

St. Clairsville, Ohio

July 25, 2012

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

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-Speedway SuperAmerica	Gasoline-Common Pleas	262.49
C-John A. Vavra	Attorney Fees/Indigent Guardianship Fund	300.00
C-Pure Water Finance	Water/Mediation Fund/Probate Court	79.95
E-Don Nippert	Sublease for Tower Site/911 Fund	450.00
K-Lash Paving, Inc.	Eng. Project 12-3/Engineer MVGT Funds	48,792.00
N-Fields Excavation, Inc.	Projects/Neffs Sanitary Sewer Project Fund	67,709.42
N-Tri-Son Concret	Concrete/Bridge & Retaining Wall Constr. Improv. Fund	2,826.00
P-American Electric Power	Services/SSD#2 Revenue Fund	1,469.21
P-American Electric Power	Services/WWS#3 Revenue Fund	3,545.78
P-American Electric Power	Services/BCSSD Funds	1,953.06
P-American Electric Power	Services/WWS#2 Revenue Funds	19.24
P-American Electric Power	Services/WWS#3 Revenue Funds	37,276.89
P-Belco Crafts, Inc.	Services/BCSSD Funds	902.00
P-Cintas Corp.	Supplies/BCSSD Funds	55.99
P-Columbia Gas of Ohio	Utilities/Oakview Admn. Bldg.	173.26
P-Postmaster	Postage/BCSSD Funds	900.00
P-South Central Power Co.	Services/BCSSD Funds	6,349.67
P-South Central Power Co.	Services/WWS#3 Revenue Funds	7,754.46
P-Univar USA, Inc.	Materials/WWS #3 Revenue Fund	3,745.60
P-W.W. System #3	Purchased water/WWS#2 Revenue Fund	62,643.58
P-Zep Manufacturing Co.	Supplies/BCSSD Funds	170.68
S-Cardmember Service	Supplies/Oakview Juvenile Residential Center Fund	655.43
S-Pilney, Costine & Foster Ins. Agency, Inc.	Bond for Human Resource Adm./District Detention Home Fund	100.00
S-PNC Bank	Meals & Activities/District Detention Home Fund	248.61
S-Professional Service Industries, Inc.	Asbestos Abatement/Belmont Co. Senior Program Fund	305.50
S-Walmart Community/GEGRB	Food & supplies/Oakview Juvenile Residential Center Fund	352.58

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 July 25, 2012 as follow:

FUND	AMOUNT
A-GENERAL	\$38,673.02
A-GENERAL/AUDITOR	\$979.20
A-GENERAL/JUVENILE COURT	\$800.28
A-GENERAL/RECORDER	\$176.01
A-GENERAL/SHERIFF	\$3,701.27
A-GENERAL/911	\$430.78
B-Dog Kennel	\$2,361.50
H-Job & Family, CSEA	\$75,747.21
H-Job & Family, Public Assistance	\$30,943.38
H-Job & Family, WIA	\$37,101.89; \$6,288.82
J-Real Estate Assessment	\$23,397.32
K-Engineer MVGT	\$30,763.04; \$1,781.89
M-Juvenile Ct. – CCAP Fund	\$9.16
M-Juvenile Ct. – Care & Custody	\$1,452.04
M-Juvenile Ct. – Intake Coordinator	\$322.20
M-Juvenile Ct. – Placement II	\$646.56
M-Juvenile Ct. – Title IV-E Reimb.	\$2,056.03
P-Sanitary Sewer District	\$9,348.78; \$6,158.43; \$1,409.67; \$12,554.73; \$1,088.12; \$3,322.11; \$427.50; \$2,553.30; \$7,307.16
S-District Detention Home	\$9,306.43
S-Job & Family, Children Services	\$188,498.35; \$75,301.50; \$3,181.14
S-Job & Family, Senior Program	\$6,319.15; \$5,369.26
S-Juvenile Ct. General Special Projects	\$212.75
S-Oakview Juvenile Residential Center	\$230.70
S-Port Authority	\$3,225.49
S-Sheriff Commissary	\$5,853.45
T-Sanitary Sewer District	\$87.88
W-Law Library	\$1,032.91
W-Victim Assistance-Prosecutor	\$175.11

Upon roll call the vote was as follows:

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

**IN THE MATTER OF Y-95 EMPLOYER'S SHARE PERS/
HOLDING ACCOUNT CHARGEBACK FOR JUNE, 2012**

Motion made by Mr. Probst seconded by Mr. Coffland to make the following transfer of funds for the Y-95 Employer's Share PERS/Holding Account for the month of June, 2012.

Gross Wages P/E 06/02/12 to 06/30/12

GENERAL FUND

AUDITOR	E-0011-A001-B09.003	R-9895-Y095-Y01.500	8,264.83
AUD EMPL-PERS PROP	E-0012-A001-B14.003	R-9895-Y095-Y01.500	623.28
AUD EMPL-REAL PROP	E-0013-A001-B18.003	R-9895-Y095-Y01.500	623.28
CLERK OF COURTS	E-0021-A002-E09.003	R-9895-Y095-Y01.500	3,509.42
CO. CT. EMPL	E-0040-A002-G08.003	R-9895-Y095-Y01.500	5,979.44
COMMISSIONERS	E-0051-A001-A25.003	R-9895-Y095-Y01.500	6,736.06
NURSES-JAIL	E-0052-A001-A91.003	R-9895-Y095-Y01.500	1,889.66
COMM-DIS SERV	E-0054-A006-F05.003	R-9895-Y095-Y01.500	959.64
COMM-MAINT & OP	E-0055-A004-B16.003	R-9895-Y095-Y01.500	6,448.55
9-1-1 DEPT	E-0056-A006-E08.003	R-9895-Y095-Y01.500	9,824.57
COMM PLEAS CT EMPL	E-0061-A002-B14.003	R-9895-Y095-Y01.500	6,704.71
MAGISTRATE	E-0063-A002-B28.003	R-9895-Y095-Y01.500	1,937.39
ENGINEERS EMPL	E-0070-A012-A08.003	R-9895-Y095-Y01.500	1,792.81
PROBATE CT EMPL	E-0081-A002-D10.003	R-9895-Y095-Y01.500	2,610.21
PROBATE CT JUV EMPL	E-0082-A002-C36.003	R-9895-Y095-Y01.500	9,812.66
PROSECUTING ATTNY	E-0111-A001-E09.003	R-9895-Y095-Y01.500	8,845.77
RECORDER	E-0121-A006-B09.003	R-9895-Y095-Y01.500	5,731.75
SHERIFF EMP (PERS)	E-0131-A006-A13.003	R-9895-Y095-Y01.500	5,853.65
TREASURER	E-0141-A001-C09.003	R-9895-Y095-Y01.500	3,704.07
CORONER	E-0151-A002-F07.003	R-9895-Y095-Y01.500	1,207.41
SOLDIER'S RELIEF	E-0160-A009-D07.003	R-9895-Y095-Y01.500	3,596.67
PUBLIC DEFENDER	E-0170-A006-G09.003	R-9895-Y095-Y01.500	2,738.97
BD OF ELECT/EMPLY	E-0181-A003-A09.003	R-9895-Y095-Y01.500	4,209.75
BUDGET COMM	E-0210-A001-F02.003	R-9895-Y095-Y01.500	37.31
T. B. SAN	E-0300-A008-B10.003	R-9895-Y095-Y01.500	<u>784.72</u>
			104,426.58
DOG & KENNEL	E-1600-B000-B08.003	R-9895-Y095-Y01.500	1,136.02
COUNTY HEALTH	E-2210-E001-E10.003	R-9895-Y095-Y01.500	1,135.29
Home Sewage Treatment Sys	E-2227-F074-F06.000	R-9895-Y095-Y01.500	347.00
Vital Statistics	E-2213-F075-F02.003	R-9895-Y095-Y01.500	670.00
Public Health Infrastructure	E-2214-F076-F01.002	R-9895-Y095-Y01.500	
Family Planning	E-2215-F077-F01.002	R-9895-Y095-Y01.500	2,749.26
Tobacco Program	E-2216-F078-F02.002	R-9895-Y095-Y01.500	279.00
CDC Lead	E-2228-F080-F01.002	R-9895-Y095-Y01.500	653.00
PREP	E-2230-F082-F01.002	R-9895-Y095-Y01.500	423.00
PHEP	E-2231-F083-F01.002	R-9895-Y095-Y01.500	1,351.00
Food Service	E-2218-G000-G06.003	R-9895-Y095-Y01.500	1,611.00
HUMAN SERVICES	E-2510-H000-H12.003	R-9895-Y095-Y01.500	77,858.03
FLOOD GRANT-HUMAN SERV	E-2600-H005-H11.000	R-9895-Y095-Y01.500	7,628.87
C.S.E.A.	E-2760-H010-H07.003	R-9895-Y095-Y01.500	8,759.84
R.E. ASSESSMENT	E-1310-J000-J04.003	R-9895-Y095-Y01.500	6,087.18
ENGINEER K-1 & K-2	E-2811-K000-K08.003	R-9895-Y095-Y01.500	5,310.63
ENG EMP-MVGT K-11	E-2812-K000-K21.003	R-9895-Y095-Y01.500	17,048.48
ENG EMP-BRIDGE K-25	E-2813-K000-K34.003	R-9895-Y095-Y01.500	6,677.52
SOIL CONSERVATION	E-1810-L001-L11.003	R-9895-Y095-Y01.500	954.90
Watershed Coordinator	E-1815-L005-L11.003	R-9895-Y095-Y01.500	
Care and Custody-C-Cap	E-0400-M060-M26.003	R-9895-Y095-Y01.500	1,744.89
Care and Custody-Drug Court	E-0400-M060-M72.003	R-9895-Y095-Y01.500	1,213.62
Alternative School	E-0400-M067-M02.003	R-9895-Y095-Y01.500	786.53
Title IV-E	E-0400-M078-M02.008	R-9895-Y095-Y01.500	249.88
Truant Officer	E-0400-M079-M03.003	R-9895-Y095-Y01.500	732.66
WW#2	E-3701-P003-P29.003	R-9895-Y095-Y01.500	2,447.01
WW#3	E-3702-P005-P29.003	R-9895-Y095-Y01.500	13,287.97
SSD#1	E-3704-P051-P13.003	R-9895-Y095-Y01.500	1,060.66
SSD#2	E-3705-P053-P13.003	R-9895-Y095-Y01.500	3,671.35
SSD#3A	E-3706-P055-P13.003	R-9895-Y095-Y01.500	303.48
SSD#3B	E-3707-P056-P13.003	R-9895-Y095-Y01.500	52.30
LEPC	E-1720-P090-P08.003	R-9895-Y095-Y01.500	174.69
Bel Co Port Authority	E-9799-S012-S08.003	R-9895-Y095-Y01.500	1,050.00
OAKVIEW-JUVENILE	E-8010-S030-S66.003	R-9895-Y095-Y01.500	8,886.64

DIST DET HOME	E-0910-S033-S44.003	R-9895-Y095-Y01.500	10,167.60
MENTAL HEALTH	E-2310-S049-S60.003	R-9895-Y095-Y01.500	4,326.38
COMM PLEAS/MEDIATION SRV	E-1544-S054-S02.003	R-9895-Y095-Y01.500	311.50
MENTAL RETARDATION	E-2410-S066-S76.003	R-9895-Y095-Y01.500	32,682.94
Bel Co Senior Programs	E-5005-S070-S02.003	R-9895-Y095-Y01.500	17,184.60
CORRECTIONS ACT GRNT	E-1520-S077-S03.003	R-9895-Y095-Y01.500	1,123.47
CO RECORDER	E-1210-S078-S11.003	R-9895-Y095-Y01.500	764.89
CLRK CRTS-TITLE DEPT	E-6010-S079-S06.003	R-9895-Y095-Y01.500	3,237.09
EASTERN CRT-COMPUTER	E-1570-S084-S11.003	R-9895-Y095-Y01.500	403.20
NORTHRN CRT-SPECIAL	E-1561-S086-S02.003	R-9895-Y095-Y01.500	250.80
EASTERN CRT-SPECIAL	E-1571-S087-S02.003	R-9895-Y095-Y01.500	171.30
WEST CRT-SPECIAL	E-1551-S088-S02.003	R-9895-Y095-Y01.500	822.18
COMMON PLEAS CRT-SPEC	E-1572-S089-S07.003	R-9895-Y095-Y01.500	172.21
WIC PROGRAM	E-4110-T075-T52.008	R-9895-Y095-Y01.500	3,867.77
IAP	E-2223-T077-T01.002	R-9895-Y095-Y01.500	
LAW LIBRARY	E-9720-W020-W03.003	R-9895-Y095-Y01.500	294.00
PROS-VICTIM PROGRAM	E-1511-W080-P05.003	R-9895-Y095-Y01.500	722.13
DRETAC-PROSECUTOR	E-1510-W081-P05.003	R-9895-Y095-Y01.500	787.83
		TOTAL	358,058.17

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADDITIONAL APPROPRIATIONS
FOR THE JUVENILE COURT CARE AND CUSTODY 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 July 25, 2012.

	<u>AMOUNT</u>
Status Offender Solutions	
E-0400-M060-M20.000	\$6,664.05
Workers Comp C-CAP	
E-0400-M060-M28.004	\$3,059.23
Salaries C-CAP	
E-0400-M060-M25.002	\$60,000.00
PERS C-CAP	
E-0400-M060-M26.003	\$12,886.80
Medicare C-CAP	
E-0400-M060-M27.005	\$1,445.54
Insurances C-CAP	
E-0400-M060-M29.008	\$28,609.92
Salaries Substance Abuse	
E-0400-M060-M71.002	\$35,857.27
Workers Comp Substance Abuse	
E-0400-M060-M74.004	\$1,461.52
PERS Substance Abuse	
E-0400-M060-M72.003	\$10,299.70
Medicare Substance Abuse	
E-0400-M060-M73.005	\$544.98
Insurances Substance Abuse	
E-0400-M060-M75.008	\$26,851.92
Other Expenses	
E-0400-M060-M30.000	\$6,000.00
Total Appropriations	\$193,680.43

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADDITIONAL APPROPRIATION
FOR THE NEFFS SANITARY SEWER PROJECT FUND**

Motion made by Mr. Probst, 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 July 25, 2012.

E-9027-N027-N05.055	OPWC Funds	\$ 282,626.49
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Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADDITIONAL APPROPRIATION
FOR THE N041 ISSUE TWO MONIES FUND**

Motion made by Mr. Probst, 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 July 25, 2012.

E-9041-N041-N10.055	Project Payments	\$ 233,389.92
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Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADDITIONAL APPROPRIATIONS
FOR OAKVIEW JUVENILE REHAB S030 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 July 25, 2012.

OAKVIEW JUVENILE REHAB S030

S30

E-8010-S030-S40.000	Grant Holding Account	\$ 0.00
E-8010-S030-S51.002	Salaries	\$ 188,178.25
E-8010-S030-S53.000	Medical	\$ 5,000.00
E-8010-S030-S55.010	Supplies	\$ 2,000.00
E-8010-S030-S56.000	Motor Vehicles	\$ 2,000.00
E-8010-S030-S57.000	Travel & Staff Development	\$ 1,000.00
E-8010-S030-S58.000	Communications	\$ 12,000.00
E-8010-S030-S59.000	Fuel/Utilities	\$ 21,000.00
E-8010-S030-S60.000	Maintenance & Repair	\$ 2,000.00
E-8010-S030-S63.000	General	\$ 250.00
E-8010-S030-S66.003	PERS	\$ 19,000.00
E-8010-S030-S67.004	Workers' Compensation	\$ 5,400.00
E-8010-S030-S68.006	Hospitalization	\$ 36,151.53
E-8010-S030-S69.007	Unemployment Compensation	\$ 1,330.00
E-8010-S030-S70.005	Medicare	\$ 2,000.00
E-8010-S030-S73.000	ACA Accreditation	\$ 6,600.00
E-8010-S030-S72.075	Advances Out	\$ 24,289.07

Total: \$ 328,198.85

Upon roll call the vote was as follows:

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

**IN THE MATTER OF REPAYMENT OF CASH ADVANCE
OF FUNDS FROM THE OAKVIEW JUVENILE RESIDENTIAL CENTER
TO THE GENERAL FUND**

Motion made by Mr. Probst, seconded by Mr. Coffland to approve the following REPAYMENT OF A CASH ADVANCE of funds from the Oakview Juvenile Residential Center to the County General Fund as follows:

FROM	TO	AMOUNT
E-8010-S030-S72.075 Advances Out	R-0040-A000-A48.575 Adv In	\$24,289.07

* Repayment of Cash Advance to Oakview Juvenile Residential Center dated July 18, 2012, that was necessary for OJRD to meet payroll obligations before receipt of their 1st qtr. FY 2013 funds from ODYS.

Upon roll call the vote was as follows:

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

**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 July 25, 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	Absent

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

Motion made by Mr. Probst, seconded by Mr. Coffland to request the Belmont Co. Budget Commission certify the following monies. **GENERAL FUND - \$25,289.07** – Repayment of Cash Advance to Oakview Juvenile Residential Center dated July 18, 2012, that was necessary for OJRD to meet payroll obligations before receipt of their 1st qtr. 2013 funds from ODYS.

Upon roll call the vote was as follows:

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

IN THE MATTER OF GRANTING PERMISSION FOR COUNTY EMPLOYEES TO TRAVEL

Motion made by Mr. Probst, seconded by Mr. Coffland granting permission for county employees to travel as follows:
JUVENILE COURT – Dave Carter and Diane Elerick to travel to Columbus, OH, on July 31, 2012, to attend Drug Court Training at the Supreme Court. A county vehicle will be used.
Jennifer Shunk to travel to Columbus, OH, on September 18-21, 2012, to attend Court Management training through the Ohio Supreme Court.
Upon roll call the vote was as follows:

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

OPEN PUBLIC FORUM – Richard Hord inquired about Election Board funding. Mr. Probst advised that in the past at the beginning of the year the County Auditor certifies so much money for the Commissioners to appropriate to various departments throughout the county. He said for us to hit that certification, (the department requests are always over what the County Auditor gives us to run the county on), we go to each department and we have to make cuts to meet his certification. This year’s certification was \$17.4 million. We had around \$20-\$21 million in requests. The Board of Elections knows every year that we do this so that we can meet the Auditor’s certification. At this time every year, the County Auditor usually does an additional certification so we can meet, for example, the Board of Elections finances for the rest of the year. Usually month to month from September on, we appropriate to the Board of Elections. We cannot appropriate more money than what the County Auditor certifies. Mr. Probst said he’s not sure why this has become an issue this year. Mr. Probst added that he thinks the people of Belmont County ought to look to see how much it costs to run an election. He said we have done studies in the past to see what counties of like size and like registered voters have spent to run an election. Right now it is about \$800,000.00 to run an election in Belmont County. He said we need to come together and streamline and keep economically viable. Mr. Probst said it cost \$250,000 to run an election when he took office. It could come to be a \$1 million operation in a few years to run the Belmont County Board of Elections. Mr. Coffland added that their budget request for 2013 was submitted in the amount of \$900,000.00. Mr. Probst said if people want to criticize us for trying to curb spending he will take that. He added that the board has always had a good relationship with the Board of Elections.

IN THE MATTER OF ENTERING AGREEMENT WITH THE PORT AUTHORITY AUTHORIZING THE CONVEYANCE OF PROPERTY IN WARREN TOWNSHIP TO THE PORT AUTHORITY

Motion made by Mr. Probst, seconded by Mr. Coffland to enter into an agreement with the Belmont County Port Authority authorizing the conveyance of 66.0785 acres of property located in Warren Township to the Belmont County Port Authority for economic development purposes.

AGREEMENT

This Agreement made this 25th day of July, 2012, by and between the Board of County Commissioners of Belmont County, Ohio, (“BOC”) and the Belmont County Port Authority, a body corporate and politic (“Port Authority”).

WITNESSETH

WHEREAS, BOC is the owner of certain real estate consisting of 66.0785 acres located in Warren Township which is not needed for the purposes of the BOC; and

WHEREAS, Port Authority is able to use said real estate for economic development, which is one of the purposes for which said Port Authority was formed; and

WHEREAS, Ohio Revised Code §4582.38 authorizes the legislative authority of any county to convey to a port authority without competitive bidding and on mutually agreeable terms any real property not needed for its purposes to be used by the Port Authority for its purposes;

NOW THEREFORE, in consideration of the payment of \$ 50,000.00 from Port Authority to BOC, and in further consideration of the mutual covenants and conditions set forth herein, the Parties agree as follows:

1. BOC shall transfer to Port Authority pursuant to §4582.38 the real estate described above and more particularly described on Exhibit “A” attached hereto by Limited Warranty Deed.
2. Within 15 days of said conveyance, Port Authority shall pay to BOC the sum of \$50,000.00 as full consideration for said transfer.
3. In the event that Port Authority is not able to transfer said property or utilize it for the purposes of economic development within 6 months from the date of said transfer, Port Authority agrees to transfer said property back to the BOC.

Executed the 25th day of July, 2012.

BELMONT COUNTY COMMISSIONERS

BELMONT COUNTY PORT AUTHORITY

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

By: Larry Merry /s/
Larry Merry, Director
APPROVED AS TO FORM:

Ginny Favede

David K. Liberati /s/ (Assistant)
PROSECUTING ATTORNEY

Matt Coffland /s/
Matt Coffland

Upon roll call the vote was as follows:

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

IN THE MATTER OF SIGNING THE LIMITED WARRANTY DEED CONVEYING PROPERTY IN WARREN TOWNSHIP TO THE BELMONT CO. PORT AUTHORITY

Motion made by Mr. Probst, seconded by Mr. Coffland to approve and sign the Limited Warranty Deed to convey 66.0785 acres of property located in Warren Township to the Belmont County Port Authority.

LIMITED WARRANTY DEED

The County of Belmont, Ohio, a political subdivision of the State of Ohio, by and through the Belmont County Commissioners, for valuable consideration paid, 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:

See Exhibit “A” attached.

Subject to any and all exceptions, reservations, covenants, conditions, easement, rights-of-way and other matters of record.

There is further excepted and reserved unto The County of Belmont, Ohio, a political subdivision of the State of Ohio, its successors and assigns, where and to the extent that Grantor owns and has the rights thereto, all of the oil, gas, and other minerals in and underlying the above-described premises and all of the oil and gas-bearing sands, strata, formations and horizons in which oil, gas and other minerals may be, or may have been found, including coalbed methane gas, together with the exclusive right to extract and produce all of said oil, gas and other

minerals, together with the further right to pool said oil and gas with others, WITHOUT, HOWEVER, the right to enter upon the surface of said premises.

There is further excepted and reserved unto The County of Belmont, Ohio, a political subdivision of the State of Ohio, its successors and assigns, where and to the extent Grantor owns and has rights thereto, all coal of all veins in and underlying the above-described premises, together with the exclusive right to extract all of said coal, WITHOUT, HOWEVER, the right to enter upon the surface of said premises.

Executed this 25th day of July, 2012.

The County of Belmont, Ohio
By: Charles R. Probst, Jr. /s/
Charles R. Probst, Jr., Commissioner
By: _____
Ginny Favede, Commissioner
By: Matt Coffland /s/
Matt Coffland, Commissioner

DESCRIPTION OF 66.0785 ACRES

Situated in the State of Ohio, County of Belmont, Township of Warren, being in the northwest quarter of Section 4, Range 6 West, Township 8 North, of "The Old Seven Ranges Survey", and being bounded and described as follows:

Beginning at a marked stone found at the northwest corner of Section 4 (Note: Reference bearing on the west line of the northwest quarter of Section 4 used as North 04°49'27" West.);

Thence, from said Point of Beginning and running with the north line of Section 4, the following two courses:

1. South 84°58'41" East a distance of 985.16 feet to a 1/2" iron pin found capped "T.W. Taylor 7053" at the southwest corner of a 90.89 acres tract as conveyed to Kevin R. and Mary J. Devine by Official Records Volume 103, Page 713 of the Belmont County Recorder's Office, passing through another 1/2" iron pin found capped "T.W. Taylor 7053" at a distance of plus 445.22 feet;

2. Thence South 85°37'47" East a distance of 890.49 feet to a 5/8" iron pin found capped "Claus 6456" at the northwest corner of a 10.688 acres tract as conveyed to Kevin R. and Mary J. Devine by Deed Volume 682, Page 414 of the Belmont County Recorder's Office; Thence, with the west line of said Devine 10.688 acres tract, the west line of 9.232 acres tract as conveyed to Kevin R. and Mary J. Devine by Deed Volume 688, Page 838, and the west line of a 3.830 acres tract as conveyed to Donald K. and Tonya D. Carpenter by Deed Volume 719, Page 684 of the Belmont County Recorder's Office, South 04°22'19" West a distance of 1,076.36 feet to a point in the centerline of the former B. and O. Railroad, passing through a 5/8" iron pin found capped "Claus 6456" at a distance of plus 329.00 feet and passing through two 1/2" iron pins found capped "Claus 6456" at distances of plus 912.68 feet and plus 1,025.43 feet, respectively;

Thence, with the centerline of said former railroad (as shown on B. and O. Railroad Valuation Plan No. 125.1-12, Sheet No. 39013-001, CSX Realty, Exhibit "A" of December 8, 1989), the following three courses:

1. being with a curve to the left, having a radius of 1,964.42 feet, an arc length of 797.89 feet, a chord bearing of South 71°37'26" West a chord distance of 792.42 feet to a point at C.T. Station 1321+00.00;

2. Thence South 59°59'17" West a distance of 383.86 feet to an angle point at centerline Station 1324+83.86;

3. Thence South 59°55'46" West a distance of 1,024.99 feet to a point in the west line of Section 4 and the east line of Section 10;

Thence, with the west line of the northwest quarter of Section 4, North 04°49'27" West a distance of 2,190.48 feet to the Point of Beginning, passing through five 1/2" iron pins found capped "Claus 6456" at distances of plus 60.96 feet, plus 317.48 feet, plus 1,272.48 feet, plus 1,465.48 feet, and plus 1,998.87 feet, respectively, and passing over the centerline of Township Road No. 176 at two distances of plus 1,540.48 feet and plus 1,948.87 feet, respectively, and passing through a spike nail set a distance of plus 1,590.48 feet, and passing through three iron pins set at distances of plus 1,205.19 feet, plus 1,640.48 feet, and plus 1,898.87 feet, respectively;

Containing 67.3416 acres, more or less, being a new survey of all of the land described in the Second Tract of Deed Volume 298, Page 133 of the Belmont County Recorder's Office.

Subject to all legal right-of-ways, easement, restrictions, reservations, and zoning regulations of record.

Subject to the right-of-way of Township Road No. 176.

Subject to the 100-Year Flood Plain restrictions, if applicable.

EXCEPTING THEREFROM a 25.00 feet wide strip as described at the end of the Second Tract of Deed Volume 298, Page 133 of the Belmont County Recorder's Office, said 25.00 feet wide strip being hereby newly surveyed and described as follows:

Situated in the State of Ohio, County of Belmont, Township of Warren, being in the northwest quarter of Section 4, Range 6 West, Township 8 North, of "The Old Seven Ranges Survey", and being bounded and described as follows:

Commencing for Reference at a marked stone found at the northwest corner of Section 4 (Note: Reference bearing on the west line of the northwest quarter of Section 4 used as North 04°49'27" West.);

Thence, with the west line of the northwest quarter of Section 4 used as South 04°49'27" West a distance of 2,099.04 feet to **THE TRUE POINT OF BEGINNING** for this description, being located North 04°49'27" East a distance of 30.48 feet from a 1/2" iron pin found capped "Claus 6456" in the north right-of-way line of the former B. and O. Railroad;

Thence, from said Point of Beginning and running parallel with the north right-of-way line of the former railroad, the following three courses:

1. Thence North 59°55'46" East a distance of 972.73 feet to an angle point at 75.00 feet to the right of centerline railroad station 1324+83.86;

2. Thence North 59°59'17" East a distance of 383.89 feet to a point at 75.00 feet to the right of centerline C. T. Station 1321+00.00;

3. Thence, with a curve to the right, having a radius of 2,039.42 feet, an arc length of 843.08 feet, a chord bearing of North 71°49'50" East a chord distance of 837.08 feet to a point in the west line of a 3.830 acres tract as conveyed to Donald K. and Tonya D. Carpenter by Deed Volume 719, Page 684 of the Belmont County Recorder's Office;

Thence, with the west line of said Carpenter property, South 04°22'19" West a distance of 25.45 feet to a 1/2" iron pin found capped "Claus 6456" in the north right-of-way line of said former railroad;

Thence, with the north right-of-way line of said former railroad (as shown on B. and O. Railroad Valuation Plan No. 125.1-12, Sheet No. 39013-001, CSX Realty, Exhibit "A" of December 8, 1989), the following three courses:

1. being with a curve to the left, having a radius of 2,014.42 feet, an arc length of 828.02 feet, a chord bearing of South 71°45'48" West a chord distance of 822.20 feet to an iron pin set at 50.00 right of centerline C.T. Station 1321+00.00;

2. Thence South 59°59'17" West a distance of 383.88 feet to a 1/2" iron pin found capped "Claus 6456" at an angle point at 50.00 right of centerline Station 1324+83.86;

3. Thence South 59°55'46" West a distance of 990.15 feet to a 1/2" iron pin found capped "Claus 6456" in the west line of Section 4 and the east line of Section 10;

Thence, with the west line of the northwest quarter of Section 4, North 04°49'27" East a distance of 30.48 feet to the Point of Beginning;

Containing 1.2631 acres, more or less, being a new survey of the same 25 feet wide strip of land as described at the end of the Second Tract of Deed Volume 298, Page 133.

After said 1.2631 acres exception, leaving **66.0785 acres**, more or less, being herein conveyed.

Note: It is the intention of this conveyance to also convey any and all interest that the grantor may have in and to the above-described 1.2631 acres (25 feet wide strip of land).

TOGETHER WITH a 20.00 feet wide easement for ingress and egress as described in the Third Tract of Deed Volume 298, Page 133 of the Belmont County Recorder's Office. Said 20.00 feet wide easement being herein newly surveyed and described as follows:
 Situated in the State of Ohio, County of Belmont, Township of Warren, being in the northeast quarter of Section 10, Range 6 West, Township 8 North, of "The Old Seven Ranges Survey", and being bounded and described as follows:
 Commencing for Reference at a marked stone found at the northeast corner of Section 10 and the northwest corner of Section 4 (Note: Reference bearing on the east line of the northeast quarter of Section 10 and the west line of the northwest quarter of Section 4 used as North 04°49'27" West.
 Thence, with the west line of the northwest quarter of Section 4 used as South 04°49'27" West a distance of 2,105.14 feet to **THE TRUE POINT OF BEGINNING** for this easement description;
 Thence, from said Point of Beginning and continuing with the west line of the northwest quarter of Section 4 used as South 04°49'27" West a 24.38 feet to a 1/2" iron pin found capped "Claus 6456" in the north right-of-way line of the former B. and O. Railroad;
 Thence, from said Point of Beginning and running with the north right-of-way line of said former railroad (shown on B. and O. Railroad Valuation Plan No. 125.1-12, Sheet No. 39013-001, CSX Realty, Exhibit "A" of December 8, 1989), South 59°56'46" West a distance of 505.32 feet to a point in the centerline of Township Road No. 176 (Joe Jeffers Road);
 Thence, with the centerline of Township Road No. 176, North 14°50'27" West a distance of 20.73 feet to a point;
 Thence, leaving the road, North 59°56'46" East a distance of 513.82 feet to The Point of Beginning;
 Containing 0.2340 acre, more or less, being a new survey of all of the 20.00 feet wide easement for ingress and egress as described in the Third Tract of Deed Volume 298, Page 133 of the Belmont County Recorder's Office.

 Subject to all legal right-of-ways, easement, restrictions, reservations, and zoning regulations of record.
 Subject to the right-of-way of Township Road No. 176 (Joe Jeffers Road).
 Subject to the 100-Year Flood Plain restrictions, if applicable.
 All iron pins set are 5/8" x 30" rebar capped and labeled "Claus 6456".
 The bearings in this description are for angle calculations only and are based on the west line of the northwest quarter of Section 4 used as North 04°49'27" West.
 A plat of the above-described survey has been submitted for file at the County Engineer's Office.
 The above description prepared by Roger W. Claus, Registered Surveyor No. 6456, based on an actual field survey of June 20, 2012; said survey being subject to any facts that may be disclosed in a full and accurate title search.

Prior deed: Deed Volume 298, Page 133

Surveyor: Roger W. Claus /s/

Date: 06-22-2012

Upon roll call the vote was as follows:

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

IN THE MATTER OF APPROVING AND SIGNING RENEWAL OF TITLE IV-D CONTRACT WITH JUVENILE COURT ON BEHALF OF CSEA

Motion made by Mr. Probst, seconded by Mr. Coffland to approve and sign a renewal of the Title IV-D Contract with Belmont County Juvenile Court on behalf of the Belmont County Child Support Enforcement Agency (CSEA) in the amount of \$ 58,152.06 effective July 1, 2012 through June 30, 2013 for administration of the support enforcement program; *Federal Funds-\$38,380.36, Local Funds \$19,771.70.*

Note: This contract provides for the continuation of the Title IV-D child support funding for the Juvenile Court Magistrate.

Upon roll call the vote was as follows:

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

IN THE MATTER OF SIGNING THE DEED OF EASEMENT TO GRANT THE NATURE'S GROVE CONDOMINIUM ASSOC. AN EASEMENT FOR PROPERTY ACQUIRED BY THE BCSSD

Motion made by Mr. Probst, seconded by Mr. Coffland to approve and sign the **Deed of Easement** to grant the Nature's Grove Condominium Association an easement for ingress and egress to the property acquired by the Belmont County Sanitary Sewer District #2 for their lift station site.

Note: BCSSD acquired property for their lift station site through an agreement with the Nature's Grove Condominium Association and an adjacent property owner.

DEED OF EASEMENT

KNOW ALL MEN BY THESE PRESENTS, That BELMONT COUNTY SANITARY SEWER DISTRICT SSD #2, for valuable consideration paid and the agreements set forth below, grant to NATURE'S GROVE CONDOMINIUM ASSOCIATION, an Ohio Non-Profit Corporation, whose tax mailing address is P.O. Box 802, St. Clairsville, Ohio 43950, grants to Grantee, its successors and assigns an easement for ingress and egress from the lands of Grantor described at Volume 714, Page 263, Deed Records of Belmont County, Ohio over and upon the existing roadway situated upon the premises described by Exhibit attached hereto.

Prior Instrument Reference: Volume _____, Page _____, Official Records of Belmont County, Ohio.

IN WITNESS WHEREOF, the said Grantor, BELMONT COUNTY SANITARY SEWER DISTRICT SSD #2, has hereunto set its hand this 25th day of July, 2012.

Belmont County Sanitary Sewer District SSD #2

By: _____

Ginny Favede, Belmont County Commissioner

Charles R. Probst, Jr. /s/

Charles R. Probst, Jr., Belmont County Commissioner

Matt Coffland /s/

Matt Coffland

DESCRIPTION FOR 0.206 ACRE TRACT TO BE TRANSFERRED FROM BRENT W. TAYLOR TO THE BELMONT COUNTY SANITARY SEWER DISTRICT

Situated in Section 33. Township 6, Range 3 of Richland Township, County of Belmont, State of Ohio and being part of a 0.5331 acre tract owned by Brent W. Taylor as recorded in Volume 289, Page 32 of the Belmont County Record of Deeds, and being more particularly described as follows:

Beginning at an iron pin (set) on the West line of the above described 0.5331 acre tract, said iron pin bears the following 3 bearings and distances from the Southeast corner of Section 33, Township 6, Range 3.

1. N62°40'17"W, 2277.31 feet to an iron pin (fd) that marks the southeast corner for the above described 0.5331 acre tract, and also lies on the North line of a 51.1693 acre tract owned by Dorothy Jean Ebbert recorded in V614, Page 276.
2. Thence along the South line of the 0.5331 acre tract N61°26'51"W, 40.02 feet to an iron pin (fd) that marks the Southwest corner for the 0.5331 acre tract.
3. Thence along the West line of the 0.5331 acre tract N30°15'45"E, 285.89 feet to an iron pin (set) that marks the point of beginning for this description.

The bearing on the South line of said Section 33 I N85°08'58"E.

Thence with the West line of the 0.5331 acre tract, N30°15'45"E, 143.61 to an iron pin (fd) that marks the Southwest corner of a 0.34 acre tract owned by Dennis Pubal recorded in Volume 528, Page 9; thence continuing along the West line of the previously described 0.34 acre tract, N30°15'45"E, 158.12 feet to a point in County Road 4, passing on line an iron pin (fd) at 98.12 feet; thence along the said County Road 4, S36°17'31"E, 43.60 feet to a point; thence leaving said road and with the East line of a 1.2668 acres tract recorded in Volume 289, Page 27, S30°15'45"W, 146.97 feet to an iron pin (set), passing on line an iron pin (fd) at 60.00 feet, thence S46°29'33"W 143.12 feet to the point of beginning for this description, containing 0.206 acres which are subject to any and all rights of ways, easements, restrictions, etc. of record.

For consideration of Brent Taylor transferring the above described 0.206 acre tract to the Belmont County Sanitary Sewer District, the Belmont County Sanitary Sewer District will provide one free sanitary service tap to Brent Taylor.

The above description was prepared by William W. Street, P.S. 5486 from a field survey performed in February 2012. All iron pins marked as set are 5/8"x30" rebar with yellow plastic caps marked "WWS 5486".

Upon roll call the vote was as follows:

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

**IN THE MATTER OF PUBLIC ROAD PETITION
FOR VACATION OF TWO 12' ALLEYS IN NEW CASTLE,
WAYNE TOWNSHIP, SECS. 20 & 21, T-6, R-5/RD IMP 1117**

Motion made by Mr. Probst, seconded by Mr. Coffland to accept the following Public Road Petition for the vacation of two alleys in New Castle recorded in Deed Volume R, Page 536 and located in Wayne Township, Sections 20 & 21, T-6, R-5, and hereby authorize the Clerk of the Board to establish the required date and time for the viewing and hearing and proceed with the Notice of Publication for the proposed vacation hereinafter known as **Road Improvement #1117** in accordance with Ohio Revised Code Section 5553.04.

**PUBLIC ROAD PETITION
Rev. Code Sec. 5553.04**

Belmont County, Ohio

July 17, 2012

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

The undersigned petitioners, freeholders of said County residing in the vicinity of the proposed improvement hereinafter described, represent that the public convenience and welfare require the vacation of two 12' alleys in New Castle recorded in Deed Volume R Page 536 and located in Wayne Township Sections 20 & 21, T-6, R-5, Belmont County Ohio a Public Road on the line hereinafter described, and make application to you to institute and order proper proceedings in the premises, for vacating such road, the same not being a road on the State Highway System.

The following is the general route and termini of said road:

The portion of a 12' alley known as Vine Alley located between lots 27 and 28 and a second 12' alley known as South Alley located on the south side of lots 21, 23, 25, 27 and 29.

PUBLIC ROAD PETITION IMP #1117

<u>NAME /S/</u>	<u>TAX MAILING ADDRESS</u>
Justin Crooks /s/	55017 Main Street Beallsville OH 43716
Natasha Crooks /s/	55017 Main Street Beallsville OH 43716
Shirley Britton /s/	55021 St. Rt. 26 Jerusalem, Ohio 43747
John Palmer, Jr. /s/	55037 New Castle Rd. Beallsville, OH 43716
Deborah Palmer /s/	55037 New Castle Rd. Beallsville, Ohio 43716
Carolyn Miller /s/	40780 Federal Street Beallsville, Ohio 43716
Joseph Moore /s/	54978 New Castle Rd. Beallsville, OH 43716
Amelia Moore /s/	54978 New Castle Rd. Beallsville, OH 43716
Bobbi S. Ward /s/	40821 Federal St. Beallsville, OH 43716
Gene Britton /s/	55021 St. Rt. 26 Jerusalem, OH 43747
Jeff Ward /s/	40821 Federal St. Beallsville, Oh 43716
Sandra Flynn /s/	1680 Baker Rd. Albany, OH 45710
Charles W. Flynn, Jr. /s/	1680 Baker Rd. Albany, OH 45710
Danielle Flynn /s/	55041 CR 92 Beallsville, OH 43716
Mark A. Flynn /s/	55041 CR 92 Beallsville, OH 43716

Upon roll call the vote was as follows:

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

**IN THE MATTER OF THE VACATION OF
TWO 12' ALLEYS IN NEW CASTLE
WAYNE TOWNSHIP, SECS. 20 & 21, T-6, R-5/RD IMP 1117**

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

**Journal Entry, Order Fixing Time and Place of View and of Final Hearing and Notice
Thereof on Public Road Petition
Rev. Code, Sec. 5553.05
RD. IMP. 1117**

The Board of County Commissioners of Belmont County, Ohio, met in regular session on the 25th day of July 2012 at the office of the Commissioners with the following members present:

Mr. Probst
Mr. Coffland

Mr. Probst moved the adoption of the following:

RESOLUTION

WHEREAS, A Petition signed by at least twelve freeholders of the County residing in the vicinity of the proposed improvement has been presented to this Board of County Commissioners requesting said Board to vacate two 12' alleys in New Castle recorded in Deed Volume R Page 536 located in Wayne Township Sections 20 & 21, T-6, R-5 Belmont County, Ohio; therefore be it

RESOLVED, That the 8th day of August, 2012 at 1:30 o'clock P.M., be fixed as the date when we will view the proposed improvement, on which date we will meet at the site and go over the line of said proposed improvement; and be it further

RESOLVED, That the 22nd day of August, 2012, at 11:00 o'clock A.M. be fixed as the date for a final hearing thereof, which hearing will be at the office of the Board; and be it further

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

Mr. 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 Absent

Adopted July 25, 2012

Jayne Long /s/
Clerk, Belmont County, Ohio

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

ROAD IMP. # 1117

Notice is hereby given that there is before the Board of County Commissioners of Belmont County, Ohio, the matter of the vacation of two 12' alleys in New Castle recorded in Deed Volume R Page 536 and located in Wayne Township Sections 20 & 21, T-6, R-5, Belmont County, Ohio, a public road, the general route and termini of which Road are as follows:

The portion of a 12' alley known as Vine Alley located between lots 27 and 29 and a second 12' alley known as South Alley located on the south side of lots 21, 23, 25, 27, and 29.

Said Board of County Commissioners has fixed the 8th day of August, 2012, at 1:30 o'clock P.M., as the date when and the site as the place where said Board will view the proposed improvement, and has also fixed the 22nd day of August, 2012, at 11:00 o'clock A.M., at their office in the Court House of said County in St. Clairsville, Ohio as the time and place for the final hearing on said proposed improvement.

**By Order of the Board of County Commissioners,
Belmont County, Ohio**

Jayne Long /s/
Jayne Long, Clerk

ADV. TIMES LEADER (2) Mondays – July 30, 2012 and August 6, 2012

**IN THE MATTER OF APPROVING APPLICATION FOR
USE OF MUNICIPAL STREET FUNDS/VILLAGE OF BARNESVILLE**

Motion made by Mr. Probst, seconded by Mr. Coffland to approve the Village of Barnesville's application in accordance with O.R.C. Section 4504.04 for the use of Municipal Street Fund/Vehicle License Tax in the amount of \$59,223.30, based upon the recommendation of Belmont County Engineer, Fred Bennett, for proposed improvements to the following:

Resurfacing Railroad St. (E. Main to Mulberry)

The estimated cost is \$144,192.80 of which \$ 59,223.30 will be from the vehicle license tax fund.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF APPROVING CHANGE ORDERS
NO. 3, 4, 5 AND 6 FOR WALLER CORP/HISTORIC SHERIFF RESIDENCE**

Motion made by Mr. Probst, seconded by Mr. Coffland to approve and authorize Commissioner Favede to execute Change Orders No. 3, 4, 5 and 6 for Waller Corporation for the Adaptive Reuse of the former Belmont County Sheriff's Residence based upon the recommendation of Chambers, Murphy & Burge, Project Architects as follows:

- Change Order #3 in the amount of \$ 1,434.97-Additional light switches
- Change Order #4 in the amount of \$172.50-install sanitary "Y" to 2nd floor restroom/Kucera Plumbing
- Change Order #5 in the amount of \$349.97-Building Dept. requests correct disconnect be provided
- Change Order #6 in the amount of \$755.50-Demo existing concrete pad and form and pour a new concrete transformer pad for St. Clairsville Power

Upon roll call the vote was as follows:

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

BREAK

10:45 : Public Hearing

Re: The proposed amendment to Section 6.3 of the Special Purpose Flood Damage Reduction Resolution of Belmont County, Ohio pursuant to O.R.C. 307.99(C)

Note: This is the first of 2 public hearings required.

IN THE MATTER OF PUBLIC HEARING FOR THE SPECIAL PURPOSE FLOOD DAMAGE REDUCTION RESOLUTION OF BELMONT COUNTY, OHIO

There were no comments or questions about the proposed amendment to the resolution. No one from the public was present for the hearing. Mr. Probst reviewed and noted one change was, “ the fine will not be more than \$300.00 and in addition shall pay all costs and expenses involved in the case as provided by the laws of Belmont County” Another change was, “each day such violations continued shall be considered a separate offense.” The word “imprisonment” was taken out. Mr. Probst asked that Floodplain Coordinator Mickey Wallace **bold** the changes to the amendment to make it easier to read for the second hearing.

11:00 Mark Esposito, Director, Belmont County Sanitary Sewer District

Re: Public Hearing-Proposed Village Water and Sewer Rates

Present for the hearing were Robert DeFrank of The Times Leader, Al Molnar of The Intelligencer and Pultney Township Trustee Frank Shaffer. No one present questioned the changes to the water and sewer rates.

IN THE MATTER OF APPROVING WATER AND SEWER RATES FOR VARIOUS SERVICE LOCATIONS/BCSSD

Motion made by Mr. Probst, seconded by Mr. Coffland to approve the following water and sewer rates effective August 1, 2012 for the various service locations based upon the annual **Village Analysis Report for Year Ending 2011** presented by the Belmont County Sanitary Sewer District:

WATER RATES		
	Present Rate/1000 gal	New Rate/1000 gal
Bellaire	3.626	3.8628
Belmont	3.795	4.0404
Flushing	3.795	4.0404
New Athens	3.795	4.0404
Morristown	3.795	4.0404
St. Clairsville	3.255	3.5004
Tri-County	3.795	4.0404
WWS #2	3.203	3.8124
SEWER RATES		
	Present Rate/1000 gal	New Rate/1000 gal
Morristown	4.11	4.753
Belmont	4.11	4.753

Upon roll call the vote was as follows:

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

BREAK

IN THE MATTER OF ENTERING EXECUTIVE SESSION AT 11:35 A.M.

Motion made by Mr. Probst, seconded by Mr. Coffland to enter executive session with Mike Kinter, HR Manager, and Jack Regis pursuant to ORC 121.22(G)(1) Personnel Exception to consider the discipline of a public employee.

Upon roll call the vote was as follows:

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

IN THE MATTER OF ADJOURNING EXECUTIVE SESSION AT 12:05 P.M.

Motion made by Mr. Probst, seconded by Mr. Coffland to adjourn executive session at 12:05 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 HR MANAGER TO RESEARCH PERSONNEL ISSUE AND TAKE APPROPRIATE ACTION

Motion made by Mr. Probst, seconded by Mr. Coffland to authorize HR Manager Mike Kinter to further research an alleged personnel issue and to take the appropriate action if necessary.

Upon roll call the vote was as follows:

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

July 25, 2012

**IN THE MATTER OF ADJOURNING
COMMISSIONERS MEETING AT 12:07 P.M.**

Motion made by Mr. Probst, seconded by Mr. Coffland to adjourn the meeting at 12:07 p.m.

Upon roll call the vote was as follows:

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

Read, approved and signed this 1st day of August, 2012.

COUNTY COMMISSIONERS

Ginny Favede - Absent

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