

The Board of Commissioners of Belmont County, Ohio, met this day in regular session. Present: Ginny Favede, Matt Coffland, and Mark A. Thomas, Commissioners, and Jayne Long, Clerk of the Board. Note: Commissioner Mark A. Thomas arrived at 9:13 a.m.

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 Mrs. Favede, seconded by Mr. Coffland 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 \$1,065,304.28

Upon roll call the vote was as follows:

Mrs. Favede	Yes
Mr. Coffland	Yes
Mr. Thomas	Absent

IN THE MATTER OF TRANSFERS WITHIN FUND

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

GENERAL FUND

FROM	TO	AMOUNT
E-0131-A006-A03.002 Jail-Salary	E-0131-A006-A15.007 Unemployment	\$ 2,514.80
E-0131-A006-A25.000 Contract-Housing of Prisoners	E-0131-A006-A16.000 Other Expenses	\$33,230.00
E-0256-A014-A01.000 CORSA Costs	E-0064-A002-A06.000 Transcripts	\$ 6,500.00
E-0256-A014-A01.000 CORSA Costs	E-0051-A001-A40.000 Barnesville Airport Auth	\$18,500.00

P80 OAKVIEW ADMIN BLDG FUND

FROM	TO	AMOUNT
E-5000-P080-P05.000 Materials	E-5000-P080-P06.000 Maint/Repair	\$29,920.39

S35 JUVENILE ACCOUNTABILITY BLOCK GRANT-SARGUS FUND

FROM	TO	AMOUNT
E-0914-S035-S05.000 Fringes	E-0914-S035-S04.002 Salaries	\$657.75

S77 COMMUNITY-BASED CORRECTIONS ACT GRANT

FROM	TO	AMOUNT
E-1520-S077-S01.002 Salaries	E-1520-S077-S04.006 Hospitalization	\$603.77

Upon roll call the vote was as follows:

Mr. Thomas	Yes
Mr. Coffland	Yes
Mrs. Favede	Yes

IN THE MATTER OF ADDITIONAL APPROPRIATIONS

Motion made by Mrs. Favede, seconded by Mr. Coffland 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 4, 2016****

B00 DOG & KENNEL FUND

E-1611-B000-B01.002	Auditor's Clerk Hire & Supply	\$104.62
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N59 CAPITAL PROJECTS-SENIOR CENTERS FUND

E-9059-N059-N01.013	Flushing Senior Center	\$40,000.00
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****APRIL 27, 2016****

H05 WORKFORCE DEVELOPMENT FUND

E-2600-H005-H14.000	OH Works Incentive Program	\$1,000.00
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L01 SOIL CONSERVATION FUND/BSWCD

E-1810-L001-L01.002	Salaries	\$1,833.33
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L05 WATERSHED COORDINATOR GRANT FUND/BSWCD

E-1815-L005-L01.002	Salaries	\$24,960.00
E-1815-L005-L11.003	PERS	\$3,774.00
E-1815-L005-L12.004	Workers Comp	\$766.00
E-1815-L005-L13.005	Medicare	\$500.00
E-1815-L005-L15.006	Hospitalization	\$5,000.00

N85 SSD #2 FOX-SHANNON UPGRADE FUND

E-9085-N085-N05.011	Contract Services	\$50,000.00
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O51 BOND RETIREMENT-2014 REFUNDING 97 BOND

E-9251-O051-O01.050	Principal Loan Payments	\$66,203.35
E-9251-O051-O02.051	Interest Payments	\$45,796.65

S69 MRDD MEDICAID RESERVE FUND

E-2413-S069-S01.011	Contract-Services	\$107,632.37
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W80 PROSECUTORS VICTIM ASSISTANCE PROGRAM FUND

E-1511-W080-P01.002	Salary	\$3,690.00
E-1511-W080-P05.003	PERS	\$500.00
E-1511-W080-P07.006	Hospitalization	\$584.99
E-1511-W080-P15.000	Rent	\$519.89
E-1511-W080-P16.000	Consultant	\$500.00

VARIOUS BOND FUNDS/AUDITORS

E-9212-O030-O04.000	Issuance Fees	\$5,245.59
E-9218-O039-O07.000	Issuance Fees	\$1,157.57
E-9240-O040-O03.000	Issuance Fees	\$14,014.04
E-9250-O050-O03.000	Issuance Fees	\$10,504.38
E-9253-O053-O03.000	Issuance Fees	\$10,930.32

Upon roll call the vote was as follows:

Mrs. Favede	Yes
Mr. Coffland	Yes
Mr. Thomas	Yes

**IN THE MATTER OF ADDITIONAL APPROPRIATIONS
FOR VARIOUS FUNDS/CLOSED CARRY-OVER POs**

Motion made by Mrs. Favede, seconded by Mr. Coffland 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 27, 2016:

CARRYOVER PO'S THAT HAVE BEEN CLOSED AND REQUIRE REAPPROPRIATION

A00 General Fund/Sheriff

PO # 410731 E-0131-A006-A25.000 Contract-Housing of Prisoners \$33,230.00

P80 Oakview Admin. Bldg. Fund

PO # 521125 E-5000-P080-P05.000 Materials \$24,920.39

Upon roll call the vote was as follows:

Mrs. Favede	Yes
Mr. Coffland	Yes
Mr. Thomas	Yes

**IN THE MATTER OF TRANSFER OF FUNDS FOR 2016 PROJECTED
PAYMENT (50%) WORKERS' COMPENSATION CHARGEBACKS**

Motion made by Mrs. Favede, seconded by Mr. Coffland to make the following transfer of funds for 2016 projected payment (50%) Workers' Compensation Chargebacks.

2014 PAYROLL	2016 PROJECTED PAYMENT (1ST PAYMENT)	50%
FUND NO.	FUND NAME	2016
E-0256-A014-A14.004	GENERAL FUND	67,333.63
E-1600-B000-B09.004	DOG AND KENNEL	559.06
E-2210-E001-E11.004	COUNTY HEALTH	1,152.74
E-2227-F074-F06.000	HOME SEWAGE	295.01
E-2213-F075-F02.003	VITAL STATISTIC PROGRAM	247.26
E-2215-F077-F01.002	REPRODUCTIVE HEALTH	663.29
E-2230-F082-F01.002	PREP	296.68
E-2231-F083-F01.002	PHEP	313.72
E-2218-G000-G06.003	FOOD SERVICE PROGRAM	503.04
E-2233-F085-F01.002	CHILD & FAMILY HEALTH SERVICES	271.25
E-2510-H000-H13.004	PUBLIC ASSISTANCE	27,139.60
E-2760-H010-H08.004	C.S.E.A.	4,908.38
E-1310-J000-J05.004	REAL ESTATE ASSESSMENT	1,928.27
E-2811-K000-K09.004	M.V.G.T.	1,612.88
E-2812-K000-K22.004	K-11	8,318.90
E-2813-K000-K35.004	K-25	2,562.13
E-1810-L001-L12.004	SOIL CONSERVATION	571.31
E-1815-L005-L12.004	WATER SHED COORDINATOR-SOIL	219.35
E-0400-M078-M02.008	TITLE IV-E REIMB RANDOM MOMENTS	2,516.68
E-3701-P003-P30.004	W.W.S. #2 REVENUE	1,021.21
E-3702-P005-P30.004	W.W.S. #3 REVENUE	5,423.87
E-3704-P051-P14.004	S.S.D. #1 REVENUE	542.74
E-3705-P053-P14.004	S.S.D. #2 REVENUE	1,743.04
E-3706-P055-P14.004	S.S.D. #3A REVENUE P.W.	123.98
E-3707-P056-P14.004	S.S.D. #3B REVENUE D.R.	21.48
E-1720-P090-P09.004	LEPC	74.43
E-9799-S012-S09.004	PORT AUTHORITY	567.65
E-8010-S030-S67.004	OAKVIEW JUVENILE REHABILITATION	4,408.07
E-0910-S033-S45.004	DISTRICT DETENTION HOME	6,163.63
E-2310-S049-S61.004	MENTAL HEALTH	1,879.28
E-2410-S066-S77.004	MENTAL RETARDATION	17,079.37
E-5005-S070-S03.004	BELMONT CO SENIOR PROGRAM	9,248.99
E-1520-S077-S05.004	CORRECTIONS ACT GRANT/COMM. PLEAS	490.82
E-6010-S079-S09.004	CERTIFICATE OF TITLE	1,890.53
E-1544-S054-S03.004	MEDIATION SERVICES/COMMON PLEAS	209.96
E-1570-S084-S12.004	EASTERN COURT-COMPUTER	174.38

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E-1561-S086-S04.004	NORTHERN COURT-SPECIAL	260.69
E-1571-S087-S04.004	EASTERN COURT-SPECIAL	226.72
E-1551-S088-S04.004	WESTERN COURT-SPECIAL	499.43
E-1572-S089-S08.004	COMMON PLEAS COURT-SPECIAL	82.63
E-1589-S096-S09.000	JUVENILE COURT-GEN SPECIAL PROJECT	4.32
E-4110-T075-T52.008	W.I.C. PROGRAM	1,382.40
E-9720-W020-W04.004	LAW LIBRARY RESOURCES FUND	21.97
E-1511-W080-P06.004	PROSECUTOR'S VICTIM PROGRAM	317.25
E-1510-W081-P06.004	DRETAC/PROSECUTOR	395.88
	TOTAL WORKER'S COMP.	175,667.90
E-0131-A006-A14.004	PUBLIC EMPLOYER EMERG ORGANIZATION	84.68
	PUBLIC WORKS RELIEF EMPLOYEE-P.W.R.E	1,394.13
GRAND TOTAL		177,146.71

Upon roll call the vote was as follows:

Mrs. Favede	Yes
Mr. Coffland	Yes
Mr. Thomas	Yes

IN THE MATTER OF REQUEST FOR CERTIFICATION OF MONIES BY THE BUDGET COMMISSION

Motion made by Mrs. Favede, seconded by Mr. Coffland to request the Belmont Co. Budget Commission certify the following monies. **GENERAL FUND-\$24,920.39** deposited into E-5000-P080-P05.000 for materials. Closed 2015 PO/P80 Oakview Admin. Building

Upon roll call the vote was as follows:

Mrs. Favede	Yes
Mr. Coffland	Yes
Mr. Thomas	Yes

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

Motion made by Mrs. Favede, seconded by Mr. Coffland to execute payment of Then and Now Certification dated April 27, 2016 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:

Mrs. Favede	Yes
Mr. Coffland	Yes
Mr. Thomas	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: **COURT OF COMMON PLEAS**-John Markus to Baltic, OH, on April 26, 2016, to serve a guardianship. A county vehicle will be used. **SSOBC**-Susan Neavin to Kidron, OH, on May 5, 2016, for a senior center outing. Tish Kinney to Rogers, OH, on May 20, 2016, for a senior center outing. Sue Hines to Kidron, OH, on May 24, 2016, for a senior center outing. Daisy Braun to Kidron, OH, on May 24, 2016, for a senior center outing. County vehicles will be used for travel.

Upon roll call the vote was as follows:

Mrs. Favede	Yes
Mr. Coffland	Yes
Mr. Thomas	Yes

IN THE MATTER OF ADOPTING A RESOLUTION AUTHORIZING THE FILING OF THE CDBG REVOLVING LOAN FUND WAIVER APPLICATION TO THE STATE OF OHIO- OFFICE OF COMMUNITY DEVELOPMENT

WHEREAS, the Belmont County Board of Commissioners have received a FEMA Hazard Mitigation Grant Program through the Ohio Emergency Management Agency to complete the demolition of vacant and substantially damaged structures in the Neffs area of Belmont County; and
WHEREAS, the FEMA Hazard Mitigation Grant Program requires a local match of funding; and
WHEREAS, Belmont County Board of Commissioners desire to transfer Twenty three thousand dollars (\$23,000.00) of the Revolving Loan Fund to assist with the completion of said project; and
WHEREAS, Belmont County must abide by all Federal and State regulations of the Community Development Block Grant (CDBG) Program; and
BE IT RESOLVED; that Commission President Ginny Favede be authorized to apply for CDBG Revolving Loan Fund waiver request from the Ohio Office of Community Development to undertake demolition work in the Neffs area as part of the FEMA Hazard Mitigation Grant Program.

Adopted this 27th day of April, 2016.

Motion made by Mrs. Favede, seconded by Mr. Coffland to adopt the foregoing resolution and upon roll call the vote was as follows:

Mrs. Favede	<u>Yes</u>
Mr. Coffland	<u>Yes</u>
Mr. Thomas	<u>Absent</u>

IN THE MATTER OF APPOINTING CINDI HENRY AS A MEMBER OF THE BELMONT COUNTY LAW LIBRARY RESOURCES BOARD

April 27, 2016

Motion made by Mrs. Favede, seconded by Mr. Coffland to appoint Ms. Cindi Henry to the Belmont County Law Library Resources Board to fill the unexpired term of Barb Blake effective immediately through December 31, 2018.

Upon roll call the vote was as follows:

Mrs. Favede	Yes
Mr. Coffland	Yes
Mr. Thomas	Absent

DISCUSSION: Mrs. Favede noted it was discovered by the Law Library Resources Board that any members of the board must be Belmont County residents. Mr. Chapman and Ms. Blake are not residents of Belmont County. They were replaced by Mrs. Bizzarri and Ms. Henry.

IN THE MATTER OF ACCEPTING THE RESIGNATION OF EDWARD DUKE JR., SENIOR SERVICES EMPLOYEE

Motion made by Mrs. Favede, seconded by Mr. Coffland to accept the resignation of Edward Duke Jr., Belmont County Senior Services employee, effective April 25, 2016.

Upon roll call the vote was as follows:

Mrs. Favede	Yes
Mr. Coffland	Yes
Mr. Thomas	Absent

IN THE MATTER OF APPROVING THE INTERNAL POSTING FOR A PART-TIME DRIVER/SENIOR SERVICES OF BELMONT COUNTY

Motion made by Mrs. Favede, seconded by Mr. Coffland to approve the internal posting for a part-time driver for the Senior Services of Belmont County, posted according to collective bargaining agreement terms.

Upon roll call the vote was as follows:

Mrs. Favede	Yes
Mr. Coffland	Yes
Mr. Thomas	Absent

IN THE MATTER OF ENTERING INTO ROAD USE MAINTENANCE AGREEMENT WITH FIRST ENERGY CORP. FOR DRILLING PROJECTS AND INFRASTRUCTURE

Motion made by Mrs. Favede, seconded by Mr. Coffland to enter into **Roadway Use and Maintenance Agreement for Drilling Projects and Infrastructure** with First Energy Corp., effective April 27, 2016, for the purpose of "Construction Activity" at 1.7 miles of CR 4 (Hawthorn Hill Road).

Note: Bond No. LPM9203318 for \$340,000 on file.

BELMONT COUNTY ROADWAY USE AND MAINTENANCE AGREEMENT FOR DRILLING PROJECTS AND INFRASTRUCTURE

THIS AGREEMENT is entered into at St. Clairsville, Ohio, by and between THE BELMONT COUNTY COMMISSIONERS, a political subdivision, whose mailing address is 101 W. Main St., Courthouse, St. Clairsville, Ohio 43950 (hereafter "Authority"), and FirstEnergy Corp. whose address is

76 South Main Street, Akron, Ohio 44308 (Hereafter "Contractor"), and shall be as follows:

RECITALS

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

WHEREAS, Contractor is the owner of transmission structures, and intends to develop and maintain the [Holloway site], including the 138kv transmission structures for the operation of the [Holloway site] (hereafter collectively referred to as "transmission site") located in Mead Township, in Belmont County, Ohio; and

WHEREAS, Contractor intends to commence use of 1.7 miles of Hawthorn Hill Road (CR 4), from the intersection CR 4 and SR 147 to the AEP Holloway Substation for the purpose of ingress to and egress from the [Holloway site], for traffic necessary for the purpose of constructing transmission structures, and completion operations at the [Holloway site] (hereinafter referred to collectively as "Construction Activity"); and

WHEREAS, Authority and Contractor desire to enter into an agreement, providing for the repair and maintenance of said roads and bridges thereon as a result of such Construction Activity; and

WHEREAS, if any county or township roads contemplated herein contain any railroad crossings, Section 4 below shall apply;

NOW THEREFORE, in consideration of the good faith performance by each party of the mutual covenants hereinafter set forth, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Contractor agrees to the maintenance and repair of said roads and bridges, to their pre-Construction condition or as modified pursuant to Appendix A, thereon for any damages thereto, as a result of **Contractor's** Construction related to such sites.

FURTHER, Contractor shall also provide for the strengthening and upgrading of the roads and bridges if mutually agreed to be necessary for the Construction Activity, prior to the start of Construction Activity. The areas and structures required to be strengthened and/or upgraded shall be determined by an engineer provided by the Contractor with the approval of the County Engineer to be provided within thirty (30) days of a written request submitted by the Contractor. Contractor's engineer shall provide a written report to the County detailing the condition of the roads and appurtenances covered under this Agreement along with any recommendations, if necessary.

BOTH PARTIES FURTHER AGREE to the following additional terms and conditions:

1. The portion of CR 4, to be utilized by Contractor hereunder, is that exclusive portion beginning at intersection of SR 147. It is understood and agreed that the Contractor shall not utilize any of the remainder of CR 4 for any of its Construction Activity hereunder.

2. The portion of CR 4 to be utilized by Contractor hereunder, is that exclusive portion beginning at wherein Contractor's site are to be constructed herein. It is understood and agreed that the Contractor shall not utilize any of the remainder of CR 4 for any of its Construction Activity hereunder.

3. Those portions of said roads and bridges and their appurtenances to be used by Contractor hereunder and mutually agreed to require necessary strengthening and/or upgrading by the Contractor's Engineer in conjunction with the County Engineer, shall be strengthened and/or upgraded to a condition sufficient and adequate to sustain the anticipated Construction Activity by Contractor, at Contractor's sole expense, and with the advice and approval of the County Engineer as detailed in Appendix A. Thereafter, such roads shall be maintained by Contractor for damages caused by Contractor's Construction Activity, at Contractor's sole expense, throughout the term of this Agreement, to a level consistent with the condition of such roads at the commencement of its use by the Contractor hereunder or as modified pursuant to Appendix A, as determined by the Contractor's engineer and the Belmont County Engineer. The maintenance of aforementioned roads includes the use of a commercially recognized dust palliative to control the airborne dust created and/or contributed to by the Contractor or the Contractor's contractors and or agents.

4. The Contractor shall give notice to the railroad at least thirty (30) days prior to any known Construction Activity utilizing a railroad crossing so that a joint inspection can determine the condition of the crossing. Additionally, the Contractor shall coordinate all work needing to be performed at a railroad crossing with the railroad company at least thirty (30) days prior to starting work on a railroad crossing. If the railroad company fails to respond to the Contractor's notice of work needing to be performed at a railroad crossing within thirty (30) days of receipt of such notice, then the railroad waives all rights it has under this agreement with respect to the work specified in the notice. Work performed at a railroad crossing may include a separate agreement at the railroad's discretion. The Authority shall not be liable for any

incidents arising out of or related to work performed at any railroad crossing pursuant to this Agreement or any separate Agreement between the Contractor and the railroad company, or lack of notification by Contractor.

5. Either the Contractor or the Authority may terminate this Agreement with just cause following at least thirty (30) days written notice to the other of its intent to terminate. As soon as possible after receipt of such notice, the Authority and the Contractor shall inspect said roads and bridges and their appurtenances. Following final inspection, the parties shall meet, and all restoration resulting from Contractor's Construction Activity shall be identified and thereafter completed by the Contractor to insure the roads are at least returned to the condition they were in prior to the Contractor's use for its Construction Activity, at Contractor's sole expense. Following completion of all restoration work, this Agreement shall be terminated and of no further force or effect.

6. Unless excepted for the reasons provided below, prior to the Construction Activity on the designated Route, Contractor shall post a bond or other surety in a form satisfactory to the Authority to cover the costs of any damage caused by the Construction Activity on the Route by Contractor. The amount of the bond or surety shall be in an amount of \$340,000 & 00/100 DOLLARS (\$200,000.00) per mile. However, no such bond or surety shall be required of Contractor, if any of the following conditions are satisfied:

- a. A geotechnical analysis of the route provided by the Contractor and mutually accepted by the Authority and Contractor exhibits that the route's condition is sufficient for the expected traffic necessary for the development of the oil and gas development site.
- b. The Contractor provides a geotechnical analysis of the route, mutually accepted by the Authority and Contractor, and based on that analysis, an Contractor and Authority-approved maintenance plan for the route or an Contractor and Authority-approved preventative repair plan of the route is attached to the Agreement as an addendum.
- c. The Contractor has provided a sufficient bond or surety accepted by the Authority and Contractor, in favor of the Authority for road usage by the Contractor within the Authority's oversight.

7. All motor vehicles to be utilized by Contractor hereunder, whether owned by Contractor or others, shall comply with all legal size, load and weight limits in accordance with State Law, and all non-conforming vehicles shall require the proper local permit.

8. Contractor shall furnish the Authority with a written Letter of Authority, setting forth all necessary contact information, including a twenty four (24) hour emergency contact number, for the authorized local representative of the Contractor, and such information shall be maintained and kept current at all times concerned hereunder.

9. If Authority determines that any additional traffic signage is needed, or desired, as a result of this Agreement and in the interests of safety, then Contractor shall provide for such signage at Contractor's sole expense. In the event that any other safety concerns should arise during the course of this Agreement, Contractor and Authority agree that they will mutually discuss such concerns and reach a resolution satisfactory to all concerned.

10. Contractor acknowledges that pursuant to Ohio Attorney General Opinion 2012-029 issued on September 19, 2012, the County is required to comply with Revised Code 4115.03-.16 when the total overall project cost to the Contractor is fairly estimated to be more than the amount prescribed in Ohio Revised Code Section 4115.03 (B)(4). Contractor further acknowledges that at the time any necessary road maintenance or repairs are required, the estimated costs and actual cost of such work to be performed pursuant to this agreement will be solely within the knowledge of Contractor since Contractor is responsible for paying 100% of said cost. Therefore, Contractor hereby agrees that Contractor will take all measures to ensure compliance with Ohio's Prevailing Wage Laws.

11. Contractor shall protect, save, indemnify, and hold the Authority, its officials, agents and employees harmless from any liability, claims, damages, penalties, charges, or costs including reasonable attorney's fees which may arise or be claimed as a result of any violations of any laws or ordinances, or any loss, damage or expense, including injury or death to any person, from any cause or causes from Contractor's use of the roads pursuant to this Agreement

12. Contractor assumes all liability for subcontractors and or agents working on Contractor's behalf.

13. This Agreement shall be binding upon Contractor and Authority, and their respective successors and assigns.

14. In any event that any clause, provision or remedy in this Agreement shall, for any reason, be deemed invalid or unenforceable, the remaining clauses and provisions shall not be affected, impaired or invalidated and shall remain in full force and effect.

15. Agreement shall be governed by the laws of the State of Ohio.

16. This Agreement shall be in effect on April 2, 2016.

Executed in duplicate on the dates set forth below.

<u>Authority</u>	<u>Contractor</u>
By: <i>Matt Coffland /s/</i>	By: <i>Suzanne Paounic /s/</i>
_____ Commissioner/Trustee	_____ Printed name: Suzanne Paounic
By: <i>Mark A. Thomas /s/</i>	_____ Company Name: First Energy
_____ Commissioner/Trustee	_____ Title: General Manager
By: <i>Ginny Favede /s/</i>	_____ Dated: 4-18-2016
_____ Commissioner/Trustee	
By: <i>Fred F. Bennett /s/</i>	
_____ County Engineer	
Dated: 4-27-16	
Approved as to Form: <i>David K. Liberati /s/ assistant</i>	
_____ County Prosecutor	

Upon roll call the vote was as follows:

Mrs. Favede	Yes
Mr. Coffland	Yes
Mr. Thomas	Absent

IN THE MATTER OF APPROVING AND SIGNING LETTER RELEASING RICE ENERGY, INC. FROM THE RUMA DATED MARCH 30, 2016 FOR THE USE OF 4.39 MILES OF THE 5.36 MILES (PLEASANT RIDGE ROAD)/ENGINEER

Motion made by Mrs. Favede, seconded by Mr. Coffland to approve and sign the letter releasing Rice Energy, Inc. from 4.39 miles of the 5.36 miles (Pleasant Ridge Road) Road Use Maintenance Agreement (RUMA) dated March 30, 2016, based upon the recommendation of Fred Bennett, County Engineer.

Note: The road has been restored to satisfactory condition per the County Engineer.

Upon roll call the vote was as follows:

Mrs. Favede	Yes
Mr. Coffland	Yes
Mr. Thomas	Absent

IN THE MATTER OF LIQUOR PERMIT FOR WEGEE ROAD BUZZ INN, LLC

Motion made by Mrs. Favede, seconded by Mr. Coffland to advise the Ohio Division of Liquor Control, the Board of Belmont County Commissioners does not request a hearing on the matter of a request for the transfer of a D5 liquor license, Permit No. 9465375, from Wegee

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Road, LLC, DBA, Buzz Inn, 57060 Wegee Road, Mead Township, Shadyside, OH. 43947 to Wegee Road Buzz Inn, LLC, at above address. There have been no objections received and the Board of County Commissioners has no objections to the permit.

Upon roll call the vote was as follows:

Mrs. Favede	Yes
Mr. Coffland	Yes
Mr. Thomas	Absent

**IN THE MATTER OF APPROVING ESTIMATE FROM
WHEELING CANVAS CO., LLC/FLUSHING SENIOR CENTER**

Motion made by Mrs. Favede, seconded by Mr. Coffland to approve Estimate Number 412889-2446 from Wheeling Canvas Co., LLC, in the amount of \$4,125.00, for the production and installation of three (3) window awnings at the new Flushing Senior Center.

Upon roll call the vote was as follows:

Mrs. Favede	Yes
Mr. Coffland	Yes
Mr. Thomas	Absent

OPEN PUBLIC FORUM – Richard Hord requested an update on the East Ohio Regional Industrial Park in Barnesville, Ohio. Mr. Coffland said sewer and water lines are in. Fifty acres have been sold and the second building is going up. He said it is “moving along.”

BREAK-Commissioner Thomas arrived at 9:13 a.m.

9:30 Road Improvement Hearing 1137

Present: Engineer Fred Bennett, Deputy Engineer Terry Lively, Will Eddy, Engineer’s office, Robert DeFrank, Times Leader and Richland Township residents Mrs. Karen Bickmeier and Mr. Aubrey Nolan. Mr. Eddy said the two roads were dedicated, but never put in. The view was held last week and was attended by Mr. Eddy, Mr. Lively, Commissioner Coffland and Mrs. Bickmeier. Mr. Eddy said Summit Street is sitting on a hillside. It would be pretty steep to put in a road. Mr. Eddy reviewed maps with the Board. He said a letter was received in the mail from AON, LLC opposing the vacation, but did not state a reason for it. Mrs. Bickmeier, the applicant, said Summit Street dead ends into her property. Mr. Lively explained that in most cases a road vacation results in the road being split between adjoining property owners. Depending on how the plat was originally dedicated, if the road came out of one property it would go back to that property. Mr. Nolan from AON opposes the vacation. He said his company owns six acres and is looking into doing something with the property. They are not sure what yet. A pipeline company is now leasing the property to store equipment. There are ten more months on the lease. Mrs. Bickmeier said she is not opposed to AON putting an access road in as long as a wall was put in by her driveway. Mr. Thomas recommended only vacating Hall Alley for now and if needed they can come back and vacate Summit Street later. All parties were in agreement. Mr. Bennett will amend his report to vacate only Hall Alley.

**REPORT OF COUNTY ENGINEER
OHIO REV. CODE, SEC. 5553.06
ROAD IMP # 1137
DATE: April 20, 2016**

**IN THE MATTER OF
THE VACATION OF RICHLAND TOWNSHIP
SUMMIT ST. AND HALL ALLEY
SECTION 33 TWP. 7 RG. 4 / CAB. B SLIDE 51**

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

The undersigned, in obedience to your order, dated **April 20th, 2016**, proceeded on the **April 21 2016** to make an accurate survey and plat of the Public Road proposed to be improved and respectfully submits the following report:

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

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

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

See attached plat

The undersigned recommends the following changes in the proposed improvement which in his judgment should be made in the event the proposed improvement is granted.

That Hall Alley should be vacated and that Summit Street should not be vacated.

Fred F. Bennett /s/

Fred. F. Bennett; P.E. , P.S.

COUNTY ENGINEER OF BELMONT CO, OH

**IN THE MATTER OF GRANTING THE VACATION
OF HALL ALLEY
RICHLAND TWP. SEC. 33, T-7, R-4/RD. IMP. 1137**

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

**RESOLUTION-GRANTING PROPOSED IMPROVEMENT
ORDERING RECORD, ETC.
Rd. Imp. #1137**

The Board of County Commissioners of Belmont County, Ohio, met in regular session on the 27th day of April 2016 in the office of the Commissioners with the following members present:

Mrs. Favede

Mr. Coffland

Mr. Thomas

Mrs. Favede moved the adoption of the following Resolution subject to County Engineer’s amended report:

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

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

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

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

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

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

April 27, 2016

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

Adopted the 27th day of April, 2016

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

9:40 Road Improvement Hearing 1136

Present: Engineer Fred Bennett, Deputy Engineer Terry Lively, Will Eddy, Engineer's office, Robert DeFrank, Times Leader and Mr. Larry Apicella, property owner. Mr. Eddy said the vacation is on top of Maynard Hill. The roads and alleys were platted, but never put in. It is mostly woodlands and steep hillside. A right-of way was left for the other owner, who was not present at the viewing. Present at the viewing was Mr. Eddy, Commissioner Coffland, Mr. Lively, Mr. Apicella and Mr. Richard Yudasz. There is no opposition to the vacation.

**REPORT OF COUNTY ENGINEER
OHIO REV. CODE, SEC. 5553.06
ROAD IMP # 1136**

IN THE MATTER OF:

DATE: April 20, 2016

**The Vacation of Colerain Township
Roads and Alleys of Fathermac Plat
Section 31 Twp. 6 Rg. 3 / Cab. B Slide 219**

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

The undersigned, in obedience to your order, dated **April 20th, 2016**, proceeded on the **April 21 2016** to make an accurate survey and plat of the Public Road proposed to be improved and respectfully submits the following report:

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

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

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

The undersigned recommends the following changes in the proposed improvement which in his judgment should be made in the event the proposed improvement is granted.

Fred F. Bennett /s/

**Fred. F. Bennett; P.E. , P.S.
COUNTY ENGINEER OF BELMONT CO, OH**

**IN THE MATTER OF GRANTING THE VACATION
OF VARIOUS STREETS AND ALLEYS IN THE
FATHERMAC ADDITION
COLERAIN TWP. SEC. 31, T-7, R-3/RD. IMP. 1136**

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

**RESOLUTION-GRANTING PROPOSED IMPROVEMENT
ORDERING RECORD, ETC.
Rd. Imp. #1136**

The Board of County Commissioners of Belmont County, Ohio, met in regular session on the 27th day of April 2016 in the office of the Commissioners with the following members present:

<u>Mrs. Favede</u>
<u>Mr. Coffland</u>
<u>Mr. Thomas</u>

Mrs. Favede moved the adoption of the following Resolution:

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

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

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

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

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

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

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

Adopted the 27th day of April, 2016

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

BREAK

**IN THE MATTER OF QUARTERLY TOURISM REPORT
FOR JANUARY, FEBRUARY, MARCH, 2016**

10:00 Doc Householder, Tourism Executive Director

Re: Quarterly Tourism Report

Doc provided his report for January, February and March, 2016. He said Tourism is working with a new marketing firm and they are doing great things to promote Belmont County. Doc distributed visitor guides to local hotels and attractions. They have been working very hard to promote attractions and events in Belmont County.

April 27, 2016

**IN THE MATTER OF ENTERING
EXECUTIVE SESSION AT 10:15 A.M.**

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

Upon roll call the vote was as follows:

Mrs. Favede	Yes
Mr. Coffland	Yes
Mr. Thomas	Yes

**IN THE MATTER OF ADJOURNING
EXECUTIVE SESSION AT 11:22 A.M.**

Motion made by Mrs. Favede, seconded by Mr. Coffland to exit executive session at 11:22 a.m.

Upon roll call the vote was as follows:

Mrs. Favede	Yes
Mr. Coffland	Yes
Mr. Thomas	Yes

AS A RESULT OF EXECUTIVE SESSION - NO ACTION TAKEN

**IN THE MATTER OF ADJOURNING
COMMISSIONERS MEETING AT 11:23 A.M.**

Motion made by Mr. Coffland, seconded by Mr. Thomas to adjourn the meeting at 11:23 a.m.

Upon roll call the vote was as follows:

Mr. Coffland	Yes
Mr. Thomas	Yes
Mrs. Favede	Yes

Read, approved and signed this 4th day of May, 2016.

Ginny Favede /s/_____

Matt Coffland /s/_____ COUNTY COMMISSIONERS

Mark A. Thomas /s/_____

We, Ginny Favede 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.

Ginny Favede /s/_____ PRESIDENT

Jayne Long /s/_____ CLERK