

St. Clairsville, Ohio

May 20, 2009

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

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

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

"BILLS ALLOWED"

The following bills having been certified in the Auditor's office, on motion by Mrs. Favede, seconded by Mr. Probst, 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-A-1 Service Center	Repairs-Juvenile Ct./General Fund	298.25
A-BP	Gasoline/General Fund	10.00
A-James M. Mancini, Arbitrator	Arbitration Services/General Fund	2,549.51
A-Lucinda Maupin and others	Travel expenses-Veterans/General Fund	496.96
A-OAPJ Annual Conference	Conference-Juvenile Ct./General Fund	310.00
B-Crossroads Counseling Services	Court ordered counseling-Eastern Ct./Indigent Drivers Alcohol Fund	490.64
C-Hanlon, Estadt, McCormick & Schramm	Attorney Fees/Indigent Guardianship Fund	151.00
M-Mary Lyle	Mileage/Intake Coordinator-Juvenile Ct. Fund	161.10
M-Ohio Alcohol Monitoring	Supplies/Juvenile Ct. Title IV-E Reimb. Fund	276.00
N-Bank of New York Trust Co.	Interest/Eastern Div. Court Fund	22,347.50
N-Bank of New York Trust Co.	Interest/Jail Construction Project Fund	41,903.13
N-Carr Concrete	Guard Posts & Drip Edge/Road & Bridge Impr. & Repair Fund	3,050.00
N-Colaianni Construction	Contract Services/Jail Construction Fund	1,036.15
N-ERB Electric Co.	Contract Services/Jail Construction	149,188.16
N-Hammontree & Assoc.	Service-Mt. Victory Rd./Capital Projects Reserve Fund	4,026.00
N-HD Supply Waterworks	Contract Projects/SSD#1 Capital Improvements Fund	2,865.80
N-Huntington National Bank	Interest/Jail Construction Project	32,125.00
N-Huntington National Bank	Principal/SSD#2 Force Main Ext. Constr. Fund	180,000.00
N-Huntington National Bank	Interest/SSD#2 Force Main Extension	44,875.00
N-Huntington National Bank	Interest/WWS#3 Waterline Extension	7,479.17
N-Huntington National Bank	Principal/WWS#3 2000 Waterline Ext. Constr. Fund	300,000.00
N-Metal Masters	Applic. #15/Jail Construction Fund	20,936.00
N-S.A. Comunale	Jail Construction/Jail Expansion Grant Fund	5,892.96
N-Superior Steel Corp.	Bridge Decking/Road & Bridge Improvement Fund	21,935.00
N-Treasurer, State of Ohio	Contract Projects/WWS#3 Capital Improvements Fund	6,275.00
N-U.S. Bank	Interest/Jail Construction Project	11,791.25
O-(The)Bank of New York Mellon	Interest/SSD#2-SewerBond Fund	38,993.74
O-Bank of New York Trust Co.	Interest/Park Health Bond Retirement Fund	58,433.75
O-Bank of New York Trust Co.	Interest/Satellite Bldg	29,523.13
O-Huntington National Bank	Interest/Bond Retirement-Waterline Ext. Project	85,234.37
O-Huntington National Bank	Interest/Bond Retirement-Force Main Ext. Project	81,271.88
O-US Bank	Interest/WWS#3 Bond Fund	2,543.75
P-American Sanitary	Supplies/Oakview Admn. Bldg.	304.60
P-Belmont Co. Sanitary Sewer	April Service/WWS#1 Revenue Fund	3,290.60
P-Bd. Of Trustees, Bridgeport	April Expenses/WWS#1 Revenue Fund	19,994.00
P-Bridgeport Equip. & Tool	Supplies/BCSSD Funds	29.70
P-Yorkville Bd. Of Trustees of Public Affairs	Sewage Disposal/BCSSD Funds	513.29
S-Comcast	Utilities/Juvenile Court Computer Fund	59.00
S-Courtview	Billing support/Clerk of Courts Computer Fund	3,618.25
T-Chase Bank	CDBG Funds	32,725.00

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

Motion made by Mrs. Favede, seconded by Mr. Probst to approve the Recapitulation of Vouchers dated for May 20, 2009 as follow:

FUND	AMOUNT
A-GENERAL	\$23,503.84; \$1,409.18; \$8,870.82; \$6,715.41; \$2,910.07
A-GENERAL/ATTORNEY FEES	\$3,450.45
A-GENERAL/AUDITOR	\$332.58
A-GENERAL/CHEST CLINIC	\$791.92
A-GENERAL/EMA	\$721.49
A-GENERAL/SHERIFF	\$34.11; \$898.17; \$6,415.37; \$5,966.88
B-Dog and Kennel	\$5,181.02
H-County Home, Park Health	\$49,523.57; \$44,585.37
H-Job & Family, CSEA	\$3,790.54
H-Job & Family, Public Assistance	\$1,182.58; \$8,426.58; \$22,408.00; \$17,486.50; \$1,131.10
H-Job & Family, WIA	\$24,000.00
K-Engineer MVGT	\$20,342.32; \$490.40
M-Juvenile Ct. – Placement Services	\$29,760.00
M-Juvenile Ct. – Placement II	\$4,747.03
P-Sanitary Sewer District	\$1,160.30; \$9,303.77; \$3,449.90
S-District Detention Home	\$4,445.76
S-Job & Family, Children Services	\$17,015.44; \$150.00
S-Oakview Juvenile Residential Center	\$3,070.17

S-Sheriff CCW \$4,489.92
S-Sheriff Commissary \$2,473.69

Upon roll call the vote was as follows:

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

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

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

FROM **TO** **AMOUNT**
E-0131-A006-A04.002 Salary-Road E-0131-A006-A15.007 Unemployment Comp \$ 1,479.07

Upon roll call the vote was as follows:

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

IN THE MATTER OF TRANSFER WITHIN FUND FOR THE BCDJFS WORKFORCE DEVELOPMENT FUND

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

FROM **TO** **AMOUNT**
E-2600-H005-H04.000 Dislocated Worker E-2600-H005-H03.000 Adult 30,000.00

Upon roll call the vote was as follows:

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

IN THE MATTER OF ADDITIONAL APPROPRIATION FOR THE 911 WIRELESS 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 May 20, 2009.

E-2301-E011-E01.011 Contract Services \$ 19,291.47

Upon roll call the vote was as follows:

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

IN THE MATTER OF ADDITIONAL APPROPRIATION FOR THE JUVENILE COURT PLACEMENT SERVICES FUND

Motion made by Mr. Coffland, seconded by Mr. Probst to make the following additional appropriation, in accordance with the Amended Official Certificate of Estimated Resources as revised by the Budget Commission, under the date of May 20, 2009.

M-64 PLACEMENT SERVICES
E-0400-M064-M05.000 Placement Costs \$ 29,760.00

Upon roll call the vote was as follows:

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

IN THE MATTER OF ADDITIONAL APPROPRIATIONS FOR THE ORCHARD DRIVE/COLERAIN WATER CONSTRUCTION FUND

Motion made by Mrs. Favede, seconded by Mr. Coffland to make the following additional appropriations, in accordance with the Amended Official Certificate of Estimated Resources as revised by the Budget Commission, under the date of May 20, 2009.

E-9024-N024-N03.055 Construction Cost 100,000.00
E-9024-N024-N05.000 Other Expense 22,000.00

Upon roll call the vote was as follows:

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

IN THE MATTER OF ADDITIONAL APPROPRIATION FOR THE BELMONT CO. COMMISSIONERS CDBG FUND

Motion made by Mr. Coffland, seconded by Mr. Probst to make the following additional appropriation, in accordance with the Amended Official Certificate of Estimated Resources as revised by the Budget Commission, under the date of May 20, 2009.

BELMONT CO. COMMISSIONERS CDBG FUND

E-9702-T011-T01.000 Grants \$ 43,000.00
Draw Number 391 – Grant #B-F-08-007-1

Upon roll call the vote was as follows:

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

IN THE MATTER OF ADDITIONAL APPROPRIATION FOR THE UNCLAIMED 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 January 2, 2009.

E-9821-Y021-Y01.000 Unclaimed Money \$ 30,000.00

Upon roll call the vote was as follows:

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

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

Motion made by Mr. Probst, seconded by Mr. Coffland to execute payment of Then and Now Certification dated May 20, 2009, presented by the County Auditor pursuant to O.R.C. 5705.41(d) 1, and authorizing the drawing of warrant(s) in payment of amounts due upon contract or order.

Upon roll call the vote was as follows:

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

IN THE MATTER OF GRANTING PERMISSION FOR COUNTY EMPLOYEES TO TRAVEL

Motion made by Mr. Probst, seconded by Mr. Coffland granting permission for county employees to travel as follows:
CLERK OF COURTS – Randy Marple and 2 deputy clerks to travel to Columbus, OH, on May 20, 2009, to attend the Ohio Clerk of Courts monthly meeting.

DJFS – Dwayne Pielech, Vincent Gianangeli and Tom King to various meetings in May, 2009. Estimated expenses: \$325.00

Upon roll call the vote was as follows:

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

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.
CDBG - \$43,000.00 paid into R-9702-T011-T01.501 CDBG – Grant FORMULA on May 19, 2009, Draw No. 391, Grant #B-F-08-007-1.

Upon roll call the vote was as follows:

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

OPEN PUBLIC FORUM – Sue Douglass, Executive Director of the Department of Development, introduced Co-Director Gene Krebs and staff members Diane Deane and Katherine Buckingham of Greater Ohio. Sue said they have progressed into a major organization impacting policy and legislation in the State of Ohio and is a resource that the Belmont County Department of Development has used in the past. They will be guest speakers later today at the St. C. Chamber luncheon. Mr. Krebs advised their main objective was to restore Ohio's economic prosperity through intelligent land use and sustainability.

DISCUSSION HELD RE: NAMING OF NEW JAIL ADDITION

Richard Hord asked if the Board was still considering the suggestion to name the new jail addition after Judge Isaac Parker. Commissioner Probst advised that due to the fact that some people in the county said they are offended by naming it after Judge Parker and the conflict it presents between the parties who are for or against this idea, the board is not moving forward on this matter at this time.

10:54 BREAK UNTIL 11:00 A.M. BID OPENING

IN THE MATTER OF BID OPENING FOR ENGINEER'S PROJECT 09-3- BEL-4-24.26 BRIDGE REPLACEMENT

This being the day and 11:00 a.m. being the hour that bids were to be on file in the Commissioners' Office for the Belmont County Engineer's Project 09-3, BEL-4-24.26 Bridge Replacement, they proceeded to open the following bids:

NAME	BID BOND	BID AMOUNT
OHIO-WV Excavating PO Box 208 Powhatan Point, OH 43942	X	\$ 91,385.00
McConnell Contracting 56194 Co. Rd. 5 West Lafayette, OH 43845	X	\$112,450.00
Sheldon-Gantt, Inc. 1500 N. Main St. Niles, OH 44446	X	\$111,770.00

Engineer's Estimate: \$110,000.00

Present for the bid opening were John Parkinson of the Engineer's Dept.; Richard McConnell of McConnell Contracting; Eric Ayres of The Times Leader; and Al Molnar of The Intelligencer.

Motion made by Mr. Probst, seconded by Mr. Coffland to turn all bids received for the Belmont County Engineer's Project 09-3, BEL-4-24.26 Bridge Replacement, to John Parkinson to give to County Engineer Fred Bennett for review and recommendation.

Note: Project is located on County Highway 4, Colerain Pike. Funded by OPWC and MVGT funds.

Upon roll call the vote was as follows:

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

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

Motion made by Mrs. Favede, seconded by Mr. Probst to approve the minutes of the Belmont County Board of Commissioners regular meeting of: May 6 and 13, 2009.

Upon roll call the vote was as follows:

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

IN THE MATTER OF APPROVING MINUTES OF SPECIAL MEETING OF BOARD OF COMMISSIONERS MEETING

Motion made by Mrs. Favede, seconded by Mr. Probst to approve the minutes of the Special Meeting of the Belmont County Board of Commissioners of May 18, 2009.

Upon roll call the vote was as follows:

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

IN THE MATTER OF SUSPENDING THE COMMISSIONERS' EVENING MEETINGS FOR JUNE, JULY AND AUGUST, 2009

Motion made by Mrs. Favede, seconded by Mr. Probst to suspend the Board's evening meetings for the months of June, July and August and to hold regular day meetings commencing at 10:00 a.m. at the courthouse; evening meetings will resume September 30, 2009.

Upon roll call the vote was as follows:

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

IN THE MATTER OF SIGNING AND SUBMITTAL OF THE EMPLOYER MASTER APPLICATION FOR RENEWAL OF THE GROUP SERVICE AGREEMENT (GSA) WITH THE HEALTH PLAN OF THE UPPER OHIO VALLEY, INC.

Motion made by Mrs. Favede, seconded by Mr. Probst to authorize the signing and submittal of the Employer Master Application for renewal of the Group Service Agreement (GSA) with The Health Plan of the Upper Ohio Valley, Inc. to provide health insurance coverage to eligible Belmont County employees for a period of one year commencing on June 1, 2009 through May 31, 2010; Group #01010129.

Note: This is an HMO plan.

Upon roll call the vote was as follows:

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

IN THE MATTER OF SIGNING AND SUBMITTAL OF THE EMPLOYER MASTER APPLICATION FOR RENEWAL OF THE GROUP SERVICE AGREEMENT (GSA) WITH THP INSURANCE COMPANY

Motion made by Mrs. Favede, seconded by Mr. Probst to authorize the signing and submittal of the Employer Master Application for renewal of the Group Service Agreement (GSA) with THP Insurance Company to provide health insurance coverage to eligible Belmont County employees for a period of one year commencing on June 1, 2009 through May 31, 2010; Group #0124120.

Note: This is a PPO plan.

Upon roll call the vote was as follows:

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

IN THE MATTER OF APPROVING THE HIRING OF TWO TEMPORARY "SUMMER INTERN CLERKS" FOR WESTERN DIVISION COURT

Motion made by Mrs. Favede, seconded by Mr. Probst to approve the hiring of two temporary "Summer Intern Clerks" for Western Division Court to work 35 hours per week and to be paid from the court's Special Projects Fund as follows:

- Katherine Marie Lee at the rate of \$7.75 per hour commencing June 15, 2009.
- Rachel Petri at the rate of \$7.30 per hour commencing May 18, 2009.

Upon roll call the vote was as follows:

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

IN THE MATTER OF ADOPTING THE RESOLUTION AUTHORIZING AND DIRECTING THE PRESIDENT OF THE BOARD TO EXECUTE ALL DOCUMENTS RE: WATER SUPPLY REVOLVING LOAN ACCOUNT AND WATER SUPPLY REVOLVING LOAN ACCOUNT AGREEMENT WITH OEPA AND OWDA

Motion made by Commissioner Favede, seconded by Commissioner Probst to adopt the following resolution authorizing and directing the President of the Belmont County Commissioners to execute all documents relative to the establishment of a certain Water Supply Revolving Loan Account and to execute all documents to allow the Belmont County Commissioners to enter into a Water Supply Revolving Loan Account Agreement with OEPA and OWDA.

Resolution

Whereas, the Belmont County Commissioners wish to participate in a loan transaction with OEPA and OWDA. Now therefore be it resolved that the President is hereby authorized and directed to execute all documents relative for the establishment of a certain water supply revolving loan account agreement and to enter into said agreement with Ohio Environmental Protection Agency and Ohio Water Development Authority.

The Belmont County Commissioners will assess property owners if said loan is defaulted.

The method of repayment for the aforesaid WSRLA Agreement between Ohio EPA and OWDA shall be user fees and established pre assessments.

The foregoing resolution was adopted and all actions and all deliberations of the Belmont County Commissioners were conducted in open meetings to the public in compliance with all applicable legal requirements including Section 121.22 of the Ohio Revised Code.

Adopted May 20, 2009

Upon roll call the vote was as follows:

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

**IN THE MATTER OF FINAL PLAT APPROVAL
FOR HUNTER'S RIDGE, 1ST ADD'N
COLERAIN TOWNSHIP SEC 24, T6, R3**

"Hearing Had-11:15 A.M."

Present for the hearing was Ruth Graham, Engineer's Drafting Technician. She presented maps and explained they are adding on to an existing subdivision, calling it the 1st Addition, to add Lots 6 thru 16. There are no new roadways being created. The Health Department gave their approval on 04/14/09.

**"FINAL PLAT APPROVAL"
O.R.C. 711.05**

Motion made by Mrs. Favede to grant the final plat for the following:

RESOLUTION

WHEREAS, this day there was presented to the Board for approval the Final Plat for Hunter's Ridge, 1st Add'n, Colerain Township, Section 24 T-6, R-3, which appears to be regular in form and approved by the proper parties;

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

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

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

**IN THE MATTER OF ENTERING
EXECUTIVE SESSION AT 11:21 A.M.**

Motion made by Mrs. Favede, seconded by Mr. Probst to enter executive session with Consultant Mark Lucas and pursuant to O.R.C. 121.22(G)(1) Personnel to discuss the compensation and employment of public employees, and 121.22(G)(4) Collective Bargaining for the purposes of "preparing for, conducting, or reviewing the negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment."

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADJOURNING
EXECUTIVE SESSION AT 11:54 A.M.**

Motion made by Mr. Probst, seconded by Mr. Coffland to adjourn executive session with Consultant Mark Lucas and pursuant to O.R.C. 121.22(G)(1) Personnel to discuss the compensation and employment of public employees, and 121.22(G)(4) Collective Bargaining for the purposes of "preparing for, conducting, or reviewing the negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment."

Upon roll call the vote was as follows:

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

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

**IN THE MATTER OF AUTHORIZING THE
PARK HEALTH ADMINISTRATOR TO HIRE
RE: STNA STAFFING STANDARDS FOR LICENSURE**

Motion made by Mrs. Favede, seconded by Mr. Probst to adopt the following resolution:

Whereas, the previously authorized sale and lease of Park Health Center requires the facility to be licensed, Be it resolved that the Administrator is authorized to hire LPN's and staff with STNA credentials in order to accommodate STNA staffing standards for licensure; provided the President of the Board approves the number, names and rates of pay for those hired as temporary appointees; and provided the total number of staff at the facility does not exceed previous staffing levels.

Adopted May 20, 2009

Upon roll call the vote was as follows:

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

**11:30 Agenda Item: Dennis Schwallie, Peck, Shaffer & Williams, LLP
Re: \$2.1 Million Various Purpose Notes Renewal**

**IN THE MATTER OF ADOPTING A RESOLUTION AUTHORIZING
THE ISSUANCE OF \$1,800,000 OF NOTES TO PAY PART OF
THE COST OF ACQUIRING AND CONSTRUCTING SANITARY
SEWER IMPROVEMENTS IN BELMONT COUNTY SANITARY
SEWER DISTRICT NO. 2**

ENTERED IN COMMISSIONERS' JOURNAL
NO. 90, PAGE NO. _____

The Board of County Commissioners of the County of Belmont, Ohio, met in regular session at 10:00 o'clock a.m., on May 20, 2009, at the commissioners meeting room, located at the Courthouse, St. Clairsville, Ohio, with the following members present:

Mrs. Favede moved the adoption of the following resolution:

COUNTY OF BELMONT, OHIO
RESOLUTION NO. _____

RESOLUTION AUTHORIZING THE ISSUANCE OF \$1,800,000 OF NOTES TO PAY PART OF THE COST OF ACQUIRING AND CONSTRUCTING SANITARY SEWER IMPROVEMENTS IN BELMONT COUNTY SANITARY SEWER DISTRICT NO. 2, INCLUDING (A) THE EXIT 215 SEWER LINE PROJECT, (B) THE VILLAGE OF BELMONT PUMP STATION AND FORCED MAIN PROJECT, AND (C) THE VILLAGE OF MORRISTOWN PUMP STATION PROJECT.

WHEREAS, this Board of County Commissioners has heretofore determined the necessity of acquiring and constructing sanitary sewer improvements in Belmont County Sanitary Sewer District No. 2, including (a) the Exit 215 sewer line project, (b) the Village of Belmont pump station and forced main project, and (c) the Village of Morristown pump station project (collectively, the "Project"); and

WHEREAS, the County Auditor has heretofore estimated that the life of the improvements and assets to be acquired with the proceeds of the notes and bonds hereinafter referred to is at least five (5) years, and certified that the maximum maturity of the bonds issued therefor is forty (40) years, and of notes to be issued in anticipation thereof is twenty (20) years; and

WHEREAS, this Board of County Commissioners anticipates that debt service on such bonds will be paid from the net revenues of the County's sanitary sewer system in Belmont County Sanitary Sewer District No. 2 and on such notes from such net revenues and proceeds of such bonds or renewal notes (collectively, the "Revenues"); and

WHEREAS, notes heretofore issued in anticipation of such bonds in the amount of \$1,800,000 are about to mature and should be renewed in the principal amount of \$1,800,000;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of the County of Belmont, Ohio:

SECTION 1. That it is necessary to issue bonds of this County in the principal amount of \$1,800,000 for the purpose of paying part of the cost of the Project, including "financing costs" as defined in Section 133.01 of the Ohio Revised Code.

SECTION 2. That bonds of this County shall be issued in said principal amount for the purpose aforesaid under authority of the general laws of the State of Ohio, particularly Chapter 133 of the Ohio Revised Code. Said bonds shall be dated approximately June 1, 2010, shall bear interest at the rate of approximately nine per cent (9%) per annum, payable semiannually, and shall mature in substantially equal annual installments over a period not exceeding thirty (30) years.

SECTION 3. That it is hereby determined that notes (hereinafter called the "Notes") in the principal amount of \$1,800,000 shall be issued in anticipation of the issuance of said bonds. The Notes shall (i) be dated the date of their issuance, (ii) mature not more than one (1) year from such date of issuance; (iii) bear interest at a rate per annum not exceeding six percent (6%) per annum, which interest shall be payable at maturity, (iv) be issued in such numbers and denominations of \$100,000 or more as may be requested by the purchaser, and (v) be payable as to both principal and interest in federal funds of the United States of America at the office of a bank or trust company designated to serve as the paying agent, registrar and transfer agent (the "Paying Agent and Registrar") for the Notes, all as determined by the County Auditor without further action of this Board of County Commissioners in a certificate of award (the "Certificate of Award"), which determinations shall be conclusive.

The Notes shall not be subject to call for redemption at any time prior to maturity.

The Notes shall be issued in fully-registered form, without coupons, and shall be payable without deduction for exchange, collection or service charges to the person whose name appears on the Note registration records to be maintained by the Paying Agent and Registrar as the registered holder thereof.

The Notes shall be transferable by the registered holder thereof in person or by his attorney duly authorized in writing at the office of the Paying Agent and Registrar upon presentation and surrender thereof to the Paying Agent and Registrar. No transfer of any Note shall be effective until entered upon the registration records maintained by the Paying Agent and Registrar. Upon such transfer, a new Note or Notes of authorized denominations of the same maturity and for the same aggregate principal amount shall be issued to the transferee in exchange therefor.

This County and the Paying Agent and Registrar may deem and treat the registered holders of the Notes as the absolute owners thereof for all purposes, and neither this County nor the Paying Agent and Registrar shall be affected by any notice to the contrary.

The Notes shall be designated "Sanitary Sewer Improvement Bond Anticipation Notes, Seventh Series, Third (2009) Renewal".

SECTION 4. That the Notes shall bear the signatures of at least two members of this Board of County Commissioners and the County Auditor, and may bear the County Auditor's seal, provided that all but one of such signatures, and such seal, may be facsimiles. The Notes shall express on their faces the purpose for which they are issued and that they are issued pursuant to this resolution. The Notes shall bear the manual authenticating signature of an authorized representative of the Paying Agent and Registrar.

SECTION 5. That the Notes shall be sold to Fifth Third Securities, Inc. (the "Purchaser") at not less than 100% of the principal amount thereof, plus accrued interest to the date of delivery, as determined by the County Auditor in the Certificate of Award without further action of this Board pursuant to the Purchaser's offer to purchase which such officer is hereby authorized to accept. The proceeds from such sale, except any premium or accrued interest thereon, shall be used for the purpose aforesaid and for no other purpose, and for which purpose said proceeds are hereby appropriated. Any premium and accrued interest shall be transferred to the bond retirement fund to be applied to the payment of principal and interest of the Notes in the manner provided by law. The Notes may be issued and sold on a consolidated basis with other notes of this County pursuant to Section 133.30(B) of the Ohio Revised Code and a consolidating resolution adopted by this Board of County Commissioners on this date if the County Auditor so determines, in which event, the terms of which are incorporated herein by reference. Such consolidated note issue is to be designated "Various Purpose Bond Anticipation Notes, Fifth Series, Third (2009) Renewal" and is sometimes referred to herein as the "Consolidated Note Issue".

SECTION 6. That the Notes shall be the full general obligations of this County, and the full faith, credit and revenue of this County are hereby pledged for the prompt payment of the same. The principal amount received from the sale of the bonds anticipated by the Notes and any excess fund resulting from the issuance of the Notes shall, to the extent necessary, be used only for the retirement of the Notes at maturity, together with interest thereon and is hereby pledged for such purpose.

SECTION 7. That during the year or years while the Notes run there shall be levied upon all of the taxable property in this County in addition to all other taxes, a direct tax annually not less than that which would have been levied if bonds had been issued without the prior issue of the Notes; provided, however, that in each year to the extent the Revenues and other moneys are available for the payment of the Notes and bonds and are appropriated for such purpose, the amount of such tax shall be reduced by the amount of such Revenues and other moneys so available and appropriated.

SECTION 8. That said tax shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers in the same manner and at the same time that taxes for general purposes for each of said years are certified, extended and collected. Said tax shall be placed before and in preference to all other items and for the full amount thereof. The funds derived from said tax levy hereby required, or from the other described sources, shall be placed in a separate and distinct fund, which together with all interest collected on the same, shall be pledged irrevocably for the payment of the principal and interest of the Notes or the bonds in anticipation of which they are issued when and as the same fall due.

SECTION 9. That this Board of County Commissioners hereby covenants that it will restrict the use of the proceeds of the Notes hereby authorized in such manner and to such extent, if any, as may be necessary, after taking into account reasonable expectations at the time the debt is incurred, so that they will not constitute "arbitrage bonds" under Sections 103(b)(2) and 148 of the Internal Revenue Code of 1986, as amended (the "Code") and the regulations prescribed thereunder and will, to the extent possible, comply with all other applicable provisions of the Code and the regulations thereunder in order to retain the Federal income tax exemption for interest on the Notes, including any expenditure requirements, investment limitations, rebate requirements or use restrictions. The County Auditor or any other officer having responsibility with respect to the issuance of the Notes is authorized and directed to give an appropriate certificate on behalf of the County on the date of delivery of the Notes for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances and reasonable expectations pertaining to the use of the proceeds thereof and the provisions of the Code and the regulations thereunder.

The County Auditor is hereby authorized to designate the Notes as "qualified tax-exempt obligations" to the extent permitted by Section 265(b) of the Code and not already deemed so designated, if the County Auditor finds and determines that the reasonably anticipated amount of tax-exempt obligations (whether or not designated as qualified) issued and to be issued by the County during 2009 including the Notes does not exceed \$30,000,000. The County Auditor and other appropriate officers, and any of them, are authorized to take such additional actions and give such certifications on behalf of the County with respect to the reasonably anticipated amount of tax-exempt obligations to be issued by the County during 2009 and with respect to such other matters as appropriate under the Code, including representing and covenanting on behalf of the County that the amount of tax-exempt obligations issued by the County and designated as "qualified tax-exempt obligations" for such purpose during 2009 will not exceed \$30,000,000.

SECTION 10. That the law firm of Peck, Shaffer & Williams LLP be and is hereby retained as bond counsel to the County to prepare the necessary authorization and related closing documents for the issuance, sale and delivery of the Notes and, if appropriate, rendering its approving legal opinion in connection therewith in accordance with the written agreement presently on file with the County which at least two members of this Board of County Commissioners and the County Auditor are each hereby separately authorized to execute and deliver on behalf of the County, with such changes thereto not substantially adverse to the County as may be approved by such officers. The approval of such changes by such officers, and that the same are not substantially adverse to the County, shall be conclusively evidenced by the execution of such agreement by such officers. Such law firm shall be compensated by the County for the above services in accordance with such written agreement.

SECTION 11. That at least two members of this Board and the County Auditor are separately hereby authorized, alone or with others, to execute and deliver an agreement with the Paying Agent and Registrar for its services as paying agent, registrar and transfer agent for the Bonds as a part of the Consolidated Note Issue in such form as such officer may approve, the execution thereof by such officer to be conclusive evidence of such authorization and approval.

SECTION 12. That the Clerk of this Board of County Commissioners, acting as the Clerk of this Board of County Commissioners, is hereby directed to forward a certified copy of this resolution to the County Auditor.

SECTION 13. That it is found and determined that all formal actions of this Board of County Commissioners concerning and relating to the adoption of this resolution were adopted in an open meeting of this Board of County Commissioners, and that all deliberations of this Board of County Commissioners and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law, including Section 121.22 of the Revised Code of Ohio.

SECTION 14. That this resolution shall take effect immediately upon its adoption.

Mr. Probst seconded the resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

AYES: Mrs. Favede, Mr. Probst, Mr. Coffland

NAYS:

ADOPTED, this 20th day of May, 2009.

Jayne Long /s/

Clerk

Board of County Commissioners
County of Belmont, Ohio

**IN THE MATTER OF ADOPTING RESOLUTION AUTHORIZING
THE ISSUANCE OF \$300,000 OF NOTES TO PAY PART OF THE
COST OF ACQUIRING AND CONSTRUCTING WATER SUPPLY
IMPROVEMENTS AND PARTICULARLY TO SANITARY SEWER DISTRICT NO. 3**

ENTERED IN COMMISSIONERS' JOURNAL

NO. 90, PAGE NO. _____

The Board of County Commissioners of the County of Belmont, Ohio, met in regular session at 10:00 o'clock a.m., on May 20, 2009, at the commissioners meeting room, located at the Courthouse, St. Clairsville, Ohio, with the following members present:

Mrs. Favede moved the adoption of the following resolution:

COUNTY OF BELMONT, OHIO

RESOLUTION NO. _____

RESOLUTION AUTHORIZING THE ISSUANCE OF \$300,000 OF NOTES TO PAY PART OF THE COST OF ACQUIRING AND CONSTRUCTING WATER SUPPLY IMPROVEMENTS IN THE COUNTY, AND PARTICULARLY IMPROVEMENTS TO THE WATER SUPPLY AND WATER WORKS SYSTEM IN BELMONT COUNTY SANITARY SEWER DISTRICT NO. 3

WHEREAS, this Board of County Commissioners has heretofore determined the necessity of acquiring and constructing water supply improvements in the County, and particularly improvements to the water supply and water works system in Belmont County Sanitary Sewer District No. 3 (the "Project"); and

WHEREAS, the County Auditor has heretofore estimated that the life of the improvements and assets to be acquired with the proceeds of the notes and bonds hereinafter referred to is at least five (5) years, and certified that the maximum maturity of the bonds issued therefor is forty (40) years, and of notes to be issued in anticipation thereof is twenty (20) years; and

WHEREAS, this Board of County Commissioners anticipates that debt service on such bonds will be paid from the net revenues of the water supply and water works system in Belmont County Sanitary Sewer District No. 3, and on such notes from such net revenues and proceeds of such bonds or renewal notes (collectively, the "Revenues"); and

WHEREAS, notes heretofore issued in anticipation of such bonds in the principal amount of \$300,000 are about to mature and should be renewed in the principal amount of \$300,000;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of the County of Belmont, Ohio:

SECTION 1. That it is necessary to issue bonds of this County in the principal amount of \$300,000 for the purpose of paying part of the cost of the Project, including "financing costs" as defined in Section 133.01 of the Ohio Revised Code.

SECTION 2. That such bonds shall be issued in said principal amount for the purpose aforesaid under authority of the general laws of the State of Ohio, particularly Chapter 133 of the Ohio Revised Code. Said bonds shall be dated approximately June 1, 2010, shall bear interest at the rate of approximately nine per cent (9%) per annum, payable semiannually, and shall mature in substantially equal annual installments over a period not exceeding thirty (30) years.

SECTION 3. That it is hereby determined that notes (hereinafter called the "Notes") in the principal amount of \$300,000 shall be issued in anticipation of the issuance of said bonds. The Notes shall (i) be dated the date of their issuance, (ii) mature not more than one (1) year from such date of issuance; (iii) bear interest at a rate per annum not exceeding six percent (6%) per annum, which interest shall be payable at maturity, (iv) be issued in such numbers and denominations of \$100,000 or more as may be requested by the purchaser, and (v) be payable as to both principal and interest in federal funds of the United States of America at the office of a bank or trust company designated to serve as the paying agent, registrar and transfer agent (the "Paying Agent and Registrar") for the Notes, all as determined by the County Auditor without further action of this Board of County Commissioners in a certificate of award (the "Certificate of Award"), which determinations shall be conclusive.

The Notes shall not be subject to call for redemption at any time prior to maturity.

The Notes shall be issued in fully-registered form, without coupons, and shall be payable without deduction for exchange, collection or service charges to the person whose name appears on the Note registration records to be maintained by the Paying Agent and Registrar as the registered holder thereof.

The Notes shall be transferable by the registered holder thereof in person or by his attorney duly authorized in writing at the office of the Paying Agent and Registrar upon presentation and surrender thereof to the Paying Agent and Registrar. No transfer of any Note shall be effective until entered upon the registration records maintained by the Paying Agent and Registrar. Upon such transfer, a new Note or Notes of authorized denominations of the same maturity and for the same aggregate principal amount shall be issued to the transferee in exchange therefor.

This County and the Paying Agent and Registrar may deem and treat the registered holders of the Notes as the absolute owners thereof for all purposes, and neither this County nor the Paying Agent and Registrar shall be affected by any notice to the contrary.

The Notes shall be designated "Water System Improvement Bond Anticipation Notes, Third Series, Third (2009) Renewal".

SECTION 4. That the Notes shall bear the signatures of at least two members of this Board of County Commissioners and the County Auditor, and may bear the County Auditor's seal, provided that all but one of such signatures, and such seal, may be facsimiles. The Notes shall express on their faces the purpose for which they are issued and that they are issued pursuant to this resolution. The Notes shall bear the manual authenticating signature of an authorized representative of the Paying Agent and Registrar.

SECTION 5. That the Notes shall be sold to Fifth Third Securities, Inc. (the "Purchaser") at not less than 100% of the principal amount thereof, plus accrued interest to the date of delivery, as determined by the County Auditor in the Certificate of Award without further action of this Board pursuant to the Purchaser's offer to purchase which such officer is hereby authorized to accept. The proceeds from such sale, except any premium or accrued interest thereon, shall be used for the purpose aforesaid and for no other purpose, and for which purpose said proceeds are hereby appropriated. Any premium and accrued interest shall be transferred to the bond retirement fund to be applied to the payment of principal and interest of the Notes in the manner provided by law. The Notes may be issued and sold on a consolidated basis with other notes of this County pursuant to Section 133.30(B) of the Ohio Revised Code and a consolidating resolution adopted by this Board of County Commissioners on this date if the County Auditor so determines, in which event, the terms of which are incorporated herein by reference. Such consolidated note issue is to be designated "Various Purpose Bond Anticipation Notes, Fifth Series, Third (2009) Renewal" and is sometimes referred to herein as the "Consolidated Note Issue".

SECTION 6. That the Notes shall be the full general obligations of this County, and the full faith, credit and revenue of this County are hereby pledged for the prompt payment of the same. The principal amount received from the sale of the bonds anticipated by the Notes and any excess fund resulting from the issuance of the Notes shall, to the extent necessary, be used only for the retirement of the Notes at maturity, together with interest thereon and is hereby pledged for such purpose.

SECTION 7. That during the year or years while the Notes run there shall be levied upon all of the taxable property in this County in addition to all other taxes, a direct tax annually not less than that which would have been levied if bonds had been issued without the prior issue of the Notes; provided, however, that in each year to the extent the Revenues and other moneys are available for the payment of the Notes and bonds and are appropriated for such purpose, the amount of such tax shall be reduced by the amount of such Revenues and other moneys so available and appropriated.

SECTION 8. That said tax shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers in the same manner and at the same time that taxes for general purposes for each of said years are certified, extended and collected. Said tax shall be placed before and in preference to all other items and for the full amount thereof. The funds derived from said tax levy hereby required, or from the other described sources, shall be placed in a separate and distinct fund, which together with all interest collected on the same, shall be pledged irrevocably for the payment of the principal and interest of the Notes or the bonds in anticipation of which they are issued when and as the same fall due.

SECTION 9. That this Board of County Commissioners hereby covenants that it will restrict the use of the proceeds of the Notes hereby authorized in such manner and to such extent, if any, as may be necessary, after taking into account reasonable expectations at the time the debt is incurred, so that they will not constitute "arbitrage bonds" under Sections 103(b)(2) and 148 of the Internal Revenue Code of 1986, as amended (the "Code") and the regulations

prescribed thereunder and will, to the extent possible, comply with all other applicable provisions of the Code and the regulations thereunder in order to retain the Federal income tax exemption for interest on the Notes, including any expenditure requirements, investment limitations, rebate requirements or use restrictions. The County Auditor or any other officer having responsibility with respect to the issuance of the Notes is authorized and directed to give an appropriate certificate on behalf of the County on the date of delivery of the Notes for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances and reasonable expectations pertaining to the use of the proceeds thereof and the provisions of the Code and the regulations thereunder.

The County Auditor is hereby authorized to designate the Notes as "qualified tax-exempt obligations" to the extent permitted by Section 265(b) of the Code and not already deemed so designated, if the County Auditor finds and determines that the reasonably anticipated amount of tax-exempt obligations (whether or not designated as qualified) issued and to be issued by the County during 2009 including the Notes does not exceed \$30,000,000. The County Auditor and other appropriate officers, and any of them, are authorized to take such additional actions and give such certifications on behalf of the County with respect to the reasonably anticipated amount of tax-exempt obligations to be issued by the County during 2009 and with respect to such other matters as appropriate under the Code, including representing and covenanting on behalf of the County that the amount of tax-exempt obligations issued by the County and designated as "qualified tax-exempt obligations" for such purpose during 2009 will not exceed \$30,000,000.

SECTION 10. That the law firm of Peck, Shaffer & Williams LLP be and is hereby retained as bond counsel to the County to prepare the necessary authorization and related closing documents for the issuance, sale and delivery of the Notes and, if appropriate, rendering its approving legal opinion in connection therewith in accordance with the written agreement presently on file with the County which at least two members of this Board of County Commissioners and the County Auditor are each hereby separately authorized to execute and deliver on behalf of the County, with such changes thereto not substantially adverse to the County as may be approved by such officers. The approval of such changes by such officers, and that the same are not substantially adverse to the County, shall be conclusively evidenced by the execution of such agreement by such officers. Such law firm shall be compensated by the County for the above services in accordance with such written agreement.

SECTION 11. That at least two members of this Board and the County Auditor are separately hereby authorized, alone or with others, to execute and deliver an agreement with the Paying Agent and Registrar for its services as paying agent, registrar and transfer agent for the Bonds as a part of the Consolidated Note Issue in such form as such officer may approve, the execution thereof by such officer to be conclusive evidence of such authorization and approval.

SECTION 12. That the Clerk of this Board of County Commissioners, acting as the Clerk of this Board of County Commissioners, is hereby directed to forward a certified copy of this resolution to the County Auditor.

SECTION 13. That it is found and determined that all formal actions of this Board of County Commissioners concerning and relating to the adoption of this resolution were adopted in an open meeting of this Board of County Commissioners, and that all deliberations of this Board of County Commissioners and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law, including Section 121.22 of the Revised Code of Ohio.

SECTION 14. That this resolution shall take effect immediately upon its adoption.

Mr. Probst seconded the resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

AYES: Mrs. Favede, Mr. Probst, Mr. Coffland

NAYS:

ADOPTED, this 20th day of May, 2009.

Jayne Long /s/

Clerk

Board of County Commissioners
County of Belmont, Ohio

IN THE MATTER OF ADOPTING RESOLUTION CONSOLIDATING UP TO TWO BOND ANTICIPATION NOTE ISSUES OF THE COUNTY OF BELMONT, OHIO INTO A CONSOLIDATED NOTE ISSUE, AND ESTABLISHING THE TERMS OF SUCH CONSOLIDATED NOTE ISSUE

ENTERED IN COMMISSIONERS' JOURNAL

NO. 90, PAGE NO. _____

The Board of County Commissioners of the County of Belmont, Ohio, met in regular session at 10:00 o'clock a.m., on May 20, 2009, at the commissioners meeting room, located at the Courthouse, St. Clairsville, Ohio, with the following members present:

Mrs. Favede moved the adoption of the following resolution:

COUNTY OF BELMONT, OHIO

RESOLUTION NO. _____

RESOLUTION CONSOLIDATING UP TO TWO BOND ANTICIPATION NOTE ISSUES OF THE COUNTY OF BELMONT, OHIO INTO A CONSOLIDATED NOTE ISSUE, AND ESTABLISHING THE TERMS OF SUCH CONSOLIDATED NOTE ISSUE.

WHEREAS, this Board of County Commissioners has adopted two resolutions authorizing the following general obligation bond anticipation note issues pursuant to Chapter 133 of the Ohio Revised Code for the purposes indicated: (i) \$1,800,000 Sanitary Sewer Improvement Bond Anticipation Notes, Seventh Series, Third (2009) Renewal for the purpose of paying part of the cost of acquiring and constructing sanitary sewer improvements in Belmont County Sanitary Sewer District No. 2, including (a) the Exit 215 sewer line project, (b) the Village of Belmont pump station and forced main project, and (c) the Village of Morristown pump station project, and (ii) \$300,000 Water System Improvement Bond Anticipation Notes, Third Series, Third (2009) Renewal for the purpose of paying part of the costs of acquiring and constructing water supply improvements in the County, and particularly improvements to the water supply and water works system in Belmont County Sanitary Sewer District No. 3 (such note issues are collectively referred to as the "2009 Series Notes"); and

WHEREAS, this Board of County Commissioners desires to authorize the issuance and sale of some or all of the 2009 Series Notes on a consolidated basis pursuant to Section 133.30(B) of the Ohio Revised Code and this resolution;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Belmont County, Ohio:

SECTION 1. That pursuant to the provisions of Section 133.30(B) of the Ohio Revised Code, some or all of the 2009 Series Notes, as determined by the County Auditor in the Certificate of Award, as hereinafter defined, without further action of this Board of County Commissioners, shall be consolidated into a single note issue which shall be designated "Various Purpose Bond Anticipation Notes, Fifth Series, Third (2009) Renewal" (such consolidated notes are hereinafter referred to as the "Consolidated Notes").

SECTION 2. That the Consolidated Notes shall be issued under authority of the general laws of the State of Ohio, particularly Chapter 133 of the Ohio Revised Code. The Consolidated Notes shall (i) be dated as of the same date as the 2009 Series Notes included in the Consolidated Notes, (ii) be in a principal amount equal to the sum of the aggregate principal amounts of such 2009 Series Notes, (iii) be numbered from R-1 upwards in order of issuance, (iv) be of the denominations of \$100,000 or more requested by the purchaser, (v) mature on the date such 2009 Series Notes mature in an amount equal to the sum of the maturity amounts for such 2009 Series Notes for such date, and (vi) bear interest payable at maturity at a rate equal to the rate of interest on such 2009 Series Notes.

The Consolidated Notes shall not be subject to optional redemption.

It is hereby determined by this Board of County Commissioners that the issuance of the Consolidated Notes provided herein are in the best interests of the County and that the maturity provisions set forth above are consistent with the aggregate of the separate maturities of the respective resolutions authorizing the 2009 Series Notes.

SECTION 3. That the Consolidated Notes shall express upon their faces a summary statement of purposes encompassing the purposes stated in the resolutions authorizing the 2009 Series Notes and that they are issued in pursuance of this resolution. The Consolidated Notes shall be in fully registered form without coupons, shall bear the signatures of at least two members of this Board of County Commissioners and the County Auditor, provided that all of such signatures may be facsimile signatures, and may bear the seal of such County Auditor or a facsimile thereof. The Consolidated Notes shall be payable as to both principal and interest in federal funds of the United States of America at the office of a bank or trust company to be designated the County Auditor in the Certificate of Award (as hereinafter defined) without further action of this Board of County Commissioners as the paying agent, registrar and transfer agent (the "Paying Agent and Registrar") for the Notes, without deduction for exchange, collection or service charges, to the person whose name appears on the Note registration records as the registered holder thereof. The Consolidated Notes shall bear the manual authenticating signature of an authorized representative of the Paying Agent and Registrar.

The Consolidated Notes shall be transferable by the registered holder thereof in person or by his attorney duly authorized in writing at the office of the Paying Agent and Registrar upon presentation and surrender thereof to the Paying Agent and Registrar. The County and the Paying Agent and Registrar

shall not be required to transfer any Consolidated Note during the 15-day period preceding any interest payment date, and no such transfer shall be effective until entered upon the registration records maintained by the Paying Agent and Registrar. Upon such transfer, a new Consolidated Note or Notes of authorized denominations of the same maturity and for the same aggregate principal amount shall be issued to the transferee in exchange therefor.

The County and the Paying Agent and Registrar may deem and treat the registered holders of the Consolidated Notes as the absolute owners thereof for all purposes, and neither the County nor the Paying Agent and Registrar shall be affected by any notice to the contrary.

SECTION 4. That the provisions of the respective resolutions authorizing the 2009 Series Notes included in the Consolidated Notes relating to security and sources of payment, federal tax status of such 2009 Series Notes and of interest payable thereon, are hereby incorporated by reference into this resolution and the Consolidated Notes.

SECTION 5. That the Consolidated Notes shall be sold to Fifth Third Securities, Inc. (the "Purchaser") at not less than 100% of the principal amount thereof plus accrued interest to the date of delivery, as determined by the County Auditor without further action of this Board of County Commissioners in a certificate of award (the "Certificate of Award") pursuant to the Purchaser's offer to purchase which such officer is hereby authorized to accept. The Clerk, acting as the Clerk of this Board, at least two members of this Board or the County Auditor, or any of them, are hereby separately authorized, alone or with others, to execute and deliver a purchase agreement for the Consolidated Notes (the "Purchase Agreement") in such form as may be approved by the officer executing the same, such officer's execution thereof on behalf of the County to be conclusive evidence of such authorization and approval, and to make the necessary arrangements with the Purchaser to establish the date, location, procedure and conditions for the delivery of the Consolidated Notes to the Purchaser, to give all appropriate notices and certificates and to take all steps necessary to effect the due execution and delivery of the Consolidated Notes pursuant to the provisions of the Purchase Agreement. The proceeds from the sale of the Consolidated Notes, except as any premium and accrued interest received, shall be apportioned, deposited and credited in accordance with Section 133.32 of the Ohio Revised Code to the respective purposes and funds in accordance with the amount of each issue of 2009 Series Notes and for which purposes such proceeds are hereby appropriated. Any premium and accrued interest received from such sale shall be transferred to the bond retirement fund to be applied to the payment of the principal and interest of the Consolidated Notes in the manner provided by law.

SECTION 6. That for purposes of this resolution, the following terms shall have the following meanings:

"Book entry form" or "book entry system" means a form or system under which (i) the beneficial right to payment of principal of and interest on the Consolidated Notes may be transferred only through a book entry, and (ii) physical Consolidated Note certificates in fully registered form are issued only to the Depository or its nominee as registered owner, with the Consolidated Notes "immobilized" to the custody of the Depository, and the book entry maintained by others than this County is the record that identifies the owners of beneficial interests in those Consolidated Notes and that principal and interest.

"Depository" means any securities depository that is a clearing agency under federal law operating and maintaining, together with its Participants or otherwise, a book entry system to record ownership of beneficial interests in Consolidated Notes or principal and interest, and to effect transfers of Consolidated Notes, in book entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

"Participant" means any participant contracting with a Depository under a book entry system and includes security brokers and dealers, banks and trust companies, and clearing corporations.

All or any portion of the Consolidated Notes may be initially issued to a Depository for use in a book entry system, and the provisions of this Section shall apply to such Consolidated Notes, notwithstanding any other provision of this resolution. If and as long as a book entry system is utilized with respect to any of such Consolidated Notes: (i) there shall be a single Consolidated Note of each maturity; (ii) those Consolidated Notes shall be registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository; (iii) the beneficial owners of Consolidated Notes in book entry form shall have no right to receive Consolidated Notes in the form of physical securities or certificates; (iv) ownership of beneficial interests in any Consolidated Notes in book entry form shall be shown by book entry on the system maintained and operated by the Depository and its Participants, and transfers of the ownership of beneficial interests shall be made only by book entry by the Depository and its Participants; and (v) the Consolidated Notes as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by this County. Debt service charges on Consolidated Notes in book entry form registered in the name of a Depository or its nominee shall be payable in the manner provided in this County's agreement with the Depository to the Depository or its authorized representative (i) in the case of interest, on each interest payment date, and (ii) in all other cases, upon presentation and surrender of Consolidated Notes as provided in this resolution.

The Paying Agent and Registrar may, with the approval of this County, enter into an agreement with the beneficial owner or registered owner of any Consolidated Note in the custody of a Depository providing for making all payments to that owner of principal and interest on that Consolidated Note or any portion thereof (other than any payment of the entire unpaid principal amount thereof) at a place and in a manner (including wire transfer of federal funds) other than as provided in this resolution, without prior presentation or surrender of the Consolidated Note, upon any conditions which shall be satisfactory to the Paying Agent and Registrar. That payment in any event shall be made to the person who is the registered owner of that Consolidated Note on the date that principal is due, or, with respect to the payment of interest, as of the applicable date agreed upon as the case may be. The Paying Agent and Registrar shall furnish a copy of each of those agreements, certified to be correct by the Paying Agent and Registrar, to any other paying agents for the Consolidated Notes. Any payment of principal or interest pursuant to such an agreement shall constitute payment thereof pursuant to, and for all purposes of, this resolution.

The County Auditor is authorized and directed without further action of this Board of County Commissioners to execute, acknowledge and deliver, in the name of and on behalf of this County, a blanket letter agreement between this County and The Depository Trust Company, as Depository, to be delivered in connection with the issuance of the Consolidated Notes to the Depository for use in a book entry system, and to take all other actions they deem appropriate in issuing the Consolidated Notes under a book entry system.

If any Depository determines not to continue to act as Depository for the Consolidated Notes for use in a book entry system, this County and the Paying Agent and Registrar may attempt to establish a securities depository/book entry relationship with another qualified Depository under this resolution. If this County and the Paying Agent and Registrar do not or are unable to do so, this County and the Paying Agent and Registrar, after the Paying Agent and Registrar has made provision for notification of the beneficial owners by the then Depository, shall permit withdrawal of the Consolidated Notes from the Depository and authenticate and deliver Consolidated Note certificates in fully registered form to the assigns of the Depository or its nominee, all at the cost and expense (including costs of printing definitive Consolidated Notes), if the event is not the result of action or inaction by this County or the Paying Agent and Registrar, of those persons requesting such issuance.

SECTION 7. That the County Auditor is hereby authorized without further action of this Board of County Commissioners to execute and deliver an agreement with the Paying Agent and Registrar for its services as paying agent, registrar and transfer agent for the Consolidated Notes, in each case in such form as such officer may approve, the execution thereof by such officer to be conclusive evidence of such authorization and approval.

SECTION 8. That the law firm of Peck, Shaffer & Williams LLP be and is hereby retained as bond counsel to the County to prepare the necessary authorization and related closing documents for the issuance, sale and delivery of the Consolidated Notes and, if appropriate, rendering its approving legal opinion in connection therewith in accordance with the written agreement presently on file with the County which at least two members of this Board of County Commissioners and the County Auditor are each hereby separately authorized to execute and deliver on behalf of the County, with such changes thereto not substantially adverse to the County as may be approved by such officers. The approval of such changes by such officers, and that the same are not substantially adverse to the County, shall be conclusively evidenced by the execution of such agreement by such officers. Such law firm shall be compensated by the County for the above.

SECTION 9. That the Clerk of this Board of County Commissioners, acting as the Clerk of this Board of County Commissioners, is hereby directed to forward a certified copy of this resolution to the County Auditor.

SECTION 10. That it is found and determined that all formal actions of this Board of County Commissioners concerning and relating to the adoption of this resolution were adopted in an open meeting of this Board of County Commissioners, and that all deliberations of this Board of County Commissioners and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law, including Section 121.22 of the Revised Code of Ohio.

SECTION 11. That this resolution shall take effect immediately upon its adoption.

Mr. Probst seconded the resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

AYES: Mrs. Favede, Mr. Probst, Mr. Coffland

NAYS:

ADOPTED, this 20th day of May, 2009.

Jayne Long /s/

Clerk

Board of County Commissioners
County of Belmont, Ohio

**IN THE MATTER OF ADJOURNING
COMMISSIONERS MEETING AT 12:09 P.M.**

Motion made by Mr. Probst, seconded by Mrs. Favede to adjourn the meeting at 12:09 p.m.

Upon roll call the vote was as follows:

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

Read, approved and signed this 27th day of May, 2009.

_____ COUNTY COMMISSIONERS

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

_____ PRESIDENT

_____ CLERK