

St. Clairsville, Ohio

July 27, 2016

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.

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 \$818,050.82

Upon roll call the vote was as follows:

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

IN THE MATTER OF TRANSFERS WITHIN FUND

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

GENERAL FUND

FROM	TO	AMOUNT
E-0257-A015-A15.074 Transfers-Out	E-0040-A002-G48.012 Equipment-Northern	\$ 6,053.00
<u>COURTS-VARIOUS FUNDS</u>		
E-1570-S084-S06.000 Computer Software	E-1570-S084-S10.002 Salaries	\$9,000.00
E-1570-S084-S07.000 Other Expenses	E-1570-S084-S10.002 Salaries	\$2,520.00
E-1570-S084-S07.000 Other Expenses	E-1570-S084-S11.003 PERS	\$1,612.80
E-1570-S084-S07.000 Other Expenses	E-1570-S084-S13.005 Medicare	\$167.04
E-1561-S086-S08.000 Other Expenses	E-1561-S086-S01.002 Salaries	\$17,549.64
E-1561-S086-S08.000 Other Expenses	E-1561-S086-S02.003 PERS	\$2,456.95
E-1561-S086-S08.000 Other Expenses	E-1561-S086-S03.006 Hospitalization	\$4,000.00
E-1561-S086-S08.000 Other Expenses	E-1561-S086-S05.005 Medicare	\$254.57
E-1571-S087-S06.010 Supplies	E-1571-S087-S01.002 Salaries	\$15,758.40
E-1571-S087-S06.010 Supplies	E-1571-S087-S02.003 PERS	\$2,206.18
E-1571-S087-S06.010 Supplies	E-1571-S087-S03.006 Hospitalization	\$4,000.00
E-1571-S087-S06.010 Supplies	E-1571-S087-S05.005 Medicare	\$228.50
E-1551-S088-S06.010 Supplies	E-1551-S088-S01.002 Salaries	\$28,779.12
E-1551-S088-S06.010 Supplies	E-1551-S088-S02.003 PERS	\$4,029.08
E-1551-S088-S06.010 Supplies	E-1551-S088-S03.006 Hospitalization	\$7,000.00
E-1551-S088-S06.010 Supplies	E-1551-S088-S05.005 Medicare	\$417.30

Upon roll call the vote was as follows:

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

IN THE MATTER OF TRANSFERS BETWEEN FUND

Motion made by Mrs. Favede, seconded by Mr. Coffland to approve the following transfers between funds as follows:

T10 WATER & SEWER GUARANTEE DEPOSIT FUND AND VARIOUS FUNDS/BCSSD

FROM	TO	AMOUNT
E-3711-T010-T04.074 Transfers Out	R-3701-P003-P15.574 Transfers In	\$120.57
E-3711-T010-T04.074 Transfers Out	R-3702-P005-P15.574 Transfers In	\$1,108.96
E-3711-T010-T04.074 Transfers Out	R-3704-P051-P08.574 Transfers In	\$112.82
E-3711-T010-T04.074 Transfers Out	R-3706-P055-P08.574 Transfers In	\$109.50

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 July 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/PROBATE DIVISION-John Markus and Janine Brothers to Lewis Center, OH, on September 25-26, 2016, for the Ohio Probate Investigators Continuing Education Course.

SSOBC-Mike McBride to Moundsville, WV, on August 11, 2016, for a senior outing to the Huddle House restaurant. Tish Kinney to Moundsville, WV, on August 18, 25 & 30, 2016, for a senior outing to Four Seasons Pool. Sue Hines to Wheeling, WV, on August 16, 2016, for a senior outing to Wheeling Downs and the Wheeling Fish Market. 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 APPROVING MINUTES OF REGULAR BOARD OF COMMISSIONERS MEETING

Motion made by Mrs. Favede, seconded by Mr. Coffland to approve the minutes of the Belmont County Board of Commissioners regular meeting of July 13, 2016.

Upon roll call the vote was as follows:

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

IN THE MATTER OF ENTERING INTO OHIO ENTERPRISE ZONE AGREEMENT BETWEEN THE BELMONT COUNTY COMMISSIONERS AND MUXIE DISTRIBUTING COMPANY

Motion made by Mrs. Favede, seconded by Mr. Coffland to enter into Ohio Enterprise Zone Agreement between the Belmont County Commissioners and Muxie Distributing Company.

**OHIO ENTERPRISE ZONE AGREEMENT
BETWEEN
THE BELMONT COUNTY COMMISSIONERS
AND
MUXIE DISTRIBUTING COMPANY**

This agreement made and entered into by and between the Belmont County Commissioners of Belmont County, Ohio, a County government with its main offices located at 101 West Main Street, St. Clairsville, Ohio 43950, and Muxie Distributing Company, an Ohio Corporation with its main offices located at 5120 Guernsey Street, Bellaire, Ohio (hereinafter referred to as The Enterprise).

WITNESSETH;

WHEREAS, The Belmont County Commissioners have encouraged the development of real property and the acquisition of personal property located in the area designated as an Enterprise Zone; and

WHEREAS, The Enterprise desires to construct a new (68,000) sixty-eight thousand square foot facility for an estimated investment of (\$5,500,000) Five million five hundred thousand dollars, to replace the (30,000) thirty thousand sq. ft. warehouse building, to ensure the longevity of The Enterprise and to provide hundreds of construction jobs during the build phase, in addition to approximately 15-20 new positions, (hereinafter referred to as the "Project") within the boundaries of the aforementioned Enterprise Zone, provided that the appropriate development incentives are available to support the economic viability of said Project; and

WHEREAS, The Belmont County Commissioners, by Resolution adopted January 30, 1989, designated the area as an "Enterprise Zone" pursuant Chapter 5709 of the Ohio Revised Code; and

WHEREAS, effective February 22, 1989, the Director of Development of the State of Ohio determined that the aforementioned area designated in said Resolution dated January 30, 1989, contains the characteristics set forth in Section 5709.61(A) of the Ohio Revised Code and certified said area as an Enterprise Zone under said Chapter 5709; and

WHEREAS, The Belmont County Commissioners, having the appropriate authority for the stated type of project, is desirous of providing The Enterprise with incentives available for the development of the Project in said Enterprise Zone under Chapter 5709 of the Ohio Revised Code; and

WHEREAS, The Enterprise has submitted a proposed agreement application (herein attached as Exhibit A) to The Belmont County Commissioners said application (hereinafter referred to as "Application"); and

WHEREAS, The Enterprise has remitted the required state application fee of \$750.00 made payable to the Ohio Development Services Agency with the application to be forwarded with the final agreement; and

WHEREAS, Larry Merry, Enterprise Zone Administrator of Belmont County, has investigated the application of The Enterprise and has recommended the same to the Board of Commissioners of Belmont County, on the basis that The Enterprise is qualified by financial responsibility and business experience to create and preserve employment opportunities in said Enterprise Zone and improve the economic climate of Belmont County, Ohio; and

WHEREAS, the project site as proposed by The Enterprise is located in the Bellaire School District and the Belmont Harrison Joint Vocational School District and the Boards of Education of these two school districts have been notified in accordance with Section 5709.83 and been given a copy of the Application; and

WHEREAS, pursuant to Section 5709.62(C), 5709.63(A) or 5709.632 and in conformance with the format required under Section 5709.631 of the Ohio Revised Code, the parties hereto desire to set forth their agreement with respect to matters hereinafter contained;

NOW, THEREFORE, in consideration of the mutual covenants hereinafter contained and the benefit to be derived by the parties from the execution hereof, the parties herein agree as follows:

1. The Enterprise shall construct a new sixty-eight thousand square foot facility at 5120 Guernsey Street, Bellaire, Ohio, to house its warehouse and distribution operations and offices.
The Project will begin October 1, 2015 and all acquisition, construction and installation will be completed by September 30, 2016.
2. The Enterprise shall create within a time period not exceeding 24 months after the commencement of construction of the aforesaid facility, the equivalent of three (3) new full-time permanent job opportunities and four (4) new part-time permanent job opportunities. The Enterprise's schedule for hiring is as follows: create seven (7) new jobs during the first two years at the new facility. The Enterprise currently has 24 full-time permanent employees at the project site and in the State of Ohio. This increase in the number of employees will result in approximately (\$113,000) one hundred thirteen thousand dollars of additional annual payroll for The Enterprise. The following is an itemization by the type of new jobs created:

Three (3) new, full-time jobs	\$97,000
Four (4) part-time jobs	\$16,000

The retention of the existing jobs will maintain the current annual payroll of (\$1,801,948) one million eight hundred one thousand nine hundred forty-eight dollars.
3. The Enterprise shall provide to the proper Tax Incentive Review Council any information reasonably required by the council to evaluate the enterprise's compliance with the agreement, including returns filed pursuant to section 5711.02 of the Ohio Revised Code if requested by the council.
4. Continuation of this agreement is subject to the validity of the circumstances upon which The Enterprise applied for, and the Director of the Ohio Development Services Agency issued, the waiver pursuant to Section 5709.633 of the Ohio Revised Code. If, after formal approval of this agreement by The Belmont County Commissioners, the County discovers that such a circumstance did not exist, The Enterprise shall be deemed to have materially failed to comply with this agreement.
5. The Enterprise shall pay such real and tangible personal property taxes as are not exempted under this agreement and are charged against such property and shall file all tax reports and returns as required by law. The Enterprise fails to pay such taxes or file such returns and reports, all incentives granted under this agreement are rescinded beginning with the year for which such taxes are charged or such reports or returns are required to be filed and thereafter.
6. The Belmont County Commissioners shall perform such acts as are reasonably necessary or appropriate to effect, claim, reserve, and maintain exemptions from taxation granted under this agreement including, without limitation, joining in the execution of all documentation and providing any necessary certificates required in connection with such exemptions.
7. If for any reason the Enterprise Zone designation expires, the Director of the Ohio Development Services Agency revokes certification of the zone, or The Belmont County Commissioners revoke the designation of the zone, entitlements granted under this agreement shall continue for the number of years specified under this agreement, unless The Enterprise materially fails to fulfill its obligations under this agreement and The Belmont County Commissioners terminate or modify the exemptions from taxation granted under this agreement.

8. If The Enterprise materially fails to fulfill its obligations under this agreement, or if The Belmont County Commissioners determine that the certification as to delinquent taxes required by this agreement is fraudulent, The Belmont County Commissioners may terminate or modify the exemptions from taxation granted under this agreement.
9. The Enterprise hereby certifies that at the time this agreement is executed, The Enterprise does not owe any delinquent real or tangible personal property taxes to any taxing authority of the State of Ohio, and does not owe delinquent taxes for which The Enterprise is liable under Chapter 5733., 5735., 5739., 5741., 5743., 5747., or 5753. of the Revised Code, or, if such delinquent taxes are owed, The Enterprise currently is paying the delinquent taxes pursuant to an undertaking enforceable by the State of Ohio or an agent or instrumentality thereof, has filed a petition in bankruptcy under 11 U.S.C.A. 101, et seq., or such a petition has been filed against The Enterprise. For the purposes of the certification, delinquent taxes are taxes that remain unpaid on the latest day prescribed for payment without penalty under the chapter of the Revised Code governing payment of those taxes.
10. The Enterprise affirmatively covenants that it does not owe: (1) any delinquent taxes to the State of Ohio or a political subdivision of the State; (2) any moneys to the State or a state agency for the administration or enforcement of any environmental laws of the State; and (3) any other moneys to the State, a state agency or a political subdivision of the State that are past due, whether the amounts owed are being contested in a court of law or not.
11. The Enterprise and The Belmont County Commissioners acknowledge that this agreement must be approved by formal action of the legislative authority of the Belmont County Commission as a condition for the agreement to take effect. This agreement takes effect upon such approval.
12. The Belmont County Commission has developed a policy to ensure recipients of Enterprise Zone tax benefits practice non-discriminating hiring in its operations. By executing this agreement, The Enterprise is committing to following non-discriminating hiring practices acknowledging that no individual may be denied employment solely on the basis of race, religion, sex, disability, color, national origin, or ancestry.
13. Exemptions from taxation granted under this agreement shall be revoked if it is determined that The Enterprise, any successor enterprise, or any related member (as those terms are defined in Section 5709.61 of the Ohio Revised Code) has violated the prohibition against entering into this agreement under Division (E) of Section 3735.671 or Section 5709.62, 5709.63, or 5709.632 of the Ohio Revised Code prior to the time prescribed by that division or either of those sections.
14. The Enterprise affirmatively covenants that it has made no false statements to the State or local political subdivision in the process of obtaining approval for the Enterprise Zone incentives. If any representative of The Enterprise has knowingly made a false statement to the State or local political subdivision to obtain the Enterprise Zone incentives, The Enterprise shall be required to immediately return all benefits received under the Enterprise Zone Agreement pursuant to ORC Section 9.66 (C)(2) and shall be ineligible for any future economic development assistance from the State, any state agency or a political subdivision pursuant to ORC Section 9.66(C)(1). Any person who provides a false statement to secure economic development assistance may be guilty of falsification, a misdemeanor of the first degree, pursuant to ORC 2921.13(D)(1), which is punishable by a fine of not more than \$1,000 and/or a term of imprisonment of not more than six months.
15. This agreement is not transferrable or assignable without the express, written approval of The Belmont County Commission.

IN WITNESS WHEREOF, the **Board of Commissioners of Belmont County, Ohio**, and pursuant to Resolution dated January 30, 1989, has caused this instrument to be executed this 27th day of July, 2016 and **Muxie Distributing Company**, by Jeff Paolina, its President/CEO, has caused this instrument to be executed on this 26th day of July, 2016.

Witness: <u>Matt Coffland /s/</u> Witness: <u>Jayne Long /s/</u> Witness: <u>Jayne Long /s/</u> Witness: <u>Sherri Butler /s/</u>	The Belmont County Commissioners Belmont County, Ohio By <u>Ginny Favede /s/</u> Ginny Favede By <u>Matt Coffland /s/</u> Matt Coffland By <u>Mark Thomas /s/</u> Mark Thomas Muxie Distributing Company By <u>Jeff Paolina /s/</u> Jeff Paolina, President/CEO
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NOTE:

A copy of this agreement must be forwarded to the Ohio Departments of Taxation and Ohio Development Services Agency within fifteen (15) days of approval to be finalized.

Resolution 1025
Village of Bellaire

WHEREAS, pursuant to the State Urban Jobs and Enterprise Zone Program and to Resolutions of Belmont County adopted in accordance therewith, a rural enterprise zone has been designated in a geographic area described in the Resolution of the Board of County Commissioners of Belmont County adopted January 30, 1989.

WHEREAS, pursuant to its Resolution adopted October 15, 1992 and said County Resolution adopted December 23, 1992, a proposed Enterprise Zone Agreement affecting the Village of Bellaire is to be submitted to the Bellaire Village Council for their consent and approval; and

WHEREAS, the Board of Commissioners of Belmont County has received a Proposal for a Project pursuant to the State Urban Jobs and Enterprise Zone Program from Muxie Distributing Company (the Company), and the County proposed to enter into an Enterprise Zone Agreement providing for a Project and real property tax exemptions therefore with the Company, and such Proposal and the proposed form of the Enterprise Zone Agreement have been made available to the Bellaire Village Council for their consent and approval;

NOW THEREFORE BE IT RESOLVED, that the Bellaire Village Council hereby gives its consent and approval to the Company's Proposal and the Enterprise Zone Agreement proposed to be entered into between the Company and the County, and hereby authorizes its consent and approval to be further evidenced by the execution by the Mayor, Clerk of Council, and Village Clerk of the Village of Bellaire of the consent and approval paragraph contained at the end of the proposed form of the Enterprise Zone Agreement submitted to the Village of Bellaire, copy of which is on file with the Clerk.

Witness <u>Josh Meyer /s/</u> Witness <u>Larry E. Merry /s/</u> Witness <u>Sherri Butler /s/</u>	<u>Vincent DiFabrizio /s/</u> Vincent DiFabrizio – Mayor <u>Mary Catherine Nixon /s/</u> Mary Catherine Nixon – Clerk of Council <u>Marla L Krupnik /s/ Deputy Clerk</u> Thomas L. Sable – Village Clerk <u>7-18-2016</u> Date
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OHIO DEVELOPMENT SERVICES AGENCY
OHIO ENTERPRISE ZONE PROGRAM

PROPOSED AGREEMENT for Zone Tax Incentives between the Belmont County Commissioners and Village of Bellaire located in the County of Belmont and Muxie Distributing Co.

- | | |
|---|--|
| 1a. Name of business, home or main office address, contact person, and telephone number (attach additional pages if multiple enterprise participants).
<u>Muxie Distributing Co.</u>
enterprise name
<u>740-676-2065</u>
telephone number | <u>Jeff Paolina</u>
contact person
<u>5120 Guernsey St., Bellaire, OH 43906</u>
address |
|---|--|

- 1b. Project site:
Jeff Paolina 740-676-2065
 contact person telephone number
5120 Guernsey St., Bellaire, OH 43906
 address
- 2a. Nature of business (manufacturing, distribution, wholesale or other).
 Muxie Distributing - beverage distribution business.
- 2b. List primary 6 digit NAICS # 424810.
 Business may list other relevant SIC numbers.
- 2c. If a consolidation, what are the components of the consolidation? (must itemize the location, assets, and employment positions to be transferred)
N/A
- 2d. Form of business of enterprise (corporation, partnership, proprietorship, or other)
S-Corporation
3. Name of principal owner(s) or officers of the business (attach list if necessary).
Jeff Paolina — President/CEO,
Rick Paolina — Vice President,
Kelly Lipperman — Secretary/Treasurer
4. Is business seasonal in nature? Yes ___ No X
- 5a. State the enterprise's current employment level at the proposed project site:
There are currently 24 people employed at Muxie Distributing.
- 5b. Will the project involve the relocation of employment positions or assets from one Ohio location to another? Note that relocation projects are restricted in non-distress based Ohio Enterprise Zones. A waiver from the Director of the Ohio Department of Development is available for special limited circumstances. The business and local jurisdiction should contact ODOD early in the discussions.
 Yes ___ No X
- 5c. If yes, state the locations from which employment positions or assets will be relocated and the location to where the employment positions or assets will be located:
N/A
- 5d. State the enterprise's current employment level in Ohio (itemized for full and part-time and permanent and temporary employees):
24 full time
- 5e. State the enterprise's current employment level for each facility to be affected by the relocation of employment positions or assets:
N/A
- 5f. What is the projected impact of the relocation, detailing the number and type of employees and/or assets to be relocated? N/A
- 6a. Has the Enterprise previously entered into an Enterprise Zone Agreement with the local legislative authorities at any site where the employment or assets will be relocated as a result of this proposal? Yes ___ No X
- 6b. If yes, list the local legislative authorities, date, and term of the incentives for each Enterprise Zone Agreement:
7. Does the Enterprise owe :
 a. Any delinquent taxes to the State of Ohio or a political subdivision of the state? Yes ___ No X
 b. Any moneys to the State or a state agency for the administration or enforcement of any environmental laws of the State?
 Yes ___ No X
 c. Any other moneys to the State, a state agency or a political subdivision of the State that are past due, whether the amounts owed are being contested in a court of law or not. Yes ___ No X
 d. If yes to any of the above, please provide details of each instance including but not limited to the location, amounts and/or case identification numbers (add additional sheets if necessary).
8. Project Description (attach additional pages if necessary):
Muxie Distributing is investing close to \$5,500,000 into the construction of a new 68,000 sq. ft. temperature controlled warehouse and offices that will replace our 30,000 sq. ft. warehouse building. This investment ensures the longevity of Muxie Distributing Co. and will provide hundreds of construction jobs during the build phase in addition to approximately 15-20 new positions in the new facility.
9. Project will begin October 1, 2015 and be completed September 30th, 2016 provided a tax exemption is provided.
- 10a. Estimate the number of new employees the business intends to hire at the facility that is the project site (job creation projection must be itemized by full and part-time and permanent and temporary): Three (3) full time positions and approximately four (4) part time positions.
- 10b. State the time frame of this projected hiring: 2 years
- 10c. State proposed schedule for hiring (itemize by full and part-time and permanent and temporary employees): All 7 positions should be filled with the first year of operation in the new facility.
- 11a. Estimate the amount of annual payroll such new employees will add \$ 113,000 (new annual payroll must be itemized by full and part-time and permanent and temporary new employees). Full Time positions: (3) \$97,000
Part Time positions: (4) \$16,000
- 11b. Indicate separately the amount of existing annual payroll relating to any job retention claim resulting from the project: \$ 1,801,948.
12. Market value of the existing facility as determined for local property taxation.
This project involves the construction of a new building on land purchased by Muxie Distributing in 2015. Muxie Distributing will continue to pay real estate taxes on the current warehouse. Therefore the tax basis is not decreasing. We are requesting assistance with the taxes to be assessed on the new building. This will assist with the cash flow of the business as it pertains to servicing the debt on the investment in the community.
- 13a. Business's total current investment in the facility as of the proposal's submission.
 \$ 5,900,000.00
- 13b. State the businesses' value of on-site inventory required to be listed in the personal property tax return of the enterprise in the return for the tax year (stated in average \$ value per most recent 12 month period) in which the agreement is entered into (baseline inventory):
 \$ 1,000,000.00.
14. An estimate of the amount to be invested by the enterprise to establish, expand, renovate or occupy a facility:
- | | <u>Minimum</u> | <u>Maximum</u> |
|--|---------------------|---------------------|
| A. Acquisition of Buildings: | \$ | \$ |
| B. New Construction: | \$ 4,000,000 | \$ 6,000,000 |
| C. Improvements to existing buildings: | \$ | \$ |
| D. Machinery & Equipment: | \$ 500,000 | \$ 600,000 |
| E. Furniture & Fixtures: | \$ | \$ |
| F. Inventory: | \$ 1,400,000 | \$ 1,600,000 |
| Total New Project Investment: | \$ 5,900,000 | \$ 8,200,000 |
15. a. Business requests the following tax exemption incentives: 60 % for 10 years covering real estate and/or personal property including inventory N/A as described above. Be specific as to type of assets, rate, and term.
 b. Business's reasons for requesting tax incentives (be quantitatively specific as possible):
Muxie Distributing was started in 1952 by the late Bruno "Muxie" Paolina and his late Virginia in a four-car garage in downtown Bellaire, Ohio. The third generation of owners are investing heavily in the future of Belmont County. The investment along with other future plan should bring the employment level to 40+/- within 2 years. The ability to receive assistance in the form of this tax abatement will assist in creating a tax base generated from sales, employment and real estate for future generations. However this all comes at a cost, the opportunity cost is the

investment cost; namely interest expense and equity contributions from the owners. The ability to offset some of these costs with a reduction in the taxes would assist in making this a successful venture for the owners, employees, community and valley.

Submission of this application expressly authorizes Belmont County Commissioners and Village of Bellaire and/of Belmont County to contact the Ohio Environmental Protection Agency to confirm statements contained within this application including item #7 and to review applicable confidential records. As part of this application, the business may also be required to directly request from the Ohio Department of Taxation or complete a waiver form allowing the Ohio Department of Taxation to release specific tax records to the local jurisdictions considering the incentive request.

Applicant to supply additional information upon request.

The applicant affirmatively covenants that the information contained in and submitted with this application is complete and correct and is aware of the ORC Sections 9.66(C)(1) and 2921.13(D)(1) penalties for falsification which could result in the forfeiture of all current and future economic development assistance benefit as well as a fine of not more than \$1,000 and/or a term of imprisonment of not more than six months.

Muxie Distributing Co.

March 31, 2016

Name of Enterprise

Date

Jeff Paolina /s/

Jeff Paolina President and CEO

Signature

Typed Name and Title

* A copy of this proposal must be forwarded by the local governments to the Board of Education along with notice of the meeting date on which the local government will review the proposal. Notice must be given a minimum of fourteen (14) days prior to the scheduled meeting to permit the Board of Education to appear and/or comment before the legislative authorities considering the request.

** Attach to Final Enterprise Zone Agreement as Exhibit A

Please note that copies of this proposal must be included in the finalized Enterprise Zone Agreement and be forwarded to the Ohio Department of Taxation and the Ohio Development Services Agency within fifteen (15) days of final approval.

Upon roll call the vote was as follows:

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

Commissioner Thomas noted Rick Paolina, Muxie’s Distributing, was present. The approved tax abatement agreement now goes to Columbus for state approval.

IN THE MATTER OF RESOLUTION AUTHORIZING MATT COFFLAND TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) AND TO EXECUTE CONTRACTS AS REQUIRED

“AUTHORIZATION LEGISLATION DESIGNATING OFFICIAL”

ATTACHMENT C

WHEREAS, the State Capital Improvement Program and the Local Transportation Improvement Program both provide financial assistance to political subdivisions for capital improvements to public infrastructure; and

WHEREAS, the Belmont County Commission is planning to make capital improvements to County Highway **BEL 54-3.62 Slip Repair Project (Pipe Creek Road)**; and

WHEREAS, the infrastructure improvements herein above described is considered to be a priority need for the community and is a qualified project under the OPWC programs.

NOW THEREFORE, BE IT RESOLVED by Belmont County Commission:

Section 1: Belmont County Commissioner Matt Coffland is hereby authorized to apply to the OPWC for funds as described above.

Section 2: Belmont County Commissioner Matt Coffland is authorized to enter into any agreements as may be necessary and appropriate for obtaining this financial assistance.

Motion made by Commissioner Favede, seconded by Commissioner Thomas to adopt the foregoing resolution which upon roll call was unanimously adopted.

Passed: July 27, 2016

Signed: **Belmont County Commissioners**

Ginny Favede /s/

Ginny Favede, President

Matt Coffland /s/

Matt Coffland, Vice-President

Mark A. Thomas /s/

Mark A. Thomas

IN THE MATTER OF APPROVING AND AUTHORIZING COMMISSION PRESIDENT, ON BEHALF OF THE BOARD, TO SIGN THE BELMONT COUNTY COMMISSION FLEXIBLE BENEFIT PLAN

Motion made by Mr. Coffland, seconded by Mr. Thomas to approve and authorize Commission President Ginny Favede, on behalf of the Board, to sign the Belmont County Commission Flexible Benefit Plan document effective January 1, 2016.

Note: This is for the Choice Spending program.

Upon roll call the vote was as follows:

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

IN THE MATTER OF ENTERING INTO THE AUCTION SALE AGREEMENT WITH DAVID JONES, CAI AUCTIONEER

Motion made by Mrs. Favede, seconded by Mr. Coffland to enter into the Auction Sale Agreement with David Jones, CAI Auctioneer, Box 467, Flushing, OH, 43977, to conduct the annual Belmont County Auction to be held Saturday, August 6, 2016 beginning at 9:00 a.m. at the Belmont County Fairgrounds. Commission: 20% of gross proceeds of personal property and 8% of vehicles. Seller agrees to pay for all paper ads-approximately \$300-\$500.

Upon roll call the vote was as follows:

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

IN THE MATTER OF ACCEPTING THE RESIGNATION OF JESSICA VALESKO, FULL-TIME LPN/JAIL

Motion made by Mrs. Favede, seconded by Mr. Coffland to accept the resignation of Jessica Valesko, Full-Time LPN at Belmont County Jail, effective July 30, 2016.

Upon roll call the vote was as follows:

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

IN THE MATTER OF APPROVING CHANGE ORDER #10 FROM VENDRICK CONSTRUCTION, INC./SENIOR SERVICES COMMUNITY BUILDING

Motion made by Mrs. Favede, seconded by Mr. Coffland to approve Change Order #10 from VendRick Construction, Inc., in the amount of \$305.00 for the installation of a timer to control the infrared radiant heater under the rear covered drop off canopy at the Senior Services of Belmont County – Community Building, Project # 14-019; revised project cost \$6,056,872.00.

Upon roll call the vote was as follows:

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

OPEN PUBLIC FORUM-Phil Wallace, co-founder of the Ohio Valley 9-11 Memorial, Inc., presented information regarding the 9-11 Memorial service being held on September 11, 2016, at the WesBanco Arena in Wheeling, WV. All are invited to attend the fifteen year remembrance which includes a free concert with patriotic music.

Mary Louise Snyder, president of the Belmont County District Library Board, inquired why the position for the Library Board was being advertised since they already submitted their recommendation to the Board of Commissioners and it was always accepted in the past. Commissioner Favede said the Board of Commissioners created a policy where they now advertise for any board position that they appoint, out of respect to all residents who may wish to apply. She also said a decision has not yet been made and they will certainly take into account the District Library Board’s recommendation. Commissioner Coffland added all residents in Belmont County should have the opportunity to serve on any County board. Richard Hord said he took the Library Board position and has been very actively participating and appreciates the Commissioners appointing him to the board.

Richard Hord asked Commissioner Coffland how his meeting went with CVG regarding the Shadyside plant closing. Commissioner Coffland said he traveled to Columbus yesterday with the determination he was going to meet with someone. He met with the HR Director and the Senior Vice-President of Management and spent about 40 minutes discussing the future of the plant. Mr. Coffland said that in 2009, he and Commissioner Favede traveled to Columbus and met with the old administration when they were getting ready to close either the Shadyside plant or Norwalk plant and met with Vice-President Gordon Boyd and were able to save the Shadyside plant. Commissioner Coffland said, “They are very pleased with the workforce in Shadyside. They have no complaints about the workforce and no complaints about the operation, the building – everything here is positive. The problem is the location where they ship the parts. They ship the parts to Mexico. Transportation costs have put them out of the ballpark and until they find additional work they are on the schedule of, sometime next year, possibly, closing the plant. They have not sent out any WARN notice.” Commissioner Coffland said the Commissioners have made contact with JobsOhio and Port Authority Director Larry Merry is now involved. “This county will do whatever it takes to try and secure that plant and continue to bring work there. The outlook is gloomy, but the market could change at any time,” said Commissioner Coffland. Commissioner Coffland plans on going back up in the next few weeks with Mr. Merry and Mike Schlantz from Ohio Means Jobs. If there is a layoff they will be prepared. “These 172 jobs are just as important as any job in Belmont County as well as any plant. We have always had an open policy here and will help anyone that comes and asks and even help the ones that don’t ask,” said Commissioner Coffland.

Richard Hord said he wants to rescind his application to continue as a board member of the Belmont County District Library.

BREAK

IN THE MATTER OF BID OPENING FOR THE KITCHEN EQUIPMENT-SENIOR SERVICES OF BELMONT COUNTY COMMUNITY BUILDING

This being the day and 9:30 a.m. being the hour that bids was to be on file in the Commissioners’ Office for the kitchen equipment-Senior Services of Belmont County Community Building; they proceeded to open the following bids:

NAME	BID BOND	BID AMOUNT
C & T Design and Equipment Co. 2760 N. Tobey Drive Indianapolis, Indiana 46219	Not Required	\$ 355,844.87
Carney & Sloan Inc. 518 Main Street Wheeling, West Virginia 26003	Not Required	\$ 311,316.00
National Equipment 1 Fourteenth Street Wheeling, West Virginia 26003	Not Required	\$ 345,771.00

Present for opening was Jeremy Greenwood and Brad Breisch, GreenCore Designs Inc, Mike Carney, Carney & Sloan and Mike Swann, National Equipment.

Motion made by Mr. Thomas, seconded by Mr. Coffland to turn over all bids received for the kitchen equipment for the Senior Services of Belmont County Community Building to Jeremy Greenwood, Project Architect, GreenCore Designs, Inc., for review and recommendation.

Upon roll call the vote was as follows:

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

IN THE MATTER OF BRYAN MINDER, 911 CENTER DIRECTOR/911 TAX LEVY RENEWAL

Bryan Minder, Belmont County 911 Director, presented information about the need to renew the 2012 one (1.00) mill 911-Public Safety Emergency Radio Communications System and Equipment Levy. It will be on the ballot this November and is a five year levy. Mr. Minder said the purpose of the levy is for replacement, additions and upgrades to the current radio system used by law, fire and EMS of Belmont County. The amount people pay will not change. Mr. Minder said, “This levy does not pay for the day-to-day operations of 911 itself. It does not pay for the salaries of any of the employees and it does not pay for annual maintenance costs associated with the radio system or the 911 center itself.” The original levy was used to upgrade the system to a P25 800 megahertz radio system, Phase I. This levy will be used to upgrade to Phase II system. Mr. Coffland stated public safety is very important to all of us and good communication is key. Mrs. Favede stated it was crucial for residents to know that the commissioners are not assessing this levy. This levy is being placed on the ballot for the residents of Belmont County to vote on; it is by revised code the Board of Commissioners passes the resolution that enables it to become a ballot levy. That is why the Board asked Bryan to come and explain what the levy will cover. Mr. Thomas said he sits on the 911 Board and the need for the

upgrade has been addressed at those meetings. The 911 Board recommended to the Commissioners that this be placed on the ballot. He said, "We have one of the finest 911 systems in the state of Ohio, especially for the size of our county."

BREAK

IN THE MATTER OF ENTERING EXECUTIVE SESSION AT 10:22 A.M.

Motion made by Mrs. Favede, seconded by Mr. Coffland to enter into executive session with Katie Bayness, HR Administrator and Kelly Porter, Sanitary Sewer Director, pursuant to ORC 121.22(G)(1) Personnel Exception to consider the employment and compensation of public employees.

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 1:15 P.M.

Motion made by Mrs. Favede, seconded by Mr. Coffland to exit executive session at 1:15 p.m.

Upon roll call the vote was as follows:

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

AS A RESULT OF EXECUTIVE SESSION-NO ACTION TAKEN

IN THE MATTER OF THE VACATION AND REDEDICATION OF COUNTY ROAD 64 (SHEPHERDSTOWN ROAD) WHEELING TWP. SEC.21 & 27 , T-8, R-4/RD IMP 1141

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

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

Petitioned for by freeholders and others

The Board of County Commissioners of Belmont County, Ohio met in regular session on the 27th day of July, 2016, at 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

WHEREAS, On the 27th day of July, 2016, the time heretofore fixed for view of the proposed improvement, we, the Board of County Commissioners having jurisdiction in said matter, went upon the line of said proposed improvement and made personal view of the proposed route and termini thereof, and after full investigation and due consideration of all the facts and conditions pertaining thereto; therefore be it

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

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

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

RESOLVED, That the said County Engineer be and he is hereby directed to make a report in writing to this Board, on or before the 3rd day of August, 2016 the date fixed for the final hearing, setting forth the opinion of said County Engineer either for or against said proposed improvement, ² and the width to which said improvement shall be opened, which shall not be less than thirty feet; said report shall be accompanied by said plat and detailed and accurate descriptions, and filed with the County Commissioners, and this case is continued unto said date.

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

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

Adopted July 27, 2016

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

IN THE MATTER OF THE VACATION AND REDEDICATION OF COUNTY ROAD 64 (UNITY CHURCH ROAD) WHEELING TWP. SEC.26, 27, 32 & 33, T-8, R-4/RD IMP 1142

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

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

Petitioned for by freeholders and others

The Board of County Commissioners of Belmont County, Ohio met in regular session on the 27th day of July, 2016, at 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

WHEREAS, On the 27th day of July, 2016, the time heretofore fixed for view of the proposed improvement, we, the Board of County Commissioners having jurisdiction in said matter, went upon the line of said proposed improvement and made personal view of the proposed route and termini thereof, and after full investigation and due consideration of all the facts and conditions pertaining thereto; therefore be it

July 27, 2016

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

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

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

RESOLVED, That the said County Engineer be and he is hereby directed to make a report in writing to this Board, on or before the **3rd** day of **August, 2016** the date fixed for the final hearing, setting forth the opinion of said County Engineer either for or against said proposed improvement, ² and the width to which said improvement shall be opened, which shall not be less than thirty feet; said report shall be accompanied by said plat and detailed and accurate descriptions, and filed with the County Commissioners, and this case is continued unto said date.

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

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

Adopted July 27, 2016

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

IN THE MATTER OF ADJOURNING
COMMISSIONERS MEETING AT 1:20 P.M.

Motion made by Mrs. Favede, seconded by Mr. Coffland to adjourn the meeting at 1:20 p.m.

Upon roll call the vote was as follows:

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

Read, approved and signed this 3rd day of August, 2016.

Ginny Favede /s/

Mark A. Thomas /s/ COUNTY COMMISSIONERS

Matt Coffland /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