

St. Clairsville, Ohio

December 20, 2011

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. Coffland, seconded by Mrs. Favede, 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-BP	Gasoline-Coroner/General Fund	153.97
A & S-David Yonak	Guardian Ad Litem Fees/General & Common Pleas Ct. Gen. Sp. Proj.	1,715.00
A-The Times-Leader	Advertising Fees/General Fund	6,216.44
B-BP Products North America	Gasoline/Dog Kennel Fund	439.66
P-Eastern Ohio Regional Wastewater Authority	Sewage disposal/BCSSD Funds	56,355.25
P-Fei-Midwest Waterworks	Materials/BCSSD Funds	550.00
P-Fei-Midwest Waterworks	Materials/BCSSD Funds	1,098.14
P-Northern Panhandle Pipe	Materials/BCSSD Funds	273.00
P-Northern Panhandle Pipe	Materials/BCSSD Funds	150.00
P-Southeastern Equipment Co., Inc.	Materials/BCSSD Funds	50.00
P-Technical Learning College	Services/WW System #3 Revenue Fund	100.00
P-Treasurer State of Ohio	Services/WWS#2 Revenue Fund	1,551.36
P-WW System #3	Purchased water/WWS #2 Revenue Fund	38,169.87
S-Beth A. Andes, MS, PCC	Contracted counselor/District Detention Home Fund	1,540.00
S-Vavra Law Office	Guardian Ad Litem Fees/Common Pleas Ct. Gen. Special Projects	852.00
W-Ohio Attorney General	Crime Victims Compensation/Victim Assistance	80.00
Y-Health Plan, PPO	January Premium, Insurance	331024.45

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

Motion made by Mr. Coffland, seconded by Mrs. Favede to approve the Recapitulation of Vouchers dated for December 20, 2011 as follow:

<b>FUND</b>	<b>AMOUNT</b>
A-GENERAL	\$
H-Job & Family, Flood Grant	\$1,329.00
H-Job & Family, Public Assistance	\$1,274.72
H-Job & Family, WIA	\$27,450.94; \$165,633.31
M-Juvenile Ct. – Title IV-E Reimb.	\$171.50
P-Sanitary Sewer District	\$4,508.43; \$693.68
S-Job & Family, Senior Program	\$11,876.68
S-Juvenile Ct. Computer Fund	\$73.95
S-Juvenile Ct. General Special Projects Fund	\$646.84

Upon roll call the vote was as follows:

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

**IN THE MATTER OF TRANSFER**  
**WITHIN GENERAL FUND**

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

<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
E-0051-A001-A17.000 Memorial Day Exp	E-0051-A001-A25.003 PERS	\$1819.48
	E-0051-A001-A27.007 Unemp	\$ 680.52
E-0051-A001-A28.000 Other Exp	E-0051-A001-A27.007 Unemp	\$ 929.48

Upon roll call the vote was as follows:

Ms. Favede	Yes
Mr. Coffland	Yes
Mr. Probst	Yes

**IN THE MATTER OF TRANSFERS WITHIN FUND FOR**  
**THE GENERAL FUND/COMMON PLEAS COURT**

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

<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
E-0061-A002-B07.000 Juror Fees	E-0060-A002-B01.001 Salary-Official	\$ 100.00
E-0061-A002-B07.000 Juror Fees	E-0061-A002-B02.002 Salaries-Employees	2,700.00
E-0061-A002-B07.000 Juror Fees	E-0061-A002-B12.000 Other Expenses	1,500.00
E-0061-A002-B07.000 Juror Fees	E-0061-A002-B11.000 Travel	500.00

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 COUNTY GENERAL FUND/BOARD OF ELECTION**

Motion made by Mr. Coffland, seconded by Mr. Probst to approve the following transfer within the Belmont County General Fund for the Board of Elections.

<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
E-0181-A003-A11.000 Other Expenses	E-0180-A003-A01.001 Salary Brd Members	\$8.00

Upon roll call the vote was as follows:

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

**IN THE MATTER OF TRANSFERS WITHIN FUND FOR THE GENERAL FUND/911**

Motion made by Mrs. Favede, seconded by Mr. Coffland to approve the following transfers within fund for the General Fund.

<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
<b>911</b>	<b>911</b>	
E-0056-A006-E01.002 Salaries-Employees	E-0056-A006-E08.003 P.E.R.S.	\$ 1,040.20
E-0056-A006-E10.005 Medicare	E-0056-A006-E08.003 P.E.R.S.	<u>233.70</u>
<b>TOTAL</b>		<b>\$ 1,273.90</b>

*\*Note: Money moved to cover P.E.R.S. expenses.*

Upon roll call the vote was as follows:

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

**IN THE MATTER OF TRANSFERS WITHIN FUND FOR THE GENERAL FUND/911**

Motion made by Mrs. Favede, seconded by Mr. Coffland to approve the following transfers within fund for the General Fund.

<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
<b>911</b>	<b>911</b>	
E-0056-A006-E02.010 Supplies	E-0056-A006-E13.012 Equipment	\$12,225.61
E-0056-A006-E04.011 Contract Services	E-0056-A006-E13.012 Equipment	50,857.68
E-0056-A006-E05.000 Contract Repairs	E-0056-A006-E13.012 Equipment	16,256.21
E-0056-A006-E06.000 Travel	E-0056-A006-E13.012 Equipment	694.34
E-0056-A006-E07.000 Other Expenses	E-0056-A006-E13.012 Equipment	<u>3,217.20</u>
<b>TOTAL</b>		<b>\$83,251.04</b>

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 GENERAL FUND/SHERIFF**

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

<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
E-0131-A006-A04.002 Salaries – Road	E-0131-A006-A02.002 Salaries – Admin.	\$ 996.87

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 BCDJFS PUBLIC ASSISTANCE FUND**

Motion made by Mr. Probst, seconded by Mrs. Favede to approve the following transfer within fund for the BCDJFS Public Assistance Fund.

<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
E-2510-H000-H17.000 Other Expenses	E-2510-H000-H16.006 Hospitalization	\$ 5,000.00

Upon roll call the vote was as follows:

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

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

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

<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
<b>WWS #3</b>	<b>WWS #3</b>	
E-3702-P005-P17.002 Salaries	E-3702-P005-P31.000 OE Oper	12,100.00
<b>SSD #2</b>	<b>SSD #2</b>	
E-3705-P053-P07.011 Services	E-3705-P053-P01.002 Salaries	15,000.00
E-3705-P053-P07.011 Services	E-3705-P053-P15.000 OE Oper	4,300.00

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 COMM-BASED CORRECTIONS ACT GRANT FUND**

Motion made by Mr. Probst, seconded by Mr. Coffland to approve the following transfer within fund for the Comm-Based Corrections Act Grant Fund.

<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
E-1520-S077-S01.002 Salaries	E-1520-S077-S04.006 Hospitalization	\$ 2,084.72

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 EASTERN COURT GENERAL SPECIAL PROJECTS FUND**

Motion made by Mr. Probst, seconded by Mrs. Favede to approve the following transfer within fund for the Eastern Court General Special Projects Fund.

<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
E-1571-S087-S08.000 Equipment	E-1571-S087-S03.006 Hospitalization	\$ 1,200.00

Upon roll call the vote was as follows:

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

**IN THE MATTER OF TRANSFER WITHIN FUND FOR THE  
WESTERN COURT SPECIAL PROJECTS FUND S088**

Motion made by Mr. Coffland, seconded by Mr. Probst to approve the following transfer within the Western Division Court Special Projects Fund S088.

<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
E-1551-S088-S08.000 Other Expenses	E-1551-S088-S03.006 Hosp.	\$1,093.77
E-1551-S088-S08.000 Other Expenses	E-1551-S088-S02.003 PERS	728.98

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 PROSECUTOR'S VICTIM ASSISTANCE PROGRAM**

Motion made by Mr. Probst, seconded by Mr. Coffland to approve the following transfer within fund for the Prosecutor's Victim Assistance Program Fund.

<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
E-1511-W080-P07.006 Hospitalization VOCA	E-1511-W080-P02.010 Supplies SVAA	\$ 62.90
E-1511-W080-P07.006 Hospitalization VOCA	E-1511-W080-P03.000 Travel SVAA	<u>17.10</u>
<b>TOTAL</b>		<b>80.00</b>

Upon roll call the vote was as follows:

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

**IN THE MATTER OF TRANSFERS BETWEEN FUNDS/  
BELMONT COUNTY SANITARY SEWER DISTRICT**

Motion made by Mr. Coffland, seconded by Mr. Probst to approve the following transfers between funds from the Water and Sewer Guarantee Deposit Fund to the Revenue Receipt Fund for the month of December, 2011.

<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
E-3711-T010-T04.074 WSGDF Transfer Out	R-3701-P003-P15.574 WWS#2 01004003 Transfers In	130.90
E-3711-T010-T04.074 WSGDF Transfer Out	R-3702-P005-P15.574 WWS#3 02004003 Transfers In	264.91
E-3711-T010-T04.074 WSGDF Transfer Out	R-3704-P051-P08.574 SSD#1 03004003 Transfers In	87.53
E-3711-T010-T04.074 WSGDF Transfer Out	R-3706-P055-P08.574 SSD#3A 06004003 Transfers In	<u>49.25</u>
<b>TOTAL</b>		<b>532.59</b>

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADDITIONAL APPROPRIATION  
FOR THE SOIL CONSERVATION FUND**

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 December 20, 2011.

E-1810-L001-L01.002	Salaries	\$ 1,420.00
E-1810-L001-L01.002	Salaries	\$ 7,479.00

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADDITIONAL APPROPRIATIONS  
FOR THE BEL-HARRISON JUVENILE DISTRICT  
DETENTION HOME-SARGUS 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 December 20, 2011.

**Bel-Harrison Juvenile District  
Detention Home-Sargus Fund S033**

E-0910-S033-S33.002	Salaries	39,335.97
E-0910-S033-S44.003	OPERS/STRS	4,750.00
E-0910-S033-S34.010	Supplies	3,983.00
E-0910-S033-S36.012	Equipment	885.00
E-0910-S033-S35.000	Materials	499.00
E-0910-S033-S40.000	Medical	1,000.00
E-0910-S033-S37.000	Contract Repairs	1,000.00
E-0910-S033-S39.000	Food Service Expenses	2,456.00
E-0910-S033-S61.000	Food Service Expenses/GS	3,384.00
E-0910-S033-S62.000	Materials/GS	75.00
E-0910-S033-S63.012	Equipment/GS	268.00
E-0910-S033-S64.000	Contract Repairs/GS	187.00
E-0910-S033-S67.000	Travel & Training/GS	17.00
E-0910-S033-S69.000	Activities/GS	<u>1,080.00</u>
<b>TOTAL</b>		<b>58,919.97</b>

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 MARRIAGE LICENSE 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 December 20, 2011.

E-9711-W050-W03.000	Marriage License	\$ 4,710.50
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Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADDITIONAL APPROPRIATIONS  
FOR THE BELMONT COUNTY PROSECUTOR'S OFFICE  
VICTIM-WITNESS ASSISTANCE PROGRAM FUND**

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 December 20, 2011.

E-1511-W080-P01.002	Salaries	\$ 4,124.54
E-1511-W080-P05.003	PERS	1,100.00
E-1511-W080-P07.006	Hospitalization	1,775.46

Upon roll call the vote was as follows:

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

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

Motion made by Mr. Coffland, seconded by Mr. Probst to request the Belmont Co. Budget Commission certify the following monies.

**Marriage License Fund - \$4,710.50**

Upon roll call the vote was as follows:

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

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

Motion made by Mr. Coffland, seconded by Mrs. Favede to approve the minutes of the Belmont County Board of Commissioners regular meetings of November 9, 2011.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF APPROVING A PAY  
INCREASE FOR NICOLE STEWART/  
COMMISSIONERS' EMPLOYEE**

Motion made by Mr. Coffland, seconded by Mrs. Favede to approve a \$.50 per hour pay increase for commissioners' employee Nicole Stewart, Office Assistant I and Fair Housing Coordinator, effective pay period ending December 31, 2011, based upon the successful completion of her probationary period.

Upon roll call the vote was as follows:

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

*Note: Commissioner Probst arrived.*

**IN THE MATTER OF REAPPOINTING COMMISSIONER  
GINNY FAVEDE AS THE DESIGNATED REPRESENTATIVE  
ON THE JEFFERSON/BELMONT JOINT SOLID WASTE AUTHORITY**

Motion made by Mr. Coffland, seconded by Mr. Probst to reappoint Commissioner Ginny Favede as the Commissioners designated representative on the Jefferson/Belmont Joint Solid Waste Authority Board for a one-year term commencing January 1, 2012.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF APPROVING AND SIGNING LETTER OF  
COMMITMENT TO CHIRON PARTNERS, LLC/REVOLVING LOAN FUND**

Motion made by Mr. Coffland, seconded by Mrs. Favede to approve and sign the letter of commitment to Chiron Partners, LLC, approving a loan in the amount of \$100,000.00 from the local Revolving Loan Fund for the purpose of acquiring real estate for construction of a Surgery Center in Bridgeport, Ohio.

December 20, 2011

Chiron Partners, LLC

76 Sixteenth Street

Wheeling, WV 26003

ATTENTION: Lori Payne, Managing Member

Re: Belmont County Commissioners & Chiron Transaction

Dear Ms. Payne:

The Belmont County Commissioners of Belmont County, Ohio (Commissioners) have approved a loan ("Loan") from this Revolving Loan Fund based upon and for the purposes set forth in your loan application ("Loan Application") dated October 20, 2011 and subject to the following terms and conditions:

Borrower: Chiron Partners, LLC  
Amount: \$100,000.00  
Interest Rate: 4.0 Percent (4% per annum simple interest)  
Professional Fees: The Borrower agrees to pay all reasonable costs, fees, expenses, and legal fees expended by Commissioners or its legal counsel in connection with the preparation and documentation of the Loan and the Borrower shall pay the same whether or not the Loan is closed.  
Repayment: Ten (10) year term as follows:  
Schedule: One Hundred Twenty (120) monthly installments of principal and interest to be paid in consecutive, equal monthly payments in the amount of \$1,012.45.  
Late Penalty: A penalty of five percent (5%) of the monthly payment will be assessed for payments ten (10) or more days past due. If the loan becomes ninety (90) days or three (3) payments or more past due, Commissioners reserves the right to increase the interest rate to 9.5%  
Use of Proceeds: In accordance with the Loan Application, Borrower shall use Loan proceeds for the acquisition of real estate located at 68 State Route 7, Bridgeport, Ohio, for the construction of a new facility.  
Security: Shared second mortgage on real estate located at 68 State Route 7, Bridgeport, Ohio (shared 2<sup>nd</sup> with OMEGA);  
Guarantors: Lori B. Payne  
Leslie P. DeFelice  
Kim Steven Wiley  
Financing Verification: Verification from PNC Bank N.A. that loan funds to Borrower in the amount of \$1,600,000.00 will be available at Closing and such amounts is the maximum amount Borrower qualifies for. Verification for Ohio Mid-Eastern Government Association (OMEGA) that loan funds to Borrower in the amount of \$100,000.00 will be available at Closing.  
Equity Contribution: Borrower will contribute \$200,000.00 (non-project assets) toward the funded project and will provide verification of such.  
Corporate Authority: If the Borrower is a corporation, certain certifications of corporate standing and authority will be required by Commissioners.  
Job Creation/Retention: Evidence satisfactory to Commissions that the funded project will cause the creation of four (4) full-time equivalent (FTE) employees within twelve (12) months of the Closing and Borrower agrees to maintain those positions over the life of the loan.  
Non-Assignable: This Loan Commitment may not be assigned by the Borrower to any other individual entity.  
Financial Filings: As a condition of the Loan, Borrower will be required to submit annual financial statements including federal tax returns to Commissioners and other financial information as reasonably requested by Commissioners. Co-Maker(s) will be required to submit federal tax returns annually to Commissioners as well as updated personal financial statements as requested.  
Cooperation: BORROWER and each Co-Maker shall promptly execute and deliver to LENDER and to any subsequent successors or assigns, from time to time, upon demand, any further instruments or documents as LENDER may reasonably request in order to consummate the transaction contemplated by this Agreement and shall cause to furnish LENDER with all financial and other data, information and materials provided by BORROWER to PNC Bank N.A. from time to time and at anytime.  
Opinion of Counsel: Commissioners reserves the right to acquire a legal opinion from Borrowers' counsel in the event that Borrower's business structure or the nature of the project warrants such opinion.  
Insurance/Other: **Documentation required Prior to Scheduling of Loan Closing:**  
Borrower agrees to submit the following items to the Commissioners' office:  
(a) Verification of business structure;  
(b) Articles of Organization;  
(c) Verification of equity contribution of no less than \$200,000.00  
(d) Legal description of property located at 68 State Route 7, Bridgeport, Ohio.  
(e) Corporation resolutions designating person(s) authorized to sign loan closing documents and allowing company to enter into loan agreement with OMEGA and Belmont County Community Improvement Corporation;  
(f) Evidence of insurances on real estate listing OMEGA and Commissioners as Second Mortgagee.  
(g) Verification of loan commitment from OMEGA.  
Environmentals: An environmental audit of all mortgaged commercial property satisfactory to Commissioners may be required, where applicable.  
Warranties of Borrowers(s): Borrower(s) will be required to warrant, among other things, that all financial information submitted with the Loan Application is true and correct and that all Loan proceeds will be used as set forth in the Loan Application.

- Voiding of Commitment: Commissioners may void the Loan Commitment, if:
- 1) the Borrower commits an act of bankruptcy;
  - 2) a proceeding is commenced by or against the Borrower under the bankruptcy or insolvency law;
  - 3) there is any material adverse change in the Borrower’s financial condition; or
  - 4) Borrower defaults on any obligation to any other creditor.

- Additional Conditions:
- 1) Borrower must comply with all required terms of the Revolving Loan Fund Program (i.e. , job creation);
  - 2) All other terms and conditions reasonably required by Commissioners and set forth in commissioners’ proposed Loan Agreement and related documents;
  - 3) The following: this offer is contingent upon PNC Bank N.A. and OMEGA participation and clearance from local, state and federal agencies.

This commitment is issued in reliance on, and the validity and binding effect of this commitment shall be subject to the accuracy of all information, representations, schedules, and other materials or data submitted by the Borrower on the Borrower’s financial standing and the financial standing of the principals of the Borrower as set forth in the financial statements and other information submitted by the Borrower to Commissioners and in reliance on the Borrower’s statements as to the value of the Collateral and its intended useage, all of which is deemed material. Any misrepresentation of a material fact, whether intentional or otherwise, made prior to issuance of this commitment or any change of any material fact after the issuance hereof shall, at Commissioners sole option, Commissioners render this commitment void without further notice to the Borrower. In such event, Commissioners, at its sole option, may elect not to close the Loan.

The terms of this agreement shall be governed by the laws of the State of Ohio.

This commitment letter does not contain all of the terms and provisions which may be included in the final loan documents.

The commitment as outlined above is contingent upon final Appalachian Regional Commission (ARC) and release of funds to Commissioners as well as approval by all other state and federal agencies (i.e., Ohio Historic Preservation Office, EPA, GOA, etc.)

This commitment letter sets forth the entire agreement between Borrower and the Commissioners, and supersedes any and all statements, agreements or representations whether oral or written, made by Commissioners or anyone acting on behalf of Commissioners. Any modification or waiver of any provision of this commitment must be in writing and signed by the Borrower(s) and Commissioners.

This offering for financing shall expire February 29, 2012 with the Commissioners loan closing to occur no later than Feb. 29, 2012; otherwise, this offer will be null and void.

Sincerely,

Belmont County Commissioners

Charles R. Probst, Jr. /s/

Charles R. Probst, Jr.

Ginny Favede /s/

Ginny Favede

Matt Coffland /s/

Matt Coffland

Upon roll call the vote was as follows:

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

**OPEN PUBLIC FORUM** – Richard Hord asked the board to state what they consider to be their most significant achievement for 2011. Mr. Coffland responded that unemployment was down in the county; a lot is going on with the oil and gas industry; and Belmont County is moving in the right direction.

Scott Steele of XTO Energy introduced himself as a representative of an oil and gas company interested in county property. Mr. Coffland advised that an ad is being placed tomorrow regarding those businesses interested in submitting a proposal regarding leasing county property. Mr. Coffland stated the county will be looking at all options.

Port Authority Director Larry Merry thanked the Commissioners, their staff and the Maintenance Department for his office. He said the Open House held last night (at Annex III) was a great event. The staff was important in this and he said the Maintenance Department should get a great big pat on the back for all the work they performed. He stated it is a place to be proud of. Mrs. Favede said it was very comforting to have the former members of the church and their families come through last night and having them so pleased to see their former church being utilized. They also said they were thrilled as taxpayers to see their money being utilized appropriately.

**IN THE MATTER OF FINAL PLAT APPROVAL  
FOR TINMAR SUBDIVISION 2  
RICHLAND TOWNSHIP, SEC. 16, T-7, R-5**

**“Hearing Had-10:30 A.M.”**

Present for the hearing were Ruth Graham, Engineer’s Drafting Technician. She reported in this subdivision they are dedicating Tinmar Drive to Richland Township and putting Lot #6 into place. As far as the roadway, Ruth is going to talk to the developer, Mike Derosa, about getting his stop sign and township road sign. ODOT is the department to talk to about the stop sign and they will provide a Township Road Number. This has the approval of the Township Trustees and the County Engineer.

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

Motion made by Mr. Coffland to grant the final plat for the following:

**RESOLUTION**

**WHEREAS**, this day there was presented to the Board for approval the Final Plat for Tinmar Subdivision 2, Richland Township, Section 16, T-7, R-4, which appears to be regular in form and approved by the proper parties;

**THEREFORE**, said plat is hereby approved, upon recommendation of the County Engineer and with concurrence of the Township Trustees.

Mr. Probst seconded the motion and upon roll call the vote was as follows:

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

**IN THE MATTER OF FINAL PLAT APPROVAL FOR  
HIDDEN SPRINGS FIFTH ADDITION  
RICHLAND TOWNSHIP SEC 18, T-7, R-4**

**“Hearing Had-10:45 A.M.”**

Present for the hearing were Ruth Graham, Engineer’s Drafting Technician, and Developer Gary Mallett. He is putting in a private roadway, called Magnolia Lane, and Lots 56-61. Ruth said he has Health Department approval for the septic systems and at a future date they will be turning the road over. Right now he is just going with a private road. This has Township Trustee and County Engineer approval.

**“FINAL PLAT APPROVAL”**

**O.R.C. 711.05**

Motion made by Mr. Coffland to grant the final plat for the following:

**RESOLUTION**

**WHEREAS**, this day there was presented to the Board for approval the Final Plat for Hidden Springs Third Addition, Richland Township, Sec. 18, T-7, R-4, which appears to be regular in form and approved by the proper parties;

**THEREFORE**, said plat is hereby approved, upon recommendation of the County Engineer and with concurrence of the Township Trustees.

Mr. Probst seconded the motion and upon roll call the vote was as follows:

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

**BREAK** (Meeting will be held open in the event there are late bills turned in and since meeting was held a day early due to the holiday.)

**RECONVENED TUESDAY, DECEMBER 27, 2011-No further action to be taken.**

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

**ABSENT: COMMISSIONER GINNY FAVEDE**

**IN THE MATTER OF ADJOURNING  
COMMISSIONERS MEETING AT 11:10 A.M.**

Motion made by Mr. Coffland, seconded by Mr. Probst to adjourn the meeting at 11:10 a.m.

Upon roll call the vote was as follows:

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

Read, approved and signed this 28th day of December, 2011.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ COUNTY COMMISSIONERS

We, Matt Coffland 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