

St. Clairsville, Ohio

February 8, 2023

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 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 her warrant on the County Treasurer in payment of the bills allowed:

**IN THE TOTAL AMOUNT OF \$1,776,216.91**

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. Echemann to approve the following transfers within fund for the following funds:

**A00 GENERAL FUND**

FROM	TO	AMOUNT
E-0051-A001-A50.000 Budget Stabilization	E-0051-A001-A29.000 Belomar	\$620.57
E-0051-A001-A50.000 Budget Stabilization	E-0064-A002-A09.000 Appellate Court Dist.	\$2,775.00

**G50 LODGING EXCISE TAX**

FROM	TO	AMOUNT
E-1910-G050-G01.000 Convention and Vist	E-1910-G050-G10.000 Colerain Twp	\$37.46
E-1910-G050-G01.000 Convention and Vist	E-1910-G050-G11.000 Mead Township Dist	\$2.81
E-1910-G050-G01.000 Convention and Vist	E-1910-G050-G12.000 Village of Barnesville	\$2.51

**S12 BELMONT COUNTY PORT AUTHORITY**

FROM	TO	AMOUNT
E-9799-S012-S07.000 Prof Services	E-9799-S012-S01.002 Salary	\$70,000.00

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. Echemann to approve the following transfers between funds as follows:

**P05 WATER WORKS FUND AND N22 WWS CAPITAL IMPROVEMENTS**

FROM	TO	AMOUNT
E-3702-P005-P34.074 Water Revenue	R-9022-N022-N08.574 WWS Capital Improvement	\$130,000.00

**P05 WATER WORKS FUND AND O62 USDA WATER BOND PAYMENT**

FROM	TO	AMOUNT
E-3702-P005-P34.074 Water Revenue	R-9262-O062-O08.574 Water Bond Payment	\$248,000.00

**P05 WATER WORKS FUND AND O63 USDA WATER BOND RESERVE FUND**

FROM	TO	AMOUNT
E-3702-P005-P34.074 Water Revenue	R-9263-O063-O06.574 Water Bond Reserve	\$24,700.00

**P53 SANITARY SEWER DISTRICT FUND AND O03 USDA-SSD BOND PAYMENT**

FROM	TO	AMOUNT
E-3705-P053-P15.074 Sewer Revenue	R-9200-O003-O08.574 USDA-SSD Bond Pmt	\$142,000.00

**P53 SANITARY SEWER DISTRICT FUND AND O61 SEWER BOND RETIREMENT**

FROM	TO	AMOUNT
E-3705-P053-P15.074 Sewer Revenue	R-9261-O061-O04.574 Sewer Bond Retirement	\$13,200.00

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. Echemann to make the following additional appropriations, in accordance with the Official Certificate of Estimated Resources as approved by the Budget Commission, under the following dates:

**\*\*JANUARY 10, 2023\*\***

**G50 LODGING EXCISE TAX**

E-1910-G050-G01.000	Convention and Visitors Bureau	\$124,563.39
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**S49 MENTAL HEALTH/MHRB**

E-2310-S049-S67.055	Building	\$250,000.00
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**\*\*FEBRUARY 08, 2023\*\***

**A00 GENERAL FUND**

E-0131-A006-A04.002	Salaries-Road	\$5,800.00
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**H11FAMILY & CHILD 1ST COUNCIL-BCJFS**

E-2770-H011-H12.000	SFY20 Multi-Sys youth Funding	\$13,050.00
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**N22 WWS CAPITAL IMPROVEMENTS/BCWSD**

E-9022-N022-N04.055	Contract Projects	\$935.00
E-9022-N022-N17.000	USDA Water Projects	\$805,491.78

**S30 OAKVIEW JUVENILE REHABILITATION**

E-8010-S030-S54.000	Food	\$60.00
E-8010-S030-S55.010	Supplies	\$300.00
E-8010-S030-S64.012	Equipment	\$55,000.00

**S32 OAKVIEW JUVENILE -ACTIVITY FUND**

E-8012-S032-S00.000	Activity Fund	\$85.43
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**Y41 INDIGENT APPLICATION FEES/AUDITOR**

E-9841-Y041-Y01.000	Remit to State	\$247.00
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E-9841-Y041-Y02.000	Remit to County	\$988.00
<b><u>Y42 RECOUPMENT FEES INDIGENT/AUDITOR</u></b>		
E-9842-Y042-Y01.000	Remit to State	\$530.00
Upon roll call the vote was as follows:		
	Mr. Dutton	Yes
	Mr. Echemann	Yes
	Mr. Meyer	Yes

**IN THE MATTER OF TRANSFER OF FUNDS FOR**  
**HOSPITALIZATION CHARGEBACKS FOR JANUARY AND FEBRUARY 2023**

Motion made by Mr. Dutton, seconded by Mr. Echemann to make the following transfer of funds for  
Hospitalization Chargebacks for the months of January and February 2023

From:		To:	
NUMBER	ACCOUNT	NUMBER	AMOUNT
E-0170-A006-G10.000	PUBLIC DEFENDER	R-9891-Y091-Y01.500	16,336.32
E-0181-A003-A11.000	BD OF ELECTIONS	R-9891-Y091-Y01.500	19,415.00
E-0300-A008-B01.002	CHEST CLINIC	R-9891-Y091-Y01.500	0.00
E-0910-S033-S47.006	DETENTION HOME	R-9891-Y091-Y01.500	40,960.60
E-1210-S078-S14.006	COUNTY RECORDER	R-9891-Y091-Y01.500	0.00
E-1310-J000-J06.000	REAL ESTATE	R-9891-Y091-Y01.500	7,102.86
E-1410-W082-T07.006	DRETAC-TREAS	R-9891-Y091-Y01.500	0.00
E-1510-W081-P07.006	DRETAC-PROSECUTOR	R-9891-Y091-Y01.500	3,432.92
E-1511-W080-P07.006	PROS-VICTIM	R-9891-Y091-Y01.500	0.00
E-1518-S075-S03.002	MHAS SUBSIDY GRANT	R-9891-Y091-Y01.500	3,432.92
E-1520-S077-S04.006	CORRECTIONS ACT	R-9891-Y091-Y01.500	0.00
E-1544-S054-S05.000	COMMON PLEAS/GEN SP/MED	R-9891-Y091-Y01.500	0.00
E-1545-S055-S02.002	TARGETED COMM ALTERN	R-9891-Y091-Y01.500	3,432.92
E-1546-S056-S04.001	PROBATION SERVICE GRANT	R-9891-Y091-Y01.500	4,735.24
E-1600-B000-B13.006	DOG & KENNEL	R-9891-Y091-Y01.500	12,903.40
E-1600-B000-B13.006	D/K AUDITOR CLERK	R-9891-Y091-Y01.500	1,716.46
E-1810-L001-L14.000	SOIL CONSERVATION	R-9891-Y091-Y01.500	1,302.32
E-1815-L005-L15.006	WATERSHED COORD.	R-9891-Y091-Y01.500	1,302.32
E-2310-S049-S63.000	MENTAL HEALTH	R-9891-Y091-Y01.500	16,336.32
E-2410-S066-S80.000	BCBDD-MAIN FUND	R-9891-Y091-Y01.500	168,459.04
E-2510-H000-H16.006	HUMAN SERVICES	R-9891-Y091-Y01.500	181,918.08
E-2760-H010-H12.006	CHILD SUPPORT	R-9891-Y091-Y01.500	23,676.20
E-2811-K200-K10.006	K-1	R-9891-Y091-Y01.500	1,302.32
E-2811-K200-K10.006	K-2	R-9891-Y091-Y01.500	0.00
E-2812-K000-K20.006	K-11	R-9891-Y091-Y01.500	63,214.68
E-2813-K000-K39.006	K-25	R-9891-Y091-Y01.500	16,336.32
E-4110-T075-T52.008	WIC	R-9891-Y091-Y01.500	6,865.84
E-5005-S070-S06.006	SENIOR SERVICE PROG	R-9891-Y091-Y01.500	111,827.15
E-6010-S079-S07.006	CLRK OF COURTS	R-9891-Y091-Y01.500	9,344.68
E-1561-S086-S03.006	Northern Court-Special	R-9891-Y091-Y01.500	3,432.92
E-1571-S087-S03.006	Eastern Court - Special	R-9891-Y091-Y01.500	3,432.92
E-1551-S088-S03.006	Western Court-Special	R-9891-Y091-Y01.500	3,432.92
E-8010-S030-S68.006	OAKVIEW JUVENILE	R-9891-Y091-Y01.500	36,579.60
E-9799-S012-S02.006	Port Authority	R-9891-Y091-Y01.500	1,302.32
<b>WATER DEPARTMENT</b>			
E-3702-P005-P31.000	WWS #3 Revenue	R-9891-Y091-Y01.500	71,358.88
E-3705-P053-P15.000	SSD #2 Revenue	R-9891-Y091-Y01.500	20,621.48

COUNTY HEALTH			
E-2210-E001-E15.006	County Health	R-9891-Y091-Y01.500	11,983.54
E-2238-F090-F01.002	Publc Health WorkForce (WF)	R-9891-Y091-Y01.500	911.62
E-2233-F085-F01.002	Child & Family Health Services	R-9891-Y091-Y01.500	4,184.62
E-2211-F069-F04.000	Trailer Park	R-9891-Y091-Y01.500	167.50
E-2227-F074-F06.000	Home Sewage Treatment Syst.	R-9891-Y091-Y01.500	2,501.90
E-2213-F075-F02.003	Vital Stats	R-9891-Y091-Y01.500	411.96
E-2231-F083-F01.002	Public Health Em Preparedness	R-9891-Y091-Y01.500	1,083.28
E-2232-F084-F02.008	Visiting Nurse	R-9891-Y091-Y01.500	2,935.96
E-2239-F091-F01.002	COVID-19 Enhanced Oper. (EO)	R-9891-Y091-Y01.500	1,095.00
E-2229-F081-F01.001	Public Health EM Readiness	R-9891-Y091-Y01.500	
E-2215-F077-F01.002	Reproductive Health & Wellness	R-9891-Y091-Y01.500	325.58
E-2240-F092-F01.002	COVID-19 Vaccinations (CN)	R-9891-Y091-Y01.500	2,205.50
E-2216-F078-F02.002	Tobacco	R-9891-Y091-Y01.500	
E-2236-F088-F01.002	Get Vaccinated Program	R-9891-Y091-Y01.500	473.52
E-2237-F089-F01.002	Intregated Naloxone Access/Infrat	R-9891-Y091-Y01.500	2,704.90
E-2218-G000-G06.003	Food Services	R-9891-Y091-Y01.500	7,115.68
E-2230-F082-F01.002	Personal Responsibility Ed. Prog.	R-9891-Y091-Y01.500	
E-2219-N050-N05.000	Water Systems	R-9891-Y091-Y01.500	373.48
E-2220-P070-P01.002	Swimming Pools/Spa	R-9891-Y091-Y01.500	236.16
E-4110-T075-T52.008	WIC (Grant Writing)	R-9891-Y091-Y01.500	
JUV COURT/GRANTS			
E-0400-M067-M05.008	Alternative School	R-9891-Y091-Y01.500	2,604.64
E-0400-M060-M64.008	Care and Custody	R-9891-Y091-Y01.500	
E-0400-M060-M29.008	Care & Custody (C-Cap)	R-9891-Y091-Y01.500	
E-0400-M078-M02.008	Title IV-E Reimbursement	R-9891-Y091-Y01.500	3,432.92
TOTALS			900,262.71

Upon roll call the vote was as follows:

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

**IN THE MATTER OF GRANTING PERMISSION  
FOR COUNTY EMPLOYEES TO TRAVEL**

Motion made by Mr. Dutton, seconded by Mr. Echemann granting permission for county employees to travel as follows:  
**BCDJFS**-Laurie Mayeres to Savannah, GA, on March 3-9, 2023, to attend the National Youth Advocacy & Resilience Conference. Estimated expenses: \$2,700.00. John Regis, Jr. to Lewis Center, OH, on March 9-10, 2023, to attend the OJFSDA General Session. Estimated expenses: \$431.37.

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 February 1, 2023.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF HIRING HOWARD THORNTON  
AS FULL-TIME HOUSEKEEPING/MAINTENANCE**

Motion to hire Howard Thornton as full-time Housekeeping/Maintenance for Belmont County Buildings and Grounds, effective February 21, 2023.

*Note: This is an additional employee.*

Upon roll call the vote was as follows:

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

**IN THE MATTER OF RESOLUTION DEEMING A PORTION OF THE COUNTY’S**  
**CORONAVIRUS LOCAL FISCAL RECOVERY FUND PAYMENT DUE TO THE**  
**REDUCTION IN THE COUNTY’S GENERAL REVENUE AS DUE TO THE COVID-19**  
**PUBLIC HEALTH EMERGENCY DURING THE AMERICAN RESCUE PLAN ACT’S PERIOD**  
**OF PERFORMANCE, AND DECLARING AN EMERGENCY**

Motion made by Mr. Dutton, seconded by Mr. Echemann to adopt the following resolution:

WHEREAS, Title IX, Subtitle M, Section 9901 of the American Rescue Plan Act, Pub. L. 117-2 [H.R. 1319], signed into law March 11, 2021 (“**ARPA**”), appropriated Coronavirus Local Fiscal Recovery Fund (the “**Fund**”) payments from the U.S. Treasury Secretary to metropolitan cities, nonentitlement units of local government, and counties; and,

WHEREAS, pursuant to the ARPA’s Fund methodology, Belmont County was allocated approximately \$13,000,000 (the “**Fund Payment**”) to “mitigate the fiscal effects stemming from the public health emergency with respect to the Coronavirus Disease (COVID-19)”; and,

WHEREAS, in response to this economic crisis, the Department of the Treasury (“**Treasury Department**”) is providing such relief to state and local governments to enable them to continue to support the public health response and lay the foundation for a strong and equitable economic recovery; and,

WHEREAS, the ARPA and its supporting guidance issued by the Treasury Department provide that the Fund Payment may only be used by the County to finance costs that (a) respond to the COVID-19 public health emergency or its negative economic impacts; (b) respond to workers performing essential work; (c) provide government services to the extent of reduction in revenue; and (d) make necessary investments in water, sewer, or broadband infrastructure (collectively, “**Criteria**”); and,

WHEREAS, so long as the County duly directs its Fund Payment to finance those costs in compliance with the Criteria, the County may use the Fund Payment to offset the County’s various fiscal effects from COVID-19 during the period beginning March 3, 2021, and ending December 31, 2024 (the “**Covered Period**”); and,

WHEREAS, the Treasury Department has published an Interim Final Rule and a Final Rule with an effective date of April 1, 2022 (collectively, 31 CFR 35.1 *et seq.*), its regularly updated Coronavirus State and Local Fiscal Recovery Funds’ Frequently Asked Questions, and its Coronavirus State and Local Fiscal Recovery Funds: Overview of the Final Rule (collectively, “**Guidance**”), further explaining the Criteria and the proper use of the Fund Payment during the Covered Period; and,

WHEREAS, this Board intends to take action and deem a portion of the Fund Payment as described herein in a manner consistent with the Final Rule released by the Treasury Department on January 6, 2022, as authorized under said Department’s Statement Regarding Compliance with the Coronavirus State and Local Fiscal Recovery Funds Interim Final Rule and Final Rule.

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

SECTION 1. Deeming \$10,000,000 of the County’s Fund Payment under the “standard allowance” with respect to revenue loss due to COVID-19. That this Board hereby deems that \$10,000,000 of its Fund Payment constitutes the reduction in the County’s general revenue due to the public health emergency over the period of performance, all as set forth under the ARPA, the Criteria, and its supporting Guidance, and as specifically authorized under 31 CFR 35.6(d)(1), to wit: “the reduction in the recipient’s general revenue due to the public health emergency over the period of performance will be deemed to be ten million dollars”.

SECTION 2. As time is of the essence, the duly authorized representatives of the County are directed to take action under this Resolution as soon as possible.

SECTION 3. This Board finds and determines that all formal actions of this Board and any of its committees concerning and relating to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with Ohio’s Sunshine Laws, including Section 121.22 of the Revised Code.

Upon roll call the vote was as follows:

Mr. Dutton	<u>Yes</u>
Mr. Echemann	<u>Yes</u>
Mr. Meyer	<u>Yes</u>

Mr. Dutton said the county received \$13.1 million in ARPA funding and they have not expended any funds yet. A big portion of it will be used towards the new Health Department building. Some water and sewer projects will also be done. The Board of Commissioners are working with Bricker and Eckler law firm on eligible uses. \$10 million can be considered lost revenue and will be put into the General Fund.

**IN THE MATTER OF ADOPTING RESOLUTION AUTHORIZING THE**  
**CASH ADVANCE FROM THE GENERAL FUND TO**  
**THE BROWNFIELD REMEDIATION PROGRAM GRANT FUND**

Motion made by Mr. Dutton seconded by Mr. Echemann to adopt the following:

**RESOLUTION**

**WHEREAS**, the Belmont County General Fund will execute a cash advance in fiscal year 2023 in the total amount of \$350,000.00 to the **BROWNFIELD REMEDIATION PROGRAM GRANT FUND**; and

**WHEREAS**, the Brownfield Remediation Program Grant that was awarded to Belmont County in 2022 for the demolition of the Belmont County Rehabilitation Center is a reimbursable grant; and  
**WHEREAS**, the Belmont County Commissioners have determined to designate the aforementioned cash advance to the Brownfield Remediation Program Grant Fund; and  
**NOW BE IT RESOLVED**, the Board of County Commissioners hereby authorize the cash advance in the total amount of \$350,000.00 from the General Fund to the Brownfield Remediation Program Grant Fund for the expenditures incurred.  
Upon roll call the vote was as follows:

Mr. Dutton	<u>Yes</u>
Mr. Echemann	<u>Yes</u>
Mr. Meyer	<u>Yes</u>

**IN THE MATTER OF AUTHORIZING BELMONT COUNTY  
AUDITOR TO ESTABLISH A NEW FUND, BROWNFIELD  
REMEDICATION PROGRAM GRANT FUND, FOR THE DEMOLITION  
OF THE BELMONT COUNTY HABILITATION CENTER**

Motion made by Mr. Dutton, seconded by Mr. Echemann to authorize the Belmont County Auditor to establish a new fund, Brownfield Remediation Program Grant Fund, for the demolition of the Belmont County Habilitation Center,  
Upon roll call the vote was as follows:

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

**IN THE MATTER OF AWARDING BID FOR BELMONT COUNTY  
REHABILITATION CENTER DEMOLITION PROJECT**

Motion made by Mr. Dutton, seconded by Mr. Echemann to award the bid for the Belmont County Rehabilitation Center Demolition Project to Kane Specialty Group, in the amount of \$237,397.00, based upon the recommendation of Gary Case, Project Manager.  
Upon roll call the vote was as follows:

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

**IN THE MATTER OF ENTERING INTO CONTRACT WITH  
AGRI-SLUDGE, INC/SANITARY SEWER DISTRICT**

Motion made by Mr. Dutton, seconded by Mr. Echemann to enter into contract, effective January 1, 2023 through December 31, 2027, by and between Agri-Sludge, Inc. and the Belmont County Commissioners, on behalf of the Belmont County Sanitary Sewer District, for services at the Fox Shannon Wastewater Treatment facility at the rate of \$0.0655 per gallon.  
*Note: This will be paid from Sewer District Revenues.*

CONTRACT

THIS CONTRACT, made this 8th day of FEBRUARY 2023 (for the Year January 1<sup>st</sup>, 2023 to December 31<sup>st</sup>, 2027 Services) by and between Agri-Sludge, Inc., hereinafter called the "CONTRACTOR," and The Belmont County Commissioners, hereinafter called the "OWNER".

WITNESSETH, that the contractor and the Owner, for the consideration stated herein, agree as follows:

**ARTICLE I, SCOPE OF WORK** – The Contractor shall perform, provide and furnish all of the labor, disposal sites, necessary tools, equipment, and all transportation services required to remove and surface land apply cake biosolids from Owners storage tank(s). Both parties agree to the items listed as follows:

1. Contractor shall dewater and remove approximately 1,500,000 gallons per year, provide proof of disposal site approval and report to Owner all quantity hauled per site.
2. Contractor agrees to install a portable belt filter press on-site and enclose it in a building in one of the drying beds to dewater biosolids on a regular basis, approximately every two to three weeks.
3. Contractor agrees to work within the guidelines of Owners sludge management plan and comply with any Ohio and Federal laws governing the disposal of the material, including providing monthly data for Annual Sludge Reports.
4. The work shall be performed within an acceptable time frame suitable to Owner, weather permitting.
5. Owner will provide a minimum of 1,000,000 gallons per year of product to dewater, or be charged for said remainder at the end of each calendar year.
6. Owner agrees to provide all testing necessary for the biosolids prior to removal and filling out and signing the Notice and Necessary Information form.
7. Owner agrees to load cake from drying beds and/or storage bins onto Contractors dump trucks for removal and disposal at EPA approved sites.
8. Owner provides reasonable access to Contractor for completing the work.
9. Owner will provide water and power to perform said dewatering services.

**ARTICLE II, THE CONTRACT PRICE** - The Owner shall pay to the Contractor for the performance of this Contract, subject to any additions or deductions provided herein, in current funds, the Contract price computed as follows:

- 1) Agri-Sludge, Inc. would charge \$0.0655 per gallon for a dewatering option, and provide, install, operate and maintain one used 0.74-meter or larger portable belt filter press that would be placed into an enclosed drying bed area. This option will include supplying the building, equipment, labor, transportation, disposal, and polymer for this option.



**ARTICLE III, TERM OF CONTRACTURAL SERVICES** - The duration of this Contract shall be from January 1, 2023 to December 31, 2027. This Contract may be renewed upon mutual agreement by both parties.

**ARTICLE IV, PAYMENT** – Owner agrees to pay Contractor upon completion of work each month. Payment will be due 30 days from invoicing or as soon thereafter as said funds are made available by the Director of Finance of the Owner.

**ARTICLE V, INSURANCE AND WORKERS' COMPENSATION** - Contractor will provide a Certificate of Commercial General Liability insurance in an amount of not less than \$1,000,000, a Certificate of Transportation Pollution Liability insurance in an amount of not less than \$1,000,000 and a Workers' Compensation Certificate at the signing of the Contract.

**ARTICLE VI, LAW JURISDICTION, VENUE** – In the event there is a dispute over the meaning of any term(s) of this agreement, the obligation of any party to this agreement, any claim for damage for failure to perform or any other dispute between the parties, it shall be settled by binding arbitration conducted in accordance with the rules of the American Arbitration Association in Belmont County, Ohio. Any Court action filed by any party shall be stayed until the Arbitrator's decision is issued. The Court shall enter judgment consistent with the decision of the arbitrator.

The laws of the State of Ohio shall govern as to all questions arising under this Contract.

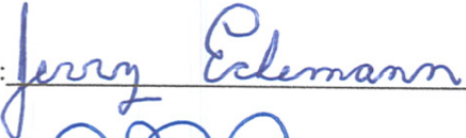
**IN WITNESS WHEREOF**, the parties hereto have caused this contract to be executed in original counterparts the day and year first above written.

**AGRI-SLUDGE, INC.**  
Contractor

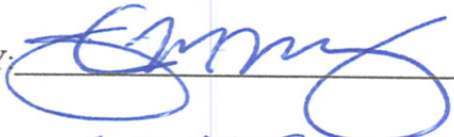
BY:   
Joshua E. Proper, President

DATE: 1/13/2023


**Belmont County Commissioners**  
Owner

BY: 

BY: 

BY: 

DATE: 2-8-2023

APPROVED AS TO FORM:  
  
David K. Liberati  
Assistant Prosecutor  
Belmont County, Ohio

Upon roll call the vote was as follows:

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

**OF TOWNSHIP ROAD T-1305**  
**WHEELING TWP. SEC. 1, T-8, R-4/RD IMP 1189**

Motion made by Mr. Dutton, seconded by Mr. Echemann to accept the following Public Road Petition for the vacation of a portion of Twp. Rd T-1305 located in Wheeling Township, Sec. 1, T-8, R-4 and hereby authorize the Clerk of the Board to establish the required date and time for the viewing and hearing and proceed with the Notice of Publication for the proposed vacation hereinafter known as Road Improvement #1189 in accordance with Ohio Revised Code Section 5553.04.

**PUBLIC ROAD PETITION**  
**Rev. Code Sec. 5553.045**  
**WITH PETITION**  
**Belmont County, Ohio**

**JULY 27, 2022**  
**IMP-1189**

**To the Honorable Board of County Commissioners of Belmont County, Ohio:**  
*The undersigned petitioners, freeholders of said county residing in the vicinity of the proposed improvement hereinafter described, represent that the public convenience and welfare require the Vacation Twp Rd T-1305 of Wheeling Twp Sec. 1 T-8 R-4 A Public Road on the line hereinafter described, and make application to you to institute and order proper proceedings in the premises, for vacating such road, the same not being a road on the State Highway System.*  
*The following is the general route and termini of said road:*  
Vacation beginning at the intersection of Cr.10 Fairpoint Maynard Rd & T-1305 heading in a westerly direction going 0.03 miles to a dead end in the width of 30ft.

NAME (SIGN & PRINT)	TAX MAILING ADDRESS (PLEASE PRINT)
<i>Elmer G. Dundr /s/</i>	49770 FAIRPOINT MAYNARD RD
ELMER G. DUNDR	<u>ST. CLAIRSVILLE, OHIO 43950</u>
<i>Jean Oboy /s/</i>	71281 MAYNARD RD
JEAN Oboy	<u>ST. CLAIRSVILLE, OHIO 43950</u>
<i>Tracey Androsko /s/</i>	48599 Center St
Tracey Androsko	St. Clairsville, OH 43950
<i>Bruce L. Sloan /s/</i>	50296 Fairpoint Maynard Rd. OH. 43950
Bruce L. Sloan	
Bonnie Sloan	50246 Fairpoint Maynard Rd
<i>Bonnie Sloan /s/</i>	St. Clairsville Ohio 43950
<i>Darren Kornetti /s/</i>	48531 FAIRPOINT MAYNARD RD ST.C. 43950
DARREN KORNETTI	
<i>Bill Androsko /s/</i>	48640 Center St Midway St. Clairsville OH 43950
Bill Androsko	
<i>Robin Androsko /s/</i>	48640 Center St. Midway St. Clairsville, OH 43950
Robin Androsko	
<i>Michael Androsko /s/</i>	48599 Center Street
Michael Androsko	St. Clairsville Ohio 43950
<i>Elizabeth McKeever /s/</i>	48540 Fairpoint Maynard Rd
Elizabeth McKeever	St. Clairsville, OH 43950
<i>Violet J. Adams /s/</i>	48965 Fairpoint-Maynard Rd.
Violet J. Adams	St. Clairsville, Ohio 43950
<i>Cody McKeever /s/</i>	48540 Fairpoint-Maynard Rd.
Cody McKeever	St. Clairsville, OH 43950
<i>Shaun L. Yost /s/</i>	50111 Fairpoint-Maynard Rd.
Shaun L. Yost	St. Clairsville, Ohio 43950

Upon roll call the vote was as follows:

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

**IN THE MATTER OF THE VACATION**  
**OF TOWNSHIP ROAD T-1305**  
**WHEELING TWP. SEC. 1, T-8, R-4/RD IMP 1189**

**Office of County Commissioners**  
**Belmont County, Ohio**  
**Journal Entry, Order Fixing Time and Place of View and of Final Hearing and Notice**  
**Thereof on Public Road Petition**  
**Rev. Code, Sec. 5553.05**  
**RD. IMP. 1189**

The Board of County Commissioners of Belmont County, Ohio, met in regular session on the 8th day of February, 2023 at the office of the Commissioners with the following members present:  
Mr. Dutton  
Mr. Echemann  
Mr. Meyer



Mr. Dutton moved the adoption of the following:

**RESOLUTION**

WHEREAS, A Petition signed by at least twelve freeholders of the County residing in the vicinity of the proposed improvement has been presented to this Board of County Commissioners requesting said Board to vacate a portion of Twp Rd T-1305, Wheeling Township, Section 1, T-8, R-4.

RESOLVED, That the 22nd day of February, 2023 at 12:00 o'clock P.M., be fixed as the date when we will view the proposed improvement, on which date we will meet at the site and go over the line of said proposed improvement; and be it further

RESOLVED, That the 1st day of March, 2023, at 9:30 o'clock A.M. be fixed as the date for a final hearing thereof, which hearing will be at the office of the Board; and be it further

RESOLVED, That the Clerk of this Board be and she is hereby directed to give notice of the time and place for both such view and hearing by publication once a week for two consecutive weeks in the Times Leader a newspaper published and having general circulation in the County, which said notice shall also state briefly the character of said proposed improvement.

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

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

Adopted February 8, 2023

Bonnie Zuzak /s/  
Clerk, Belmont County, Ohio

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

**NOTICE OF TIME AND PLACE OF VIEW AND OF FINAL HEARING**  
**PUBLIC ROAD (by publication)**  
**Rev. Code, Sec., 5553.05**  
**ROAD IMP. # 1189**

Notice is hereby given that there is before the Board of County Commissioners of Belmont County, Ohio, the matter of the vacation of Twp Rd T-1305 located in Wheeling Twp. Sec.1, T-8, R-4, a public road, the general route and termini of which Road are as follows:

Vacation beginning at the intersection of Cr.10 Fairpoint Maynard Rd & T-1305 heading in a westerly direction going 0.03 miles to a dead end in the width of 30ft.

Said Board of County Commissioners has fixed the 22nd day of February, 2023, at 12:00 o'clock P.M., as the date when and the site as the place where said Board will view the proposed improvement and has also fixed the 1st day of March, 2023, at 9:30 o'clock A.M., at their office in the Court House of said County in St. Clairsville, Ohio as the time and place for the final hearing on said proposed improvement.

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

**ADV. TIMES LEADER (2) Mondays – February 13 and February 20, 2023**

**Discussion on motions**-Frank Papini, St. Clairsville, asked why the \$10 million ARPA funds are being put in the General Fund. Mr. Dutton said they will be using the funds for projects under the guidelines and the funds will be expended carefully. Mr. Echemann noted a portion of the ARPA funds were invested and are earning \$5,000 in interest monthly, there are no restrictions on how those funds are spent.

**OPEN PUBLIC FORUM**-Tim Lara, Kirkwood Township Trustee, asked about the water study in the Hendrysburg area. Mr. Dutton said a firm is working on it and the cost is being split with Guernsey County. He said it will all come down to the cost of the project if it is feasible.

Ron Graham, York Township Trustee, asked for an update on the slip on a township road. He said he did talk to the Commissioners on Monday and they mentioned a study is being done. Mr. Dutton said a geotechnical study is being done. He suggested the township apply for OPWC Emergency funding. Mr. Graham said an application was submitted. They are also pursuing funding through EPA of Ohio, but would have to partner with another township because the costs need to be \$300,000. He's estimating the slip will be \$152,000 to repair. Match money would be needed either way and asked if the county would be willing to pay the match. Mr. Dutton said that will be discussed if the funds are received.

Frank Shaffer, Pultney Township Trustee, commented on the euthanizing of dogs at the shelter. He said his daughter had worked there and they don't take it lightly. Mr. Dutton said the Belmont County Animal Shelter is considered a no kill shelter. 90% of dogs are placed. Some dogs have been there 3 to 4 years. The shelter staff is doing everything they can to get the dogs adopted. Mr. Meyer said the dog warden is very compassionate. She looks at other rescues in the country and is expanding looking into Canada. Mr. Echemann said under the law if percentage of euthanizations are low it is still considered a no kill shelter.

**RECESS**

**IN THE MATTER OF ENTERING EXECUTIVE SESSION AT 10:07 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 of public employees and ORC 121.22 (G)(4) Collective Bargaining Exception. Upon roll call the vote was as follows:

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

Bryan Minder, 911 Director, was present for a portion of executive session and exited at 10:34.

**IN THE MATTER OF ADJOURNING EXECUTIVE SESSION AT 11:24 A.M.**  
Motion made by Mr. Dutton, seconded by Mr. Echemann to exit executive session at 11:24 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 are three motions for the board to consider.

**IN THE MATTER OF APPROVING JULIE TABOR,**  
**FULL-TIME KENNEL STAFF TO EXTEND**  
**AUTHORIZED UNPAID LEAVE**

Motion made by Mr. Dutton, seconded by Mr. Echemann to approve Julie Tabor, full-time Kennel Staff at the Belmont County Animal Shelter, to extend authorized unpaid leave, effective February 12, 2023 and not to exceed March 13, 2023.  
Upon roll call the vote was as follows:

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

**IN THE MATTER OF ACCEPTING THE RESIGNATION OF  
TARALYN MANUKIN, FULL-TIME INCOME MAINTENANCE AIDE II/BCDJFS**

Motion made by Mr. Dutton, seconded by Mr. Echemann to accept the resignation of Taralyn Manukin, full-time Income Maintenance Aide II, at the Belmont County Department of Job and Family Services, effective February 24, 2023.  
Upon roll call the vote was as follows:

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

**IN THE MATTER OF ACCEPTING THE RESIGNATION OF  
NATHAN CONAWAY, FULL-TIME DISPATCHER/911**

Motion made by Mr. Dutton, seconded by Mr. Echemann to accept the resignation of Nathan Conaway, full-time Dispatcher at Belmont County 9-1-1, effective February 2, 2023.  
Upon roll call the vote was as follows:

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

**RECESS**

**Reconvened at 12:16 p.m. with no further business to be had.**

**IN THE MATTER OF ADJOURNING**  
**COMMISSIONERS MEETING AT 12:16 P.M.**  
Motion made by Mr. Dutton, seconded by Mr. Echemann to adjourn the meeting at 12:16 p.m.  
Upon roll call the vote was as follows:

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

Read, approved and signed this 15th day of February, 2023.

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