

St. Clairsville, Ohio

April 18, 2012

The Board of Commissioners of Belmont County, Ohio, met this day in regular session. Present: Ginny Favede, Matt Coffland and Charles R. Probst, Jr., Commissioners and Jayne Long, Clerk of the Board.

MEETINGS ARE NOW BEING RECORDED
ALL DISCUSSIONS ARE SUMMARIZED. FOR COMPLETE PROCEEDINGS
PLEASE SEE CORRESPONDING CD FOR THIS MEETING DAY.

IN THE MATTER OF ALLOWANCE OF BILLS
AS CERTIFIED IN THE AUDITOR'S OFFICE

"BILLS ALLOWED"

The following bills having been certified in the Auditor's office, on motion by Mr. Probst, seconded by Mr. Coffland, all members present voting YES, each bill was considered and it is hereby ordered that the County Auditor issue his warrant on the County Treasurer in payment of bills allowed.

<u>Claim of</u>	<u>Purposes</u>	<u>Amount</u>
A-AT&T	Fax line-Magistrate/General Fund	71.61
B-Bel. County Sanitary Sewer District	Utilities/Dog and Kennel Fund	412.30
B-Crossroads Counseling	March counseling/Indigent Drivers Alcohol Fund	570.25
B-Crossroads Counseling	Court ordered counseling/Indigent Drivers Alcohol Fund	188.00
B-Things Remembered	Special Dog Tag/Dog and Kennel Fund	28.99
K-Jones-Stuckey, Ltd, Inc.	Bridge Loan Ratings/Engineer MVGT Fund	9,114.00
N-Jones-Stuckey, Ltd, Inc.	Bridge Load Ratings/Bridge & Retaining Wall Constr. Improv. Fund	1,800.00
N-Lindsay Concrete Products	Box Culvert/Bridge & Retaining Wall Constr. Improvement Fund	2,311.20
P-American Electric Power	Services/WWS#3 Revenue Fund	19.61
S-Doan Ford, Inc.	4 new vehicles/DJFS Senior Services Program Fund	79,108.00
S-Erb Electric	Service call/Northern Ct. General Special Projects Fund	75.00
S-Glynis Valenti	Services/Port Authority Fund	600.00
S-TSG	Offsite Backup/Eastern Div. Court Computer Fund	59.80
W-Pamela S. Bowman	Reimburse expenses/Prosecutor's Victim Program	103.74

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

Motion made by Mr. Probst, seconded by Mr. Coffland to approve the Recapitulation of Vouchers dated for April 18, 2012 as follow:

<u>FUND</u>	<u>AMOUNT</u>
A-GENERAL	\$97,127.79; \$12,928.73
A-GENERAL/AUDITOR	\$482.22
A-GENERAL/JUVENILE COURT	\$324.77
A-GENERAL/SHERIFF	\$3,783.18
A-GENERAL/911	\$3,647.28
H-Job & Family, CSEA	\$87.05
H-Job & Family, Public Assistance	\$19,282.00; \$2,951.96; \$4,669.14
H-Job & Family, WIA	\$10,836.85; \$6,361.53
J-Real Estate Assessment	\$406.11
K-Engineer MVGT	\$21,046.43; \$1,749.66
M-Juvenile Ct. – Care and Custody	\$461.50
M-Juvenile Ct. – Placement Services	\$10,793.00
M-Juvenile Ct. – Title IV-E Reimb.	\$1,561.05
P-Sanitary Sewer District	\$1,098.10; \$1,285.99; \$5,151.79
S-Certificate of Title Adm Fund	\$64.37
S-Clerk of Courts Computer Fund	\$1,096.85
S-District Detention Home	\$3,864.17
S-Eastern Court General Special Projects	\$285.12
S-Job & Family, Children Services	\$24,254.84; \$75,301.50
S-Job & Family, Senior Programs	\$49,073.41
S-Juvenile Ct. Computer Fund	\$313.60; \$232.65
S-Oakview Juvenile Residential Center	\$1,531.07
S-Sheriff CCW	\$2,863.00
S-Sheriff Commissary	\$924.26
S-Western Court General Special Projects	\$4,189.45
S-Western Div. Ct. Computer	\$473.90

Upon roll call the vote was as follows:

Mr. Probst	Yes
Mr. Coffland	Yes
Mrs. Favede	Yes

IN THE MATTER OF TRANSFER WITHIN FUND FOR
THE GENERAL FUND/RECORDER

Motion made by Mr. Probst, seconded by Mr. Coffland to approve the following transfer within fund for the General Fund.

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
E-0121 A006-B02.002 Salaries-Employees	E-0051-A001-A02.002 Salaries-Employees	\$ 500.00

Note: Payment to Kathy Marino for Extended Hours in Recorder's Office on April 9, 2012 & April 21, 2012.

Upon roll call the vote was as follows:

Mr. Probst	Yes
Mr. Coffland	Yes
Mrs. Favede	Yes

IN THE MATTER OF TRANSFER WITHIN FUND FOR THE GENERAL FUND/TREASURER

Motion made by Mrs. Favede seconded by Mr. Coffland to approve the following transfer within fund for the General Fund/Treasurer.

FROM	TO	AMOUNT
E-0141-A001-C1.004 Workers Comp	E-0141-A001-C02.002 Salaries	\$ 3,134.64

Upon roll call the vote was as follows:

Mrs. Favede	Yes
Mr. Coffland	Yes
Mr. Probst	Yes

IN THE MATTER OF TRANSFER WITHIN FUND FOR THE BELMONT COUNTY SANITARY SEWER DISTRICT

Motion made by Mrs. Favede, seconded by Mr. Coffland to approve the following transfer within fund for the Belmont County Sanitary Sewer District.

FROM	TO	Amount
WWS #3	WWS #3	
E-3702-P005-P17.002 Salaries	E-3702-P005-P34.074 Transfer Out	120,000.00

Upon roll call the vote was as follows:

Mrs. Favede	Yes
Mr. Coffland	Yes
Mr. Probst	Yes

IN THE MATTER OF TRANSFER BETWEEN THE GENERAL FUND AND THE BELMONT CO BOARD OF DD FUND S66

Motion made by Mr. Probst, seconded by Mr. Coffland to approve the following transfer from the Belmont County General fund to the Belmont County Board of DD Fund S66.

FROM:	TO:	AMOUNT
E-0257-A015-A15.074 Transfers out	R-2410-S066-S16.575 Advances In	\$74.15

- *Allstate Insurance Reimbursement for damages to Board of DD bus-DOL 2/23/12 (L. Hodgson)*
- *Allstate Claim #0236008314*

Upon roll call the vote was as follows:

Mr. Probst	Yes
Mr. Coffland	Yes
Mrs. Favede	Yes

IN THE MATTER OF ADDITIONAL APPROPRIATION FOR THE GENERAL FUND/COMMON PLEAS COURT

Motion made by Mr. Coffland, seconded by Mr. Probst 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 18, 2012.

E-0061-A002-B05.000	Intense Probation/Clerk of Courts Supervisory Fees Collected (January, February & March 2012)	\$ 10,343.65
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Upon roll call the vote was as follows:

Mr. Coffland	Yes
Mr. Probst	Yes
Mrs. Favede	Yes

IN THE MATTER OF TRANSFER WITHIN FUND FOR THE BELMONT CO. SENIOR PROGRAMS FUND

Motion made by Mr. Probst, seconded by Mr. Coffland to approve the following transfer within fund for the Belmont Co. Senior Programs Fund.

FROM	TO	AMOUNT
E-5005-S070-S01.002 Salaries	E-5005-S070-S03.004 Workers Comp	\$ 5,000.00

Upon roll call the vote was as follows:

Mr. Probst	Yes
Mr. Coffland	Yes
Mrs. Favede	Yes

IN THE MATTER OF ADDITIONAL APPROPRIATIONS FOR THE GENERAL FUND/RECORDER/SHERIFF

Motion made by Mr. Coffland, seconded by Mr. Probst to make the following additional appropriations, in accordance with the Amended Official Certificate of Estimated Resources as revised by the Budget Commission, under the date of April 18, 2012.

E-0121-A006-B02.002	Salaries - Employees	\$ 8,000.00
<i>Note: Extended hours contracted with XTO Energy, Inc. for April</i>		
E-0131-A006-A04.002	Salaries – Road	\$ 1,000.00

Note: Extended hours contracted with XTO Energy, Inc. for April

Upon roll call the vote was as follows:

Mr. Coffland	Yes
Mr. Probst	Yes
Mrs. Favede	Yes

IN THE MATTER OF ADDITIONAL APPROPRIATIONS FOR THE SOIL CONSERVATION FUND

Motion made by Mr. Probst, seconded by Mr. Coffland to make the following additional appropriations, in accordance with the Amended Official Certificate of Estimated Resources as revised by the Budget Commission, under the date of April 18, 2012.

E-1810-L001-L01.002	Salaries	\$1,420.00
E-1810-L001-L01.002	Salaries	2,959.00
E-1810-L001-L03.012	Equipment	500.00
E-1810-L001-L07.000	Service Fees	300.00
E-1810-L001-L09.000	Travel	1,000.00
E-1810-L001-L05.011	Contract Services	200.00

E-1810-L001-L10.000	Advertising/Printing	<u>300.00</u>
TOTAL		6,679.00

Upon roll call the vote was as follows:

Mr. Probst	Yes
Mr. Coffland	Yes
Mrs. Favede	Yes

**IN THE MATTER OF ADDITIONAL APPROPRIATIONS
FOR THE M79 TRUANT OFFICER GRANT FUND**

Motion made by Mrs. Favede, seconded by Mr. Coffland to make the following additional appropriations in accordance with the Amended Official Certificate of Estimated Resources as revised by the Budget Commission, under the date of April 18, 2012.

FUND		AMOUNT
Salary		
E-0400-M079-M01.002	Salary	10,466.46
E-0400-M079-M02.008	Fringes	1,171.46
E-0400-M079-M03.003	PERS	<u>3,000.00</u>
TOTAL		14,637.20

Upon roll call the vote was as follows:

Mrs. Favede	Yes
Mr. Coffland	Yes
Mr. Probst	Yes

**IN THE MATTER OF ADDITIONAL APPROPRIATIONS
FOR N.S.L.A. OAKVIEW JUVENILE S031 FUND AND
OAKVIEW YOUTH ACTIVITY FUND S032**

Motion made by Mr. Probst, seconded by Mr. Coffland to make the following additional appropriations, in accordance with the Amended Official Certificate of Estimated Resources as revised by the Budget Commission, under the date of April 18, 2012.

N.S.L.A. OAKVIEW JUVENILE S031		
E-8011-S031-S02.000	Food (Meal Tickets)	90.00
ACTIVITY FUND S032		
E-8012-S032-S00.000	Activity Fund	49.24

Upon roll call the vote was as follows:

Mr. Probst	Yes
Mr. Coffland	Yes
Mrs. Favede	Yes

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

Motion made by Mr. Probst, seconded by Mr. Coffland to execute payment of Then and Now Certification dated April 18, 2012, 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 or order.

Upon roll call the vote was as follows:

Mr. Probst	Yes
Mr. Coffland	Yes
Mrs. Favede	Yes

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

Motion made by Mrs. Favede, seconded by Mr. Coffland granting permission for county employees to travel as follows:

PROBATE COURT – Jayme Strauss to travel to Coshocton, OH, on April 20, 2012, to attend the Probate Clerks Regional Roundtable Meeting. A county vehicle will be used.

Upon roll call the vote was as follows:

Mrs. Favede	Yes
Mr. Coffland	Yes
Mr. Probst	Yes

OPEN PUBLIC FORUM – Deborah Mills, Beverly Van Fossen, Kathleen Luyster and Veronica Clifford, residents of Co. Road 66 (Gun Club Road) in Uniontown were present to advise that their homes are being destroyed by blasting at the nearby stone quarry and dust from coal trucks. They have ODNR correspondence that denies that blasting is the cause. Mr. Probst advised this is an ODNR issue. He asked that they leave their names and phone numbers with the Clerk and he would make some phone calls on their behalf. Mr. Coffland questioned whether the stone quarry or mine subsidence is the cause of the damage. Residents said they contacted the EPA concerning the dust. Mr. Probst said the quarry owner should be responsible for dust control. Larry Merry, Port Authority Director, said if it's a county road it's under the County Engineer's jurisdiction and he may need to work with the company. Mr. Coffland offered to try and view today and bring this matter to the County Engineer's attention. He advised the residents that they may need to contact ODNR or a private attorney on the blasting issue.

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

Motion made by Mr. Probst, seconded by Mr. Coffland to approve the minutes of the Belmont County Board of Commissioners regular meetings of March 28, 2012.

Upon roll call the vote was as follows:

Mr. Probst	Yes
Mr. Coffland	Yes
Mrs. Favede	Yes

IN THE MATTER OF REQUEST FOR 20 FOOT SET BACK VARIANCE FOR SUNRISE HILLS SECOND ADDITION SUBDIVISION, PULTNEY TOWNSHIP, SEC. 29, T-2, R-2 [Belmont Co. Commissioners
[Courthouse
[St. Clairsville, Ohio 43950
[Date April 18, 2012

Motion made by Mr. Probst, seconded by Mr. Coffland to authorize the Clerk of the Board to establish a date and time for the Subdivision Hearing in regards to the set-back variance request of Louis Fisher for lots #8 and #22 in Sunrise Hills Subdivision, Pultney Township, Section 29, T-2, R-2, pursuant to the Ohio Revised Code Section 711.05 and proceed with the required notifications.

NOTICE OF NEW SUB-DIVISION
Revised Code Sec. 711.05
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To: Nick Rocchio, F.O., Pultney Township Trustees, P O Box 225, Bellaire, OH 43906

You are hereby notified that the 2nd day of May, 2012, at 11:30 o'clock A. M., has been fixed as the date, and the office of the Commissioners, in the Courthouse, St. Clairsville, Ohio, as the place where the Commissioners will act on the above stated matter.

By order of the Belmont County Commissioners.

Jayne Long /s/
Clerk of the Board

- Mail by certified return receipt requested
- cc: Pultney Township Trustees
-
- Upon roll call the vote was as follows:

Mr. Probst	Yes
Mr. Coffland	Yes
Mrs. Favede	Yes

IN THE MATTER OF APPROVING PAY APPLICATION #1 FOR FIELDS EXCAVATING, INC./NEFFS SANITARY SEWER DISTRICT PROJECT – PHASE I/BCSSD

Motion made by Mr. Probst. Seconded by Mr. Coffland to approve and sign Pay Application #1 for Fields Excavating, Inc. in the amount of \$226,020.09 for the Neffs, West Neffs and St. Joe Gravity Sewer Project-Phase I, based upon the recommendation of Bill Street, Project Engineer and Mark Esposito, Director, Belmont County Sanitary Sewer District.

Upon roll call the vote was as follows:

Mr. Probst	Yes
Mr. Coffland	Yes
Mrs. Favede	Yes

IN THE MATTER OF ADOPTING A RESOLUTION AUTHORIZING THE RATE ADJUSTMENTS AND BASE WAGE ADJUSTMENTS TO THE BELMONT COUNTY SANITARY SEWER DISTRICT EMPLOYEE HANDBOOK

Motion made by Commissioner Probst, seconded by Commissioner Coffland to adopt the following:

RESOLUTION

Whereas, the Belmont County Board of Commissioners serves as the appointing authority for the Belmont County Sanitary Sewer District; and Whereas, the Belmont County Board of Commissioners has previously authorized the implementation of the Belmont County Sanitary Sewer District's Job Classification Handbook effective March 13, 2010; and

Now, therefore be it resolved, the Belmont County Board of Commissioners does hereby authorize the Director of the Belmont County Sanitary Sewer District Department to implement new starting rates and base wage rate adjustments in accordance with said handbook and the corresponding wage adjustments to the current classified employees' hourly rates effective January 1, 2012, based upon the recommendation of Mark Esposito, Director.

Upon roll call the vote was as follows:

Mrs. Favede	<u>Yes</u>
Mr. Probst	<u>Yes</u>
Mr. Coffland	<u>Yes</u>

IN THE MATTER OF ENTERING INTO A MASTER LEASING AGREEMENT WITH XEROX CORP./RECORDER

Motion made by Mr. Probst, seconded by Mr. Coffland to enter into a 39 month Master Leasing Agreement with Xerox Corporation under State Term Schedule Number 800207 for one (1) Xerox Copier WC5745APT for the Belmont County Recorder's Office.

Note: This will replace the current copier with a faster copier and is necessary due to the increased of copies needed in that office by the oil and gas industry.

Upon roll call the vote was as follows:

Mr. Coffland	Yes
Mrs. Favede	Yes
Mr. Probst	No

DISCUSSION HELD RE: XEROX COPIERS FOR RECORDER – Mr. Probst questioned the above lease. He wanted to know who would be paying for this lease and what would happen to the old copiers. Mr. Coffland and Mrs. Favede explained this was worked out between Xerox and Recorder Mary Catherine Nixon. The old agreement that had been made directly with the Recorder would be canceled and this would take its place. This would put the new lease in with the current ones in place with the Commissioners. Commissioner Favede said, "We pay for it, it's our lease."

NOTE: Commissioner Probst left the meeting to attend an OMEGA meeting.

IN THE MATTER OF QUARTERLY TOURISM REPORT

Doc Householder, Executive Director, Belmont Co. Tourism Council gave his quarterly report for the period of January, February and March 2012. He reported he reserved 60 hotel rooms for the Ohio Valley Regional Oil & Gas Expo to be held in April. He attended the AAA Vacation Expo held in Columbus at the Veterans Memorial Center. Belmont Co. Tourism had a display for this weekend event. Brochures are being sent to various locations outside the area to promote Belmont County. The Board of Directors selected 31 organizations to receive grant funds in the total amount of \$59,000.00. The Oil & Gas Expo is keeping the Tourism office very busy.

11:15 Ryan Burns, Permit Application Manager, Murray Energy Corp. Re: Public Hearing-Public Road Consent

Present for the hearing were: Commissioner Coffland, Ryan Burns and John Parkinson. Mr. Burns reviewed the location and activity to be performed at the site and presented a map. He advised this will have no effect to travel, road or drainage. John Parkinson of the Engineer's office was present and he relayed that Engineer Fred Bennett is OK with the proposal. Mr. Burns stated any damages will be repaired. Mr. Coffland said he only asks that the road be put back in as good or better condition as it is now.

RECONVENED AT 3:03 P.M.

PRESENT: COMMISSIONERS CHARLES R. PROBST, JR. AND MATT COFFLAND

ABSENT: COMMISSIONER GINNY FAVEDE

IN THE MATTER OF ENTERING EXECUTIVE SESSION

Motion made by Mr. Probst, seconded by Mr. Coffland to enter executive session with Sue Douglass, Executive Director of Belmont Co. Community Improvement Corp./Dept. of Development and Attorney Richard Myser and County Engineer Fred Bennett, pursuant to ORC 121.22(G)(2) Property Exception to consider the sale of property.

Upon roll call the vote was as follows:

Mr. Probst	Yes
Mr. Coffland	Yes
Mrs. Favede	Absent

IN THE MATTER OF ADJOURNING EXECUTIVE SESSION

Motion made by Mr. Probst, seconded by Mr. Coffland to adjourn executive session at 4:10 p.m.

Upon roll call the vote was as follows:

Mr. Probst	Yes
Mr. Coffland	Yes
Mrs. Favede	Absent

AS A RESULT OF EXECUTIVE SESSION, THE FOLLOWING ACTION WAS TAKEN:

IN THE MATTER OF AUTHORIZING THE BELMONT COUNTY CIC/DEPARTMENT OF DEVELOPMENT TO PROCEED WITH THE SALE OF LOTS IN FOX COMMERCE PARK

Motion made by Mr. Probst, seconded by Mr. Coffland to authorize the Belmont County Community Improvement Corporation/Department of Development to proceed with the sale of lots # 11, 14, 15, 16, 28, 29, 40 and possibly lot #37 in the Fox Commerce Industrial Park.

Upon roll call the vote was as follows:

Mr. Probst	Yes
Mr. Coffland	Yes
Mrs. Favede	Absent

IN THE MATTER OF AUTHORIZING COMMISSIONER FAVEDE TO SIGN AND SUBMIT NECESSARY PAPERWORK FOR EXPRESS SCRIPTS DUE TO HEALTH CARE REFORM

Motion made by Mr. Coffland, seconded by Mr. Probst to authorize Commissioner Favede to sign and submit the necessary paperwork for Express Scripts to change the prescription maximum to \$1,250,000.00, effective June 1, 2012, due to Health Care Reform.

Upon roll call the vote was as follows:

Mr. Coffland	Yes
Mr. Probst	Yes
Mrs. Favede	Absent

IN THE MATTER OF APPROVING AND SIGNING THE PUBLIC ROAD CONSENT FORM FOR ODNR GRANTING PERMISSION FOR AMERICAN ENERGY CORP. TO PERFORM MINING OPERATIONS INCLUDING CONSTRUCTION NEAR PLEASANT RIDGE ROAD (CO. ROAD 86)/ENGINEER

Motion made by Mr. Coffland, seconded by Mr. Probst to approve and sign the **Public Road Consent** form for ODNR Application/Permit Number D-0425 IBR (P-2) granting permission for American Energy Corporation to perform mining operations including the construction of a staging area to the Southwest of Pleasant Ridge Road and construction of two drilling pads to the east and north of Pleasant Ridge Road (County Road 86) based upon the recommendation of Fred Bennett, County Engineer.

**OHIO DEPARTMENT OF NATURAL RESOURCES
DIVISION OF MINERAL RESOURCE MANAGEMENT**

Applicant's Name **American Energy Corporation**
Application/Permit Number **D-0425 IBR (P02)**

This form, pursuant to Ohio Revised Code Sections 1513.073 and 4153.11 and rule 1501:13-3-04 of the Ohio Administrative Code, is to be completed if the applicant proposes to mine through or within one hundred (100) feet, measured horizontally, of the outside right-of-way line of any public road and the applicant does not have valid existing rights. Where the proposed mining operation is to be conducted within one hundred (100) feet, measured horizontally, of the outside right-of-way line of any public road, and the applicant does not have valid existing rights, then the applicant must obtain the necessary approval of the governmental authority with jurisdiction over the public road by completing this form and having it signed by the governmental authority.

A map showing the road or the portion thereof to which this consent to mine applies is attached and a description follows:

The variance request begins approximately 540 feet North of the intersection of Jarrett Road (Township Road 110) and Pleasant Ridge Road (County Road 86) and continues to the North and West along Pleasant Ridge Road for a distance of 1,110 feet, more or less.

The applicant proposes to conduct the following activities as part of the mining operation subject to the granting of this road permit.

- Spoil deposit
- topsoil storage
- equipment storage
- pond construction
- excavation or location of ___ foot highwall
- other (describe) **Construction of a staging area to the Southwest of Pleasant Ridge Road and construction of two drilling pads to The East and North of Pleasant Ridge Road.**

Describe the measures to be used to ensure that the interests of the public and landowners are protected.

There will be no highwalls. No topsoil or spoil will be stored in the road permit area. Only grading to construct staging area and two drilling pads for the placement of air shafts for underground mine operations. All side slopes will be graded to a minimum of 2:1.

TO BE COMPLETED BY THE APPLICABLE ROAD AUTHORITY

(within 30 days of completion of the public hearing):

The applicant has made public notice, at least two weeks prior to this hearing, a copy of which is attached, of his intent to obtain a road permit. An opportunity for interested parties to present testimony was provided at a hearing held on **4/18/12** and based on testimony presented and on a review of this application, the public road authority finds that the interests of the public and affected landowners will be protected. Therefore, this road permit is granted effective **4/18/12**, and shall remain in effect until coal mining and reclamation operations are completed under the coal mining permit issued pursuant to this permit.

The applicant or permit transferee is hereby granted a road permit to conduct the above described activities in the following manner:

- 1. X Within one hundred (100) feet of the outside right-of-way line but no closer than **0** feet of the traveled portion of public road **#C.R. 86 (Pleasant Ridge road)**; or

Signed: Matt Coffland /s/ Date 04/18/12

Title: Belmont Co. Commissioner

Signed Charles R. Probst, Jr. /s/ Date 04/18/12

Title: Commissioner

Signed _____ Date _____

Title: _____

Upon roll call the vote was as follows:

Mr. Coffland	Yes
Mr. Probst	Yes
Mrs. Favede	Absent

RECONVENED MONDAY, APRIL 23, 2012

ALL COMMISSIONERS PRESENT

IN THE MATTER OF ENTERING EXECUTIVE SESSION AT 11:15 A.M.

Motion made by Mr. Probst, seconded by Mr. Coffland to enter executive session pursuant to ORC 121.22(G)(1) Personnel Exception to consider the employment of a public employee.

Upon roll call the vote was as follows:

Mr. Probst	Yes
Mr. Coffland	Yes
Mrs. Favede	Yes

IN THE MATTER OF ADJOURNING EXECUTIVE SESSION AT 11:20 A.M.

Motion made by Mr. Probst, seconded by Mr. Coffland to adjourn executive session at 11:20 a.m.

Upon roll call the vote was as follows:

Mr. Probst	Yes
Mr. Coffland	Yes
Mrs. Favede	Yes

AS A RESULT OF EXECUTIVE SESSION, THE FOLLOWING ACTION WAS TAKEN:

IN THE MATTER OF APPROVING THE HIRING OF MR. ROSS BREIDING/BUILDING AND GROUNDS

Motion made by Mr. Probst, seconded by Mr. Coffland to approve the hiring of Mr. Ross Breiding as a full-time Maintenance/Housekeeping employee for the Belmont County Building and Grounds Department, based upon the recommendation of Mr. Jack Regis, Facilities Manager. Mr. Breiding will be compensated at the rate of \$8.50 per hour, **40** hours per week, effective pay period ending May 19, 2012 and will be subject to the required 120-day probationary period. He will be eligible for a \$.50 per hour increase upon satisfactory completion of his probationary period.

Note: Starting date is May 7, 2012

Upon roll call the vote was as follows:

Mr. Probst	Yes
Mr. Coffland	Yes
Mrs. Favede	Yes

IN THE MATTER OF APPROVING AND SIGNING THE LIMITED WARRANTY DEED TRANSFERRING THE FORMER SOUTH SCHOOL PROPERTY/BCDJFS SENIOR PROGRAM

Motion made by Mr. Probst, seconded by Mrs. Favede to approve and sign the Limited Warranty Deed for the transfer of the former South School property located in Martins Ferry, Ohio, Auditor's Permanent Parcel Number: 24-6011.000 from the County of Belmont, by and through the Belmont County Commissioners to the Belmont County Port Authority.

LIMITED WARRANTY DEED

The **County of Belmont**, a political subdivision of the State of Ohio, by and through the Belmont County Commissioners, grants with limited warranty covenants to the **Belmont County Port Authority**, a body corporate and politic, whose tax-mailing address is 101 W. Main, St. Clairsville, OH 43950 the following real property:

Situated in the State of Ohio, County of Belmont, and City of Martins Ferry, more particularly described as follows:

TRACT ONE: Being Lot 1250, Lot 1251, Lot 1254 and Lot 1255 of Joseph Bell's Second Addition to Martins Ferry as recorded in Cabinet B, Slide 4 of the Plat Records of Belmont County, Ohio.

Auditor's Permanent Parcel Numbers: 24-04371.000, 24-04372.000, 24-04373.000 and 24-04374.000

TRACT TWO: Beginning at the intersection of the westerly line of Broadway Street and the northerly line of School Street where a "mag-nail" set in the concrete sidewalk bears South 45°37'19" East 0.87 feet.

Thence, from said point of beginning, North 74°30'00" West 255.33 feet, with the northerly line of School Street, to a rebar set, a 1 inch diameter iron rod found bears North 74°30'00" West 60.00 feet;

Thence, North 15°30'00" East 99.82 feet, with the easterly line of Pearl Street, formerly known as Pease Street, to the southwest corner of Lot 1250 of Joseph Bell's Second Addition to Martins Ferry as recorded in Cabinet B, Slide 4 of the Plat Records of Belmont County, Ohio, a rebar set at the northwest corner of Lot 1251 thereof bears North 15°30'00" East 100.00 feet;

Thence South 74°30'00" East 255.33 feet, with the southerly line of said addition of lots, to the southeast corner of Lot 1354 thereof, a 1 inch diameter iron rod found at the northeast corner of Lot 1255 thereof bears North 15°30'00" East 100.00 feet; Thence, South 15°30'00" West 99.82 feet, with the westerly line of Broadway Street, to the point of beginning.

The above described tract contains 0.585 acre.

The rebars set are ½ inch in diameter and 30 inches in length, set flush to the ground and topped with a plastic cap embossed "AJ SMITH-OH 56960". The bearings used herein are based on the plat of Joseph Bell's Second Addition.

This description was prepared from an actual field survey of the premises completed on June 30, 2008, by Allen J. Smith, Ohio Professional Surveyor No. 6960.

Prior Deed Reference: Volume 264, Page 193 of the Official Records of Belmont County, Ohio.

Auditor's Permanent Parcel Number: 24-60011.000

Executed this 23rd day of April, 2012.

The County of Belmont

By: Charles R. Probst, Jr. /s/

Charles R. Probst, Jr., Commissioner

By: Ginny Favede /s/

Ginny Favede, Commissioner

By: Matt Coffland /s/

Matt Coffland, Commissioner

Upon roll call the vote was as follows:

Mr. Probst	Yes
Mrs. Favede	Yes
Mr. Coffland	Yes

IN THE MATTER OF THE VACATION OF A PORTION OF WHEELING TOWNSHIP ROAD 1306 (SPRINGVALE AVENUE), WHEELING TOWNSHIP SEC. 13, T-8, R-4/RD IMP 1116

**Office of County Commissioners
Belmont County, Ohio**

**Journal Entry--Order Upon view of Proposed Improvement
ORDER TO COUNTY ENGINEER
Rev. Code. Sec. 5553.06**

Petitioned for by freeholders and others

The Board of County Commissioners of Belmont County, Ohio met in regular session on the 18th day of April, 2012, at the office of the Commissioners with the following members present:

*Mrs. Favede
Mr. Coffland
Mr. Probst*

Mr. Probst moved the adoption of the following:

RESOLUTION

WHEREAS, On the 18th day of April, 2012, the time heretofore fixed for view of the proposed improvement, we the Board of County Commissioners having jurisdiction in said matter, went upon the line of said proposed improvement and made personal view of the proposed route and termini thereof, and after full investigation and due consideration of all the facts and conditions pertaining thereto; therefore be it

RESOLVED, That we do find and consider said improvement of sufficient public importance to instruct the County Engineer to make an accurate survey and plat of the same, and furnish an accurate and detailed description of the proposed improvement describing the center line and right of way lines thereof.

Said County Engineer shall also furnish an accurate and detailed description of each tract of land which he believes will be necessary to be taken in the event the proposed improvement be made, together with the name of each owner.

Said County Engineer shall also, at the time of making such survey, set stakes at the termini of each right of way line and at all angles between such termini, and at sufficient other points on the right of way lines so that the bounds of the proposed improvement may be discernible to property owners and other interested persons; and be it further

RESOLVED, That the said County Engineer be and he is hereby directed to make a report in writing to this Board, on or before the 2nd day of May, 2012, the date fixed for the final hearing, setting forth the opinion of said County Engineer either for or against said proposed improvement, and the width to which said improvement shall be opened, which shall not be less than thirty feet; said report shall be accompanied by said plat and detailed and accurate descriptions, and filed with the County Commissioners, and this case is continued unto said date.

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

Mr. Probst	Yes
Mr. Coffland	Yes
Mrs. Favede	Yes

Adopted April 18, 2012

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

**IN THE MATTER OF ADJOURNING
COMMISSIONERS MEETING AT 11:25 A.M.**

Motion made by Mr. Probst, seconded by Mr. Coffland to adjourn the meeting at 11:25 a.m.

Upon roll call the vote was as follows:

Mr. Probst	Yes
Mr. Coffland	Yes
Mrs. Favede	Yes

Read, approved and signed this 25th day of April, 2012.

_____ COUNTY COMMISSIONERS

We, Charles R. Probst, Jr. and Jayne Long, President and Clerk respectively of the Board of Commissioners of Belmont County, Ohio, do hereby certify the foregoing minutes of the proceedings of said Board have been read, approved and signed as provided for by Sec. 305.11 of the Revised Code of Ohio.

_____ PRESIDENT

_____ CLERK