

St. Clairsville, Ohio

May 22, 2014

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 ALLOWANCE OF BILLS
AS CERTIFIED IN THE AUDITOR'S OFFICE

"BILLS ALLOWED"

The following bills having been certified in the Auditor's office, on motion by Mr. Thomas, seconded by Mr. Coffland, all members present voting YES, each bill was considered and it is hereby ordered that the County Auditor issue his warrant on the County Treasurer in payment of bills allowed.

Claim of	Purposes	Amount
A-Centennial Products	Supplies-Coroner/General Fund	1,065.06
A-Kathy Kelich	Reimburse mileage expenses-Treasurer/General Fund	119.25
A-Licking Co. Coroner's Office	Autopsies-Coroner/General Fund	2,170.00
A-Ohio Secretary of State	Expedited filing fee for Initial Article of Inc.-Commissioners/General Fd.	225.00
A-OVMC-EORH	Morgue charges-Coroner/General Fund	93.95
A-Riesbeck's	Supplies-911/General Fund	209.89
A-Speedway SuperAmerica	Gasoline-Adult Probation/General Fund	181.25
E-Staley Communication	911 radio accessories/911 Fund	557.00
J-Belmont SWCD	CAUV/Computer Soil Program/Real Estate Assessment Fund	1,873.33
K-Ohio-WV Excavating Co.	BEL-4-6.51 Bridge Replacement-Sand Hill/Engineer MVGT Fund	37,510.20
O-Huntington National Bank	June interest payment/Bond Ret. – Force Main Ext. Project Fund	70471.87
P-American Electric Power	Services/SSD#2 Revenue Fund	1,112.93
P-American Electric Power	ServicesWWS#3 Revenue Fund	263.25
P-EORWA	Sewage disposal/BCSSD Funds	52,194.29
P-Green Valley Co-Op, Inc.	Services/BCSSD Funds	4,970.68
P-Michael Baker, Jr., Inc.	Haz. Mit. Plan Final/EMA/State Homeland Security Grant Fund	9,375.00
P-RAM Industrials Services	Materials/SSD#2 Revenue Fund	3,831.83
P-Renee' Wilson	Reimburse travel expenses/BCSSD Funds	148.50
P-Tri-County Water Authority	Purchased Water/WWS#3 Revenue Fund	1,040.88
S-Beth A. Andes. MS PCC	Counseling services/District Detention Home Fund	1,050.00
S-Brandi Design, LLC	Website domain renewal/Port Authority Fund	14.99
S-Richardson Copy Concepts, Inc.	Copier bill/District Detention Home Fund	196.66
S-Riesbeck's Food Markets, Inc.	Food-April/District Detention Home Fund	934.14
S-Sam's Club	Food & supplies/District Detention Home Fund	2,710.97
S-Securicom LTD	Added cameras & speakers/District Detention Home Fund	4,267.85
S-TSG	Key boards/Northern Ct. General Special Projects Fund	645.00
W-Aspen Publishers, Inc.	Subscription/Law Library Fund	365.00
W-Matthew Bender & Co.	Books/Law Library Fund	363.53
W-Ohio State Bar Association	Subscription/Law Library Fund	35.00
Y-Health Plan PPO	April COBRA/Employers Share Holding Account	460.21

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

Motion made by Mr. Thomas, seconded by Mr. Coffland to approve the Recapitulation of Vouchers dated for May 21, 2014 as follow:

FUND	AMOUNT
A-GENERAL	\$3,574.24; \$7,788.49; \$18,983.81; \$17,251.98
A-GENERAL/EMA	\$674.51
A-GENERAL/JUVENILE COURT	\$1,091.97; \$43.63
A-GENERAL/PROBATE COURT	\$371.50; 350.00
A-GENERAL/SHERIFF	\$5,296.78
A-GENERAL/911	\$790.36
B-Dog Kennel	\$189.70; \$8,625.34; \$1,142.55
C-Indigent Guardianship Fund	\$600.00
H-Job & Family, CSEA	\$450.00
H-Job & Family, Public Assistance	\$28,915.19; \$5,845.00; \$48,827.50; \$14,633.25
H-Job & Family, WIA	\$22,808.81; \$2,509.07; \$1,252.00; \$2,013.45; \$75.00
J-Real Estate Assessment	\$11,512.80
K-Engineer MVGT	\$15,909.67
M-Juvenile Ct. – Drug Court Donations	\$873.64
M-Juvenile Ct. – Placement II	\$1,085.99
M-Juvenile Ct. – Title IV-E Reimb.	\$3,243.42
P-Oakview Admn Bldg.	\$1,272.37
P-Sanitary Sewer District	\$2,859.64; \$16,481.26; \$983.89; \$10,183.04; \$26,796.91; \$10,625.86; \$57,154.68
P-State Homeland Security Grant/EMA	\$39,699.00
S-District Detention Home	\$2,229.24
S-Job & Family, Children Services	\$9,065.88; \$270.43
S-Juvenile Ct. Computer Fund	\$447.30
S-Oakview Juvenile Residential Center	\$3,143.66
S-Probate Court Computer Fund	\$3,813.59
S-Senior Services	\$29,235.65
S-Western Ct. General Special Projects	\$177.39
S-Western Div. Ct. Computer	\$1,425.97
U-Sheriff's Reserve Account	\$12,580.60

Upon roll call the vote was as follows:

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

IN THE MATTER OF TRANSFERS WITHIN FUND

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

GENERAL FUND

FROM	TO	AMOUNT
E-0121-A006-B02.002 Recorder/Salaries-Emp	E-0051-A001-A02.002 Comms/Salaries-Emp	\$900.00

H00 PUBLIC ASSISTANCE FUND/BCDJFS

FROM	TO	AMOUNT
E-2510-H000-H17.000 Other Expense	E-2510-H000-H20.074 Transfer Out	\$74,750.83

M60 CARE & CUSTODY/JUVENILE COURT FUND

FROM	TO	AMOUNT
E-0400-M060-M28.004 Workers Comp CCAP	E-0400-M060-M25.002 Salaries CCAP	\$1,336.52
E-0400-M060-M74.004 Workers Comp Sub Abuse	E-0400-M060-M71.002 Salaries Sub Abuse	\$1,230.58
E-0400-M060-M74.004 Workers Comp Sub Abuse	E-0400-M060-M75.008 Insurance Sub Abuse	\$731.58
E-0400-M060-M73.005 Medicare Sub Abuse	E-0400-M060-M75.008 Insurance Sub Abuse	\$1,048.47
E-0400-M060-M26.003 PERS CCAP	E-0400-M060-M25.002 Salaries CCAP	\$1,089.15
E-0400-M060-M27.005 Medicare CCAP	E-0400-M060-M25.002 Salaries CCAP	\$254.26
E-0400-M060-M72.003 PERS Sub Abuse	E-0400-M060-M25.002 Salaries CCAP	\$1,630.00
E-0400-M060-M29.008 Insurance CCAP	E-0400-M060-M25.002 Salaries CCAP	\$1,021.38

BCSSD/VARIOUS FUNDS

FROM	TO	AMOUNT
E-9023-N023-N04.055 Projects	E-9023-N023-N08.010 Materials	\$2,000.00
E-3705-P053-P07.011 Services	E-3705-P053-P05.000 Materials	\$10,000.00
E-3705-P053-P07.011 Services	E-3705-P053-P03.012 Equipment	\$5,000.00
E-3702-P005-P23.011 Services	E-3702-P005-P25.000 Purch Water	\$25,000.00

Upon roll call the vote was as follows:

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

IN THE MATTER OF TRANSFER BETWEEN FUNDS

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

H00 PUBLIC ASSISTANCE FUND TO THE H11 FAMILY & CHILDREN

FIRST COUNCIL FUND/BCDJFS

FROM	TO	AMOUNT
E-2510-H000-H20.074 Transfers Out	R-2770-H011-H10.574 Transfers In	\$74,750.83

N80 OHIO VALLEY MALL LIFT STATION UPGRADE FUND

FROM	TO	AMOUNT
E-0257-A015-A15.074 Transfers Out	R-9080-N080-N05.574 Transfers In	\$300,000.00

T10 WATER & SEWER GUARANTEE DEPOSIT FUND TO VARIOUS FUNDS

FROM	TO	AMOUNT
E-3711-T010-T04.074 Transfers Out	R-3701-P003-P15.574 Transfers In	\$75.92
E-3711-T010-T04.074 Transfers Out	R-3702-P005-P15.574 Transfers In	\$336.73
E-3711-T010-T04.074 Transfers Out	R-3704-P051-P08.574 Transfers In	\$143.81
E-3711-T010-T04.074 Transfers Out	R-3705-P053-P08.574 Transfers In	\$45.90
E-3711-T010-T04.074 Transfers Out	R-3706-P055-P08.574 Transfers In	\$153.16

Upon roll call the vote was as follows:

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

IN THE MATTER OF APPROVING

THEN AND NOW CERTIFICATE/AUDITOR'S

Motion made by Mr. Thomas, seconded by Mr. Coffland to execute payment of Then and Now Certification dated May 22, 2014, 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. Thomas	Yes
Mr. Coffland	Yes
Mrs. Favede	Yes

IN THE MATTER OF REQUEST FOR CERTIFICATION

OF MONIES BY THE BUDGET COMMISSION

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

N80 OHIO VALLEY MALL LIFT STATION UPGRADE FUND - \$300,000.00 transferred from the General Fund 05/22/14.

Upon roll call the vote was as follows:

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

IN THE MATTER OF GRANTING PERMISSION

FOR COUNTY EMPLOYEES TO TRAVEL

Motion made by Mrs. Favede, seconded by Mr. Coffland to grant permission for county employees to travel as follows:

AUDITOR – Donald Harr and Doug DeVault to travel to Reynoldsburg, OH, on June 12, 2014, to attend ODA Training on Weights and Measures. A county car will be used. Estimated expenses: \$150.00

DJFS – Vince Gianangeli, Linda Kinter and Mary Louise Hagiloizou to travel to Millersburg, OH, on June 3, 2014, to attend Canton District Director's Meeting. Estimated expenses: \$36.00

Vince Gianangeli to travel to Perry Co., OH, on June 17, 2014, to attend Region 4 Quarterly Fiscal Meeting; to Perrysville, OH, on June 18-20, 2014, to attend OJFSDA/PCSAO Summer Exec. Meeting; and to Cambridge, OH, on July 1, 2014, to attend Canton Dist. Director's Meeting. Estimated expenses: \$721.76

SENIOR SERVICES – Tish Kinney and seniors to travel to Rogers, OH, on June 13, 2014, and Wheeling, WV, on June 24, 2014, for senior center outings. Sue Hines and seniors to travel to Wheeling, WV, on June 17 and June 24, 2014, for senior center outings. Valerie Forst to

travel to Walnut Creek and Berlin, OH, on June 19, 2014, and to Wheeling, WV, on June 24, 2014 for senior center outings. 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 Mr. Thomas, seconded by Mr. Coffland to approve the minutes of the Belmont County Board of Commissioners regular meeting of April 9, 2014.

Upon roll call the vote was as follows:

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

IN THE MATTER OF CHANGING REGULAR MEETING DATE DUE TO SCHEDULING CONFLICT

Motion made by Mr. Thomas, seconded by Mr. Coffland to hold the Board's regular meeting on Tuesday, June 3, 2014 at 9:00 a.m. instead of Wednesday, June 4 due to a scheduling conflict and to notify media of the same.

Upon roll call the vote was as follows:

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

ANNOUNCEMENT-There is a vacancy on the Belmont County Tourism Council Board of Directors. Interested parties can contact the Commissioners' Office at 740-699-2155 to request an application. Applications are due on or before June 2, 2014.

IN THE MATTER OF AWARDING THE BID FOR BCSSD RADIAL COLLECTOR WELL REHABILITATION PROJECT

Motion made by Mr. Thomas, seconded by Mr. Coffland to award the bid for **Contract No. 1-Radial Collector Well Rehabilitation** project to the sole bidder, Layne Heavy Civil, in the amount of \$ 189,899.00 based upon the recommendation of Mark Esposito, Director, Belmont County Sanitary Sewer District and Jeff Vaughn, project engineer.

Upon roll call the vote was as follows:

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

<u>IN THE MATTER OF</u>	[Belmont Co. Commissioners
<u>MISTAK FARM ROAD (PRIVATE)</u>	[Courthouse
<u>UNION TOWNSHIP, SEC 12, T-8, R-5</u>	[St. Clairsville, Ohio 43950
	[Date <u>May 22, 2014</u>

Motion made by Mr. Thomas, seconded by Mr. Coffland to authorize the Clerk of the Board to establish a date and time for the Subdivision Hearing in regards to the Plat of Mistak Farm Road, Union Township Section 12, T-8, R-5, pursuant to the Ohio Revised Code Section 711.05 and proceed with the required notifications.

NOTICE OF NEW SUB-DIVISION
Revised Code Sec. 711.05
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To: Suz Pubal F.O., Union Township Trustees, P.O. Box 1, 101 Memory Lane, Morristown, OH 43759
You are hereby notified that **Tuesday** the **3rd** day of **June, 2014**, at **9:30** o'clock **A. M.**, has been fixed as the date, and the office of the Commissioners, in the Courthouse, St. Clairsville, Ohio, as the place where the Commissioners will act on the above stated matter.
By order of the Belmont County Commissioners.

Jayne Long /s/
Clerk of the Board

• Mail by certified return receipt requested
cc: Union Township Trustees
Upon roll call the vote was as follows:

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

IN THE MATTER OF AUTHORIZING COMMISSION PRESIDENT TO SIGN THE JUVENILE COURT FUNDING APPLICATION UPDATE OF ODYS SUBSIDY GRANT FOR FY 2015

Motion made by Mr. Thomas, seconded by Mrs. Favede to authorize Commission President Matt Coffland to sign the Belmont County Juvenile Court Funding Application Update for the Ohio Department of Youth Services Subsidy Grant for Fiscal Year 2015 in the amount of \$231,936.48.

Upon roll call the vote was as follows:

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

IN THE MATTER OF AUTHORIZING COMMISSION PRESIDENT TO SIGN THE OAKVIEW JUVENILE RESIDENTIAL CENTER'S BUDGET REQUEST TO ODYS COMMUNITY CORRECTIONS FACILITIES GRANT FOR FY 2015

Motion made by Mr. Thomas, seconded by Mr. Coffland to authorize Commission President Matt Coffland to sign the Oakview Juvenile Residential Center's Budget Request to the Ohio Department of Youth Services-Community Corrections Facilities Grant for Fiscal Year 2015 in the amount of \$1,098,756.00.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ENTERING INTO A MODIFICATION OF THE
CONTRACT BETWEEN THE JEFFERSON BELMONT REGIONAL
SOLID WASTE AUTHORITY, THE SHERIFF AND THE COMMISSIONERS**

Motion made by Mr. Thomas, seconded by Mr. Coffland to enter into a modification of the contract entered into on October 16, 2013, by and between the Jefferson Belmont Regional Solid Waste Authority, the Belmont County Sheriff and the Belmont County Board of Commissioners for the purposes of implementing solid waste management planning and providing for, or causing to be provided for, the safe and sanitary management of solid wastes.

**MODIFICATION TO JEFFERSON BELMONT REGIONAL SOLID WASTE AUTHORITY 2013 CONTRACT WITH THE
BELMONT COUNTY COMMISSIONERS AND THE BELMONT COUNTY SHERIFF'S DEPARTMENT**

This modification to the above referenced contract is made as of this 22 day of May, 2014 by and between the Jefferson Belmont Regional Solid Waste Authority (hereinafter referred to as the AUTHORITY) acting by and through its Board of Trustees, the Sheriff of Belmont County, Ohio and Board of County Commissioners of Belmont County, Ohio.

WHEREAS, on October 16, 2013 the aforesaid parties entered into a contract establishing a Program of Litter Enforcement in Belmont County, Ohio for the period beginning October 1, 2013 and ending on September 30, 2014; and

WHEREAS, unfortunate economic circumstances no longer make it possible for the AUTHORITY to fund this program in accordance with the terms of the original contract; and

WHEREAS, capital expenditures including the purchase of motor vehicles have been made for purposes of performance of the terms of the original contract; and

WHEREAS, all parties hereto are desirous of continuing and maintaining a program of litter enforcement within Belmont County, Ohio; notwithstanding the budgetary constraints of the AUTHORITY but recognizing that the terms of the original contract must be modified; and

NOW THEREFORE, in consideration of the foregoing and for the following covenants and promises, the parties hereto agree to modify the terms of the original contract, a copy of which is attached hereto and marked as Exhibit A and bind themselves to the following:

TERMS OF THE AGREEMENT:

Contract Trial year shall mean the period beginning on October 1, 2013 and ending on September 30, 2014. This Agreement shall continue in full force and effect for the stated contract trial year.

SHERIFF'S RESPONSIBILITIES:

The SHERIFF agrees to provide police assistance in the enforcement of Section 3734.01-3734.13, of the Ohio Revised Code and the environmental, litter and dumping laws of the State of Ohio;

Provide investigation of all reported illegal dumping and littering;

Provide clean-up of public right-of-ways and properties utilizing inmates from the County Jail, as agreed between the AUTHORITY and SHERIFF;

Assist in public education and awareness programs of the AUTHORITY as requested;

Assist in special projects related to the enforcement of environmental laws of the State of Ohio as determined by the AUTHORITY;

Assist in preparation of grant applications, budgets and reports as requested by the AUTHORITY.

The Belmont County SHERIFF and Belmont County Commissioners agree to fully indemnify, defend and hold harmless the JEFFERSON BELMONT REGIONAL SOLID WASTE AUTHORITY from any and all liabilities, losses, damages, expenses (including reasonable attorneys' fees), claims, demands, costs, and causes of action, arising from or on account of any injury sustained to person or damage to property as a result of acts or omissions of utilized inmates of the Belmont County SHERIFF'S Department or its agents in connection with the performance of this contract;

The Deputy shall submit a weekly log report on all services performed within the reporting period to the Belmont County Program Director and include in his report mileage placed on the motor vehicle purchased for the purposes set forth herein and quarterly reports which shall include a summary of all activity and services performed to be submitted within 30 days after the end of each Quarter.

Quarters shall be: October 1 - December 31
 January 1 - March 30
 April 1 - June 30
 July 1 - September 30

PAYMENTS FROM THE AUTHORITY:

The AUTHORITY will no longer pay for the service of one full-time uniformed deputy.

Any compensation paid to the litter enforcement deputy including statutory coverage for workers compensation, unemployment, disability, health care, retirement benefits or other coverage required by law shall be paid by the Belmont County Sheriff.

EQUIPMENT:

Equipment shall be understood to be a durable good, including motor vehicles, with a useful life of more than one year and costing more than \$500.00.

The SHERIFF shall be responsible for the cost of all fuel, maintenance and repair on any motor vehicles and equipment used for purposes of this Agreement.

Upon termination of this Agreement, all equipment capital purchased by the SHERIFF including motor vehicles with funds provided under this Agreement or prior agreements shall remain the property of the AUTHORITY.

Equipment purchased with AUTHORITY funds shall not be sold or used for any other purpose than that provided for herein without the express written permission of the AUTHORITY, however, the deputy performing duties herein shall be permitted to respond to felony and domestic violence calls.

All vehicles purchased with AUTHORITY funds shall be titled to the Board of Belmont County Commissioners and all insurance for said vehicles shall be provided for under the coverage of the SHERIFF. At the termination of this Agreement the Board of Belmont County Commissioners shall cause the title to any such vehicle to be transferred to the AUTHORITY.

The JEFFERSON BELMONT REGIONAL SOLID WASTE AUTHORITY previously agreed to grant a one time payment of up to **\$25,000.00** to the BELMONT COUNTY COMMISSIONERS for the purchase of a vehicle and all necessary radio communication equipment and decals for the use of the deputy assigned to litter enforcement. Any money allocated for this purpose which is not used shall be returned to the AUTHORITY.

GENERAL PROVISIONS

INDEMNITY AND HOLD HARMLESS AGREEMENT:

The Board of Belmont County Commissioners and Belmont County SHERIFF shall indemnify, defend, and hold the AUTHORITY harmless for any and all claims, demands, suits, actions, proceedings, or causes of action brought against the AUTHORITY, its affiliates, agents and employees for any judgments, liabilities, obligations, fines, penalties or expenses, including reasonable attorneys' fees and expenditures, including for personal injury or damage to third persons or property, but only to the extent that such arise directly from the actions or omissions of the Board of Belmont County Commissioners and/or Belmont County SHERIFF and its contractors, subcontractors and each of their respective agents, employees, representatives etc., in interest or, in the course of performance by the Board of Belmont County Commissioners and/or Belmont County SHERIFF under or in connection with the Agreement.

Belmont County SHERIFF and Belmont County Commissioners assume all liability for its contractors, subcontractors and each of their respective agents, employees, representatives etc., in the performance of the terms of this Agreement.

GOVERNING LAW - STATE OF OHIO:

This Agreement shall be governed by, and construed in accordance with, the laws of the State of Ohio, without regard to the conflict of laws provisions in such state. Any disputes arising under this Agreement between the Parties shall be decided by a court of competent jurisdiction in Belmont County.

AMENDMENTS TO AGREEMENT:

This Agreement shall constitute the complete and entire agreement between the Parties with respect to the subject matter hereof. No prior statement or agreement, oral or written, shall vary or modify the written terms hereof. This Agreement may be amended only by a written agreement signed by the Parties.

NOTICES:

All notices, requests, demands and other communications required or permitted to be given by the Parties hereunder shall be in writing and shall be delivered in person or by facsimile, or by first class certified mail, postage and fees prepaid, to the address of the intended recipient as set forth below. All notices, requests, demands and other communications shall be sent to the following addresses:

To the Belmont County Sheriff: **Dave Lucas**
68137 Hammond Road
St. Clairsville, OH 43950
(740) 695-7933

To the Belmont County Commissioners: **Belmont County Commissioners**
101 West Main Street
St. Clairsville, Ohio 43950
(740) 699-2155

To Jefferson Belmont Regional Solid Waste Authority:
115 South Third Street
Steubenville, Ohio 43952
(740) 266-6899

The foregoing addresses may be changed by any Party by giving written notice to the other Party as provided above.

COUNTERPARTS:

This Agreement may be executed in any number of counterparts, each of which shall be regarded as an original and all of which shall constitute but one and same instrument.

CONSTRUCTION:

The terms of this Agreement shall be construed so as to be consistent with, and to give effect to, any applicable state or federal laws or regulations issued thereunder, but otherwise so as to confer the fullest possible authority upon each party to accomplish the purposes of the Agreement.

CAPTIONS AND HEADINGS:

The captions and headings are for convenience only and in no way define, limit or describe the scope or intent of any provisions or sections of this Agreement.

RIGHTS AND WAIVERS:

The failure of a Party to exercise any right under this Agreement shall not, unless otherwise provided or agreed to in writing, be deemed a waiver thereof; nor shall a waiver by a Party of any provisions hereof be deemed a waiver of any future compliance therewith, and such provisions shall remain in full force and effect.

SEVERABILITY:

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

TERMINATION AND/OR ABANDONMENT:

The obligation to continue services under this Agreement may be terminated by any party upon thirty (30) days advanced written notice to the other.

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement the day and year first written above.

JEFFERSON BELMONT REGIONAL SOLID WASTE AUTHORITY

By: _____

Name: **Clifford Meyer**

Title: Executive Director

APPROVED AS TO FORM:

By: _____

Name: **John J. Mascio**

Title: Legal Counsel for Belmont Jefferson

Regional Solid Waste Authority

BELMONT COUNTY

By: David M. Lucas /s/

Name: **Dave Lucas**

Title: Belmont County Sheriff

By: Matt Coffland /s/

Name: **Matt Coffland**

Title: County Commissioner, President

By: Mark Thomas /s/

Name: **Mark Thomas**

Title: County Commissioner, Vice President

By: Ginny Favede /s/

Name: **Ginny Favede**

Title: County Commissioner

APPROVED AS TO FORM:

By: Daniel P. Fry /s/

Name: **Daniel P. Fry**

Title: Belmont County Prosecutor

Upon roll call the vote was as follows:

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

DISCUSSION – Mr. Coffland stated the deputy was funded by the JB Green Team to monitor the dump sites and follow through with prosecution. Due to the financial situation of JB Green Team, the Belmont County Commissioners decided to continue this program and provide the funds.

IN THE MATTER OF APPROVING THE PURCHASE OF TWO JOHN DEERE Z970R COMMERCIAL Z-TRAK MOWERS/BUILDINGS AND GROUNDS

Motion made by Mr. Thomas, seconded by Mr. Coffland to approve the purchase of two John Deere Z970R Commercial Z-Trak mowers from Kuester Implement Company at a total cost of \$21,426.00 for the Building and Grounds Department based upon the recommendation of Jack Regis, Facilities Manager.

Upon roll call the vote was as follows:

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

IN THE MATTER OF APPROVING THE ESTIMATE FROM PETTICORD & SON, INC., TO PAINT ROOM 301 AND THE COMMON PLEAS COURT JURY ROOM/COURTHOUSE

Motion made by Mr. Thomas, seconded by Mr. Coffland to approve the estimate from Petticord & Son, Inc. in the amount of \$2,558.00 for all labor and materials necessary to paint Room 301 and the Common Pleas Court Jury Room on the third floor of the Belmont County Courthouse.

Upon roll call the vote was as follows:

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

IN THE MATTER OF ACCEPTING THE PROPOSAL FROM KENCO CONSTRUCTION FOR OFFICE RENOVATIONS FOR ENHANCED SECURITY AT THE PROSECUTOR' OFFICE/BUILDINGS AND GROUNDS

Motion made by Mr. Thomas, seconded by Mr. Coffland to accept the proposal from Kenco Construction in the amount of \$9,590.00 for all labor and materials necessary to complete office renovations that will allow for enhanced security at the Belmont County Prosecutor's Office.

Upon roll call the vote was as follows:

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

IN THE MATTER OF ACCEPTING THE PROPOSAL FROM ERB ELECTRIC TO INSTALL ELECTRIC STRIKES AND KEYPADS AT THE PROSECUTOR'S OFFICE/BUILDINGS AND GROUNDS

Motion made by Mr. Thomas, seconded by Mr. Coffland to accept the proposal from Erb Electric in the amount of \$2,428.53 for all labor and materials necessary to install electric strikes and keypads at the Belmont County Prosecutor's Office.

Upon roll call the vote was as follows:

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

IN THE MATTER OF APPROVING 1-800-OHIOCOMP AS THE MANAGED CARE ORGANIZATION FOR THE COUNTY'S EMPLOYEE AND PWRE WORKERS' COMPENSATION PROGRAMS

Motion made by Mr. Thomas, seconded by Mr. Coffland to approve 1-888-OHIOCOMP as the Managed Care Organization for the county's employee and PWRE Workers' Compensation programs for a period of two years effective July 1, 2014. *(Note: The Ohio Bureau of Workers' Compensation requires employers to have an MCO, and BWC pays for those services from a portion of employer's premiums.)*

Upon roll call the vote was as follows:

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

OPEN PUBLIC FORUM –Former Commissioner Mike Bianconi said he does not support dumping in the Eastern Ohio Regional Industrial Park (EORIP). He also stated that one of the biggest injection wells snuck into his township. Mrs. Favede said the State of Ohio made the decision and issued the permit without the township's knowledge which they are allowed to do. Mr. Coffland said the Port Authority tabled the decision and did not enter into a contract. They are bringing in additional experts and will make their decision by September 1, 2014. Mr. Coffland stated the Board of Commissioners requested no injection wells from all entities. Mrs. Favede said the potential project in Barnesville is not an injection well.

Richard Hord asked for an update on the TRIPS program. Mr. Coffland said David Hacker, Senior Services Director and Vince Gianangeli, JFS Director, are looking into some snags and seeing what can be done. Mrs. Favede said the application was approved by the state.

Announcement–Mr. Thomas announced the Belmont County Tourism Board of Directors has a vacancy. Contact the Commissioners' office to request an application.

John Henthorne asked about the status of patching the roads. Mr. Coffland said the work has started in Pease and Pultney Townships. Two crews are working on 300 plus miles of road. Mr. Henthorne said they are making bumps out of the potholes. CR10 is like a washboard. Mr. Thomas said he is frustrated because the public thinks the Commissioners are in charge of the roads. Mr. Bennett is an elected official and does what he does, but doesn't answer to the Commissioners. Calls from the public are sent to the Commissioners' office and they unfairly blame us. Mr. Coffland said the Commission has given the Engineer's Department a million dollars this year including a grant. Mr. Bennett has his own budget and how he spends it is up to him. Mr. Thomas said Mr. Bennett has a different funding source. Mr. Coffland said the oil companies have done over \$3 million dollars in paving. The other road to be paved this year is North 26 with \$500,000 from OPWC. That's the only paving for this year. Mr. Coffland said the Board of Commissioners worked with the trustees to get this funding. Mrs. Favede said the only paving being done this year is by the efforts of this Board. The Board acquired the grant funds and provided matching funds.

**IN THE MATTER OF ENTERING
EXECUTIVE SESSION AT 9:35 A.M.**

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

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADJOURNING
EXECUTIVE SESSION AT 10:20 A.M.**

Motion made by Mr. Coffland, seconded by Mr. Thomas to adjourn executive session.

Upon roll call the vote was as follows:

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

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

**IN THE MATTER OF APPROVING THE HIRING OF
SUMMER STUDENT EMPLOYEES FOR BCSSD AND COMMISSIONERS**

Motion made by Mr. Thomas, seconded by Mr. Coffland to approve the hiring of the following summer student employees at the rate of \$7.95 per hour (minimum wage) for a period not to exceed ten weeks from each starting date:

Note: Belmont County Sanitary Sewer District summer students will be paid by the District.

BCSSD:

Wiley, Zarek
Jeskey, Christopher
Scott, Seth
DeCoy, Brian
Reed, Leeandra
Pata, Kaz
Jarvie, Ryan
Dombroski, Alexander
Westlake, Brandon
Teater, Nathan

Commissioners:

Oberdick, Jeff
Benge, Seth
Gummere, Emily
Nagel, Josh
Butler, Payten
Beck, Zachery
Nagy, Megan
Tomlinson, Delanie
Katopka, Cory
King, Alexa

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADJOURNING
COMMISSIONERS MEETING**

Motion made by Mr. Thomas, seconded by Mr. Coffland to adjourn the meeting.

Upon roll call the vote was as follows:

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

Read, approved and signed this 28th day of May, 2014.

_____ COUNTY COMMISSIONERS

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

_____ PRESIDENT

_____ CLERK