed by both parties.

3. **PREVIOUS AGREEMENTS** – On the date of execution, this writing constitutes the entire agreement between the parties with respect to all matters herein. There are no promises, terms, conditions, or obligations other than those contained within this agreement. This Memorandum of Understanding shall supersede all previous communications, representations, contract, or memorandum of understanding, either written or oral, between parties and specifically replaces any and all previously executed Memorandum of Understanding entered into between the parties regarding Humane services.

4. **SEVERABILITY** – If any provision of this Memorandum of Understanding shall be determined by a court of competent jurisdiction to be invalid or unenforceable, the remaining provision shall not be affected thereby the remaining provisions shall continue to be valid and enforceable to the fullest extent permitted by law.

5. **COPIES** – This Memorandum of Understanding shall be executed in duplicate with an original to be retained by each of the parties hereto.

6. **PREVIOUS APPOINTMENTS** – The three (3) Humane Agents being Carrie McElroy, Pria Myers and Bradley Troy shall continue to serve as Humane Agents at the discretion of BCARL. BCARL has the right to cause the appointment of additional

May 27, 2020

Humane Agents, and notice of the appointment of each shall be given to the Belmont County Commissioners immediately upon appointment.

IN WITNESS WHEREOF, the parties hereto have signed this Memorandum of Understanding executed this 27th day of May, 2020.

BOARD OF BELMONT COUNTY COMMISSIONERS

DATED: May 27, 2020

By: J. P. Dutton /s/
Commissioner

By: Jerry Echemann /s/
Commissioner

By: Josh Meyer /s/
Commissioner

BELMONT COUNTY ANIMAL RESCUE LEAGUE, an Ohio corporation not-for-profit that is a county Humane society organized under the Ohio Revised Code Section 1717.05.

DATED: May 27, 2020

By: MaryEllen Gust /s/

Its: BCARL Board of Directors, President

APPROVED AS TO FORM:

David K. Liberati /s/

David K. Liberati

Assistant Prosecuting Attorney

Executed this 27th day of May, 2020.

**BELMONT COUNTY, OHIO,
a political subdivision of the State of Ohio**

J. P. Dutton /s/

J. P. Dutton

Jerry Echemann /s/

Jerry Echemann

Josh Meyer /s/

Josh Meyer

BELMONT COUNTY ANIMAL RESCUE LEAGUE

By: MaryEllen Gust /s/

EXHIBIT "A"

<u>YEAR</u>	<u>MAKE</u>	<u>MODEL</u>	<u>IDENTIFICATION NUMBER</u>
2009	CHEVROLET	K3500 TRUCK	1GCHK53K99F105069
1994	CORO	LIVESTOCK TRAILER	MJSB1622RE005894

Upon roll call the vote was as follows:

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

Mr. Dutton said this is a continuation of the MOU from last year. Humane Officer duties, by the Ohio Revised Code, is the responsibility of a recognized Humane Society in the county which the Belmont County Animal Rescue League (BCARL) is. He said for the past year they have been working on those duties. He added it is also by the Ohio Revised Code the county compensates the Humane Society for that responsibility which this MOU outlines. Mr. Dutton said this MOU has less interaction between the Humane Society (BCARL) and Belmont County. The last MOU there was some access allowed to the Animal Shelter for the housing of some animals for short stints. BCARL now has their own facility so that is no longer needed as part of the MOU. Mr. Dutton said, "We look forward to continue working with BCARL, the humane issue is one that is very important to the welfare of animals in Belmont County and we hope to continue this moving forward."

IN THE MATTER OF ALLOWING THE LAND BANK TO BECOME AN INSURED BOARD UNDER THE COUNTY CORSA POLICY

Motion made by Mr. Dutton, seconded by Mr. Echemann to allow the Land Bank to become an Insured Board under the County CORSA Policy, at no cost, effective with the May 1, 2020 renewal. The Land Bank will assume any additional costs that may incur due to the hiring of employees and claims.

Upon roll call the vote was as follows:

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

Mr. Dutton said this is finalizing some recent discussion from a prior meeting. Both Commissioner Meyer and Commissioner Echemann serve as board members on the Land Bank. Mr. Meyer said it will save the Land Bank a little less than \$4,000.00.

IN THE MATTER OF APPROVING QUOTE FROM STANLEY CONVERGENT SECURITY SOLUTIONS, INC./JAIL

Motion made by Mr. Dutton, seconded by Mr. Echemann to approve Quote #170598-2 dated May 11, 2020, from Stanley Convergent Security Solutions, Inc., to provide new Commanders and Informer/Gatekeeper computers with Secure Gateway Life at the Belmont County Jail in the amount of \$40,800.00, based upon the recommendation of Sheriff Dave Lucas.

Upon roll call the vote was as follows:

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

Mr. Dutton said this in regards to replacing the system that handles all of the locking mechanisms at the Belmont County Jail and is coming near the end of their useful life.

IN THE MATTER OF ACCEPTING PROPOSAL FROM H. E. NEUMANN COMPANY/MORGUE

Motion made by Mr. Dutton, seconded by Mr. Echemann to accept proposal number PPA27671 from H. E. Neumann Company in the amount of \$4,389.00 for all labor and materials necessary to properly size and install a new exhaust fan and intake louver system for the Belmont County morgue.

Upon roll call the vote was as follows:

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

Mr. Dutton said this should be the last major expense in setting up the morgue that is located at on the same property as the Belmont County Health Department. This is in response to the closing of East Ohio Regional Hospital, Belmont County had access to the facility there to store bodies in the possession of the Coroner. There was a temporary situation at Barnesville Hospital, which was very much appreciated, until a more permanent situation was available.

IN THE MATTER OF MEETING CHANGE

Motion made by Mr. Dutton, seconded by Mr. Echemann to hold the board’s regular meeting at 9:00 a.m. on Thursday, June 4, 2020, instead of Wednesday, June 3, 2020, due to a scheduling conflict and to notify the media of the same.

Upon roll call the vote was as follows:

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

OPEN PUBLIC FORUM-Richard Hord, Martins Ferry, inquired about the financial impact due to COVID-19. Mr. Dutton said it is too early to tell, but there was a decrease in revenue in March. He said they meet with the Auditor weekly for the latest information. They are trying to keep all options on the table and will know more further in the year. He said he hopes the conservative decisions the board has made over time will help lessen the burden. Mr. Dutton said, “It’s going to be an impact. You can’t have as many local businesses close for the amount of time they were closed and not expect a repercussion.” He noted the county cannot carry a deficit; the budget has to be balanced. Mr. Meyer said the federal government has put out some money as well, we are not 100% sure exactly what the money will be able to be used for. He added a lot of that has to do with COVID related expenses which may lessen the blow.

Mr. Hord asked if PTT Global delaying their decision on the proposed Cracker Plant had anything to do with COVID. Mr. Dutton said they reached out to the board and are very good at communicating where the project is at certain points or when questions arise. He said PTT put out a press release in April speaking to COVID-19 and the impact it was having on the project. They are working diligently to try to come to a final decision this summer and COVID-19 has slowed their work to a certain extent, there are certain aspects of what they need to complete wasn’t possible with the current environment. He said work is still being done.

Frank Papini, St. Clairsville, reminded everyone the census is still ongoing and it’s very important.

RECESS

COVID-19 UPDATE- Rob Sproul, Deputy Health Commissioner, said there are 433 positive cases in the county, 330 of those are out of quarantine, four are hospitalized and there have been twelve deaths. He said, as of Friday, 1,924 Belmont County residents were tested at the tents in Wheeling, 155 of those came back positive. You can view all guidelines on [Coronavirus.ohio.gov](https://www.coronavirus.ohio.gov). You can also see who is on the committees who comes up with the guidelines which is a diverse group. Mr. Sproul said the local levels than enforces the guidelines. He noted they had very limited complaints on the restaurant openings. Mr. Dutton said the work groups are predominately private entities and are pretty diverse. He said in his opinion the state has been very detailed throughout this process. Mr. Sproul said starting June 1, Ohio Hills Health Center in Barnesville will start doing anti-body testing. Mr. Dutton said masks are still being worn in the county buildings by county employees, they are not required by the public, but it is recommended. Mr. Sproul said masks do help keep the numbers down and if the numbers are down more things will open back up. He noted the National Guard will be helping with testing in the nursing homes.

RECESS

IN THE MATTER OF ENTERING EXECUTIVE SESSION AT 9:58 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.

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 10:42 A.M.

Motion made by Mr. Dutton, seconded by Mr. Echemann to exit executive session at 10:42 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 one motion for the board to consider.

IN THE MATTER OF ADOPTING THE PAY RANGE FOR DIRECTOR OF BELMONT COUNTY WATER AND SEWER DISTRICT

Motion made by Mr. Dutton, seconded by Mr. Echemann to adopt the pay range for the Director of Belmont County Water and Sewer District, effective June 7, 2020.

BCSSD Manager Pay Scales

	YEARS OF EXPERIENCE					
	0	7	8	15	16+	
	MIN		MID		MAX	
Water Treatment/ Distribution	53,000	57,999	58,000	63,999	64,000	71,000

May 27, 2020

Waste Water	51,000	55,999	56,000	61,000	62,000	69,000
Office	48,500	51,999	52,000	54,999	55,000	59,000
SSD Director	61,360	72,106	72,107	82,852	82,853	93,600

Upon roll call the vote was as follows:

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

RECESS

Mr. Dutton said there is no further business expected to come before the board.

**IN THE MATTER OF ADJOURNING
COMMISSIONERS MEETING AT 1:05 P.M.**

Motion made by Mr. Dutton, seconded by Mr. Echemann to adjourn the meeting at 1:05 p.m.
Upon roll call the vote was as follows:

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

Read, approved and signed this 10th day of June, 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