

The Board of Commissioners of Belmont County, Ohio, met this day in regular session. Present: Ryan E. Olexo, Charles R. Probst, absent and Mark A. Thomas, Commissioners and Darlene Pempek, Clerk of the Board. Minutes of the meeting of April 11, 2001, were read, approved and signed.

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

IN THE MATTER OF THE ALLOWANCE OF BILLS "BILLS ALLOWED"
AS CERTIFIED IN THE AUDITOR'S OFFICE. The following bills having been certified in the Auditor's office, on motion by Mr. Olexo, seconded by Mr. Thomas 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	Purpose	Amount
Robert Cicogna	Reimb exp to SEOCOA mtg/Auditor-Gen	16.00
Diane Appolloni	Reimb exp to SEOCOA mtg/Auditor-Gen	16.00
Lori Fannin	Reimb exp to SEOCOA mtg/Auditor-Gen	16.00
Andrew Sutam	Reimb exp to SEOCOA mtg/Auditor-Gen	16.00
Howard Thornton	Reimb exp to SEOCOA mtg/Auditor-Gen	16.00
Joseph Pappano	Reimb exp to SEOCOA mtg/Auditor-Gen	16.00
Judy Jenewein	Reimb exp to SEOCOA mtg/Auditor-Gen	16.00
Jennie Strong	Spring Conf regtration/Northern-Gen	100.00
Hyatt on Capital Square	Clerk's conf/hotel/Northern Ct.-Gen	386.10
Grisell Funeral Home	Transport to Franklin Cty/Coroner-Gen	800.00
United Parcel Service	Shipping,Tax bills/Treasurer-Gen	.04
OAMCC	Clerk's conference-General	100.00
Hyatt on Capital Square	Clerk's conference lodging-General	449.10
CORSA	Insurance renewal-General	293,626.00
Eastern OH Regional Wastewater Auth	Service/Martins Ferry Satellite	19.80
Department of Public Service	Service/Martins Ferry Satellite	102.48
Darlene Pempek, Clerk	Reimburse expenses-General	455.07
Mark A. Thomas, Commissioner	Reimburse expenses CCAO Trng-Gen	514.63
H-Bel Co CSEA Admin Fund	IV-D Contrct pmt/Common Pleas-BCDJFS	3,321.96
AT&T	Service-Litter Control	66.03
M-Belmont Harr Juvenile Dist	Placement costs-Juvenile Court	10,416.00
Thompkins Center	Placement costs-Juvenile Court	1,792.16
Starr Farm	Placement costs-Juvenile Court	1,680.00
Christian Children's Home of OH	Placement costs-Juvenile Court	3,836.00
Therapeutic Network	Placement costs-Juvenile Court	4,032.00
O-Belmont National Bank	Apr loan pmt/Northern Ct-Bond Retire	1,747.64
S-Ford Motor Credit Company	Travel-Bel Har Juv Dist Group Homes	1,223.80
Contingency Fund Replen GGH	Contingency Fund-Girls Group Homes	279.35
Contingency Fund Replen BGH	Contingency Fund-Boys Group Homes	401.46
OH Juv Detention Directors Assoc.	Travel & Training-Sargus Center	50.00
Robert Duke	Travel & Training-Sargus Center	8.86
Bernie Donley	Travel & Training-Sargus Center	104.05
Diane Day	Court reporter fee 4/3/01-West Gen Spec	75.00
T-Bank One Acct 00001-059-1	CDBG Funds-CDBG	13,813.00
T-Bank One Acct 00001-059-1	CDBG Funds-CDBG	13,170.00
T-Bank One Acct 00001-059-1	CDBG Funds-CDBG	12,281.00

IN THE MATTER OF APPROVING
RECAPITULATION OF VOUCHERS
FOR THE GENERAL/SHERIFF'S FUND

Motion made by Mr. Thomas, seconded by Mr. Olexo to approve the Recapitulation of Vouchers for the General Fund in the amounts of \$4,030.62 and \$3,995.65 and for the Sheriff's Fund in the amounts of \$3,649.50 and \$5,371.26 dated for April 18, 2001.
Upon roll call the vote was as follows:

Mr. Thomas Yes
Mr. Olexo Yes

IN THE MATTER OF APPROVING
RECAPITULATION OF VOUCHERS

FOR THE GENERAL/DISASTER SERVICES FUND

Motion made by Mr. Thomas, seconded by Mr. Olexo to approve the Recapitulation of Vouchers for the Disaster Services Fund in the amount of \$35.66 dated for April 18, 2001.
Upon roll call the vote was as follows:

Mr. Thomas	Yes
Mr. Olexo	Yes

**IN THE MATTER OF APPROVING
RECAPITULATION OF VOUCHERS
FOR THE GENERAL/CHEST CLINIC FUND**

Motion made by Mr. Thomas, seconded by Mr. Olexo to approve the Recapitulation of Vouchers for the Chest Clinic Fund in the amount of \$395.54 dated for April 18, 2001.
Upon roll call the vote was as follows:

Mr. Thomas	Yes
Mr. Olexo	Yes

**IN THE MATTER OF APPROVING
RECAPITULATION OF VOUCHERS
FOR THE BELMONT COUNTY 9-1-1 FUND**

Motion made by Mr. Thomas, seconded by Mr. Olexo to approve the Recapitulation of Vouchers for the Belmont County 9-1-1 Fund in the amounts of \$783.75 and \$4,305.12 dated for April 18, 2001.
Upon roll call the vote was as follows:

Mr. Thomas	Yes
Mr. Olexo	Yes

**IN THE MATTER OF APPROVING
RECAPITULATION OF VOUCHERS
FOR THE DEPARTMENT OF HUMAN SERVICES
CSEA/CHILDREN SERVICES FUND**

Motion made by Mr. Thomas, seconded by Mr. Olexo to approve the Recapitulation of Vouchers for the Department of Human Services Fund in the amounts of \$2,725.00, \$4,659.44, \$27,096.66, \$61,647.75, \$85,616.84, \$109,636.88 and \$33,202.21, for the CSEA Fund in the amount of \$19,831.12 and for the Children Services Fund in the amounts of \$2,493.88, \$25,820.02 and \$178,258.02 dated for April 18, 2001.
Upon roll call the vote was as follows:

Mr. Thomas	Yes
Mr. Olexo	Yes

**IN THE MATTER OF APPROVING
RECAPITULATION OF VOUCHERS
FOR THE PARK HEALTH CENTER/COUNTY HOME FUND**

Motion made by Mr. Thomas, seconded by Mr. Olexo to approve the Recapitulation of Vouchers for the County Home Fund in the amount of \$51,156.58 dated for April 18, 2001.
Upon roll call the vote was as follows:

Mr. Thomas	Yes
Mr. Olexo	Yes

**IN THE MATTER OF APPROVING
RECAPITULATION OF VOUCHERS
FOR THE ENGINEER'S MVGT FUND**

Motion made by Mr. Thomas, seconded by Mr. Olexo to approve the Recapitulation of Vouchers for the Engineer's MVGT Fund in the amounts of \$24,930.93 and \$76.83 dated for April 18, 2001.
Upon roll call the vote was as follows:

Mr. Thomas	Yes
Mr. Olexo	Yes

**IN THE MATTER OF APPROVING
RECAPITULATION OF VOUCHERS
FOR THE DISASTER SERVICES LEPC FUND**

Motion made by Mr. Thomas, seconded by Mr. Olexo to approve the Recapitulation of Vouchers for the Disaster Services LEPC Fund in the amount of 4414.85 dated for April 18, 2001.
Upon roll call the vote was as follows:

Mr. Thomas	Yes
Mr. Olexo	Yes

**IN THE MATTER OF APPROVING
RECAPITULATION OF VOUCHERS FOR THE
OAKVIEW JUVENILE REHABILITATION DISTRICT/
AFTERCARE PROGRAM FUND**

Motion made by Mr. Thomas, seconded by Mr. Olexo to approve the Recapitulation of Vouchers for the Oakview Juvenile Rehabilitation District Fund in the amounts of \$291.62 and \$500.71 and for the Aftercare Program Fund in the amount of \$118.85 dated for April 18, 2001.

Upon roll call the vote was as follows:

Mr. Thomas	Yes
Mr. Olexo	Yes

**IN THE MATTER OF APPROVING
RECAPITULATION OF VOUCHERS FOR THE
SANITARY SEWER DISTRICT FUND**

Motion made by Mr. Thomas, seconded by Mr. Olexo to approve the Recapitulation of Vouchers for the Sanitary Sewer District Fund in the amounts of \$75,915.47, \$50.40, \$7,704.34 and \$5,284.82 dated for April 18, 2001.

Upon roll call the vote was as follows:

Mr. Thomas	Yes
Mr. Olexo	Yes

**IN THE MATTER OF APPROVING
RECAPITULATION OF VOUCHERS
FOR THE SARGUS CENTER/GROUP HOMES FUND**

Motion made by Mr. Thomas, seconded by Mr. Olexo to approve the Recapitulation of Vouchers for the Sargus Center Fund in the amounts of \$6,382.71 and \$2,375.26 and for the Group Homes Fund in the amount of \$3,330.82 dated for April 18, 2001.

Upon roll call the vote was as follows:

Mr. Thomas	Yes
Mr. Olexo	Yes

**IN THE MATTER OF TRANSFER OF
FUNDS FOR HOSPITALIZATION
CHARGEBACKS-MARCH AND APRIL 2001**

Motion made by Mr. Thomas, seconded by Mr. Olexo to make the following transfer of funds for Hospitalization Chargebacks for March and April, 2001.

From A406-F08 Disaster Services	to Y091-Y01	805.34
From A406-G09 Public Defender	to Y091-Y01	5,300.40
From A006-E11 Belmont County 911	to Y091-Y01	7,607.82
From A403-A09 Bd. of Elections	to Y091-Y01	3,112.76
From M067-M05 Juv-Alternative	to Y091-Y01	1,730.46
From M060-M64 C/C Restitution	to Y091-Y01	384.50
From M060-M29 Care & Cust-Juv.	to Y091-Y01	718.22
From M055-M10 C-CAP Teacher	to Y091-Y01	0.00
From M064-M10 Placement	to Y091-Y01	384.50
From M068-M05 Drug Court II	to Y091-Y01	322.08
From S031-G17 Group Home	to Y091-Y01	2,904.91
From S238-R47 Restitution	to Y091-Y01	0.00
From S239-V47 O.V. Recycling	to Y091-Y01	0.00
From H050-H15 Litter Control	to Y091-Y01	1,766.80
From S033-S47 Dist.Det.Home	to Y091-Y01	11,840.70
From S035-S03 PRC Grant	to Y091-Y01	1,189.84
From J000-J06 R.E. Assessment	to Y091-Y01	1,628.90
From W080-P07 Pros-Victim	to Y091-Y01	384.50
From S277-S02 Corrections Act	to Y091-Y01	805.34
From S076-S05 Halfway House	to Y091-Y01	805.34
From S094-S04 County Ct. Probation	to Y091-Y01	322.08
From W082-T07 DRETAC-Treas.	to Y091-Y01	0.00
From B100-B10 Dog & Kennel	to Y091-Y01	2,886.74
From B100-B10 D/K Aud. Clerk	to Y091-Y01	417.10
From L001-L13 Soil Conservation	to Y091-Y01	1,932.76
From H430-H14 Park Health Center	to Y091-Y01	61,081.17
From E101-E12 County Health	to Y091-Y01	6,562.50
From T050-T01 PH/HSP	to Y091-Y01	0.00
From T048-T01 Elder Health	to Y091-Y01	0.00
From T078-T01 Rabies	to Y091-Y01	192.32
From P070-P05 Lice	to Y091-Y01	240.40
From T077-T01 IAP	to Y091-Y01	48.08
From T079-T01 Welcome Home	to Y091-Y01	96.16
From S049-S63 Mental Health	to Y091-Y01	322.08
From S066-S79 Mental Retardation	to Y091-Y01	66,140.90
From H300-H13 Human Services	to Y091-Y01	91,773.99
From H310-H08 Child Support	to Y091-Y01	8,339.75
From K200-K10 MVGT-K1	to Y091-Y01	961.46
From K200-K10 MVGT-K2	to Y091-Y01	518.58
From K200-K24 MVGT-K11	to Y091-Y01	23,542.20
From K200-K37 MVGT-K25	to Y091-Y01	9,807.62
From Y090-Y14 Water/Sewer	to Y091-Y01	16,205.82
From E101-E12 Fund 69 Trail.Prk.	to Y091-Y01	0.00
From E101-E12 Water System 36	to Y091-Y01	0.00
From T075-T02 WIC	to Y091-Y01	1,156.28
From T075-T52 WIC	to Y091-Y01	0.00
From E101-E12 Food Service	to Y091-Y01	0.00
From S079-S07 Clerk of Courts	to Y091-Y01	5,528.34
From S230-S16 Oakview Juv.Rehab.	to Y091-Y01	3,001.92
From S028-S03 Aftercare Program	to Y091-Y01	333.72
From S082-S14 Western Court	to Y091-Y01	0.00
From S083-S14 Northern Court	to Y091-Y01	961.46
From S084-S14 Eastern Court	to Y091-Y01	805.34

Upon roll call the vote was as follows:

Mr. Thomas	Yes
Mr. Olexo	Yes

IN THE MATTER OF TRANSFERS
WITHIN FUND FOR VARIOUS
JUVENILE COURT GRANT FUNDS

Motion made by Mr. Thomas, seconded by Mr. Olexo to make the following transfers within fund for the various Juvenile Court Grant Funds.

<u>JUVENILE COURT C-CAP DONATED FUND M055</u>		
FROM	TO	AMOUNT
M055-M06 Other	M055-M17 Drug Ct Donations	50.00

<u>JUVENILE COURT C-CAP STRESS CHALLENGE GRANT M061</u>		
FROM	TO	AMOUNT
M061-M03 Medicare	M061-M12 Holding \$100.00	

<u>JUVENILE COURT'S INTAKE COORDINATOR FUND M062</u>		
FROM	TO	AMOUNT
M062-M12 Advances Out	M062-M06 Travel	300.00

Upon roll call the vote was as follows:

Mr. Thomas	Yes
Mr. Olexo	Yes

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

Motion made by Mr. Thomas, seconded by Mr. Olexo to make the following transfers within fund for the Water and Sewer Guarantee Deposits Fund to the Revenue Receipts Funds for the month of March, 2001.

FROM	TO	AMOUNT
T10T04 WSGDF Transfer Out	0000P03 WWS#2 01004002	\$78.75
T10T04 WSGDF Transfer Out	0000P05 WWS#3 02004002	283.90
T10T04 WSGDF Transfer Out	0000P53 SSD#2 04004002	31.25
T10T04 WSGDF Transfer Out	0000P55 SSD#3A 06004002	186.93

Upon roll call the vote was as follows:

Mr. Thomas	Yes
Mr. Olexo	Yes

IN THE MATTER OF GRANTING PERMISSION
FOR BELMONT COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES
EMPLOYEES TO TRAVEL

Motion made by Mr. Thomas, seconded by Mr. Olexo granting permission for the following BCDJFS employees to travel.

Names: Elizabeth Biernot, Erin Greenwood, Jack Regis and Kathy Donahue
Destination: Zanesville, OH
Dates of travel: May 1, 2001
Purpose: WIA Forum
Estimated expenses: \$81.40

Names: 15 employees
Date of travel: May 1, 2001
Destination: Cambridge, OH
Purpose: Training
Estimated expenses: \$305.25

Names: Judy Cilles
Destination: Columbus, OH
Dates of travel: April 25, 2001
Purpose: OHSTS Steering Committee
Estimated expenses: \$92.80

Names: Randy Fisher
Destination: Cambridge, OH
Dates of travel: June 12-13, 2001
Purpose: Effective Case Management
Estimated expenses: \$51.05

Names: 28 employees
Destination: Columbus, OH

Dates of travel: April 18-20, 2001
Purpose: OJFSDA Annual Conference
Estimated expenses: \$2,579.20

Names: 11 employees
Destination: Cambridge, OH
Dates of travel: March 29, 2001
Purpose: SETS IM Worker Overview
Estimated expenses: \$203.15

Names: Roger Kinney, Kim Maffee
Destination: Cambridge, OH
Dates of travel: April 11, 2001
Purpose: CM 201 Training
Estimated expenses: \$102.40

Names: Nancy Piatt, Kim Maffee, Linda Turner, Judy Burney
Destination: Cambridge, OH
Purpose: CM 201 Training
Estimated expenses: \$102.40

Names: Jim Dyrdek, Gary Schrickel, Beth Rice, Roger Kinney
Destination: Cambridge, OH
Dates of travel: June 14-15, 2001
Purpose: Job Quits and Sanctions
Estimated expenses: \$142.10

Names: Linda Farrier
Destination: Pittsburgh, PA
Dates of travel: April 18, 2001
Purpose: Designing Brochures, Newsletters and Reports Workshop
Estimated expenses: \$58.30

Names: Dwayne Pielech and Jim Kalonick
Destination: Columbus, OH
Dates of travel: March 27, 2001
Purpose: Protect Ohio Meeting
Estimated expenses: \$102.80

Names: Dwayne Pielech
Destination: Ashland, OH
Dates of travel: April 3, 2001
Purpose: Canton District Meeting
Estimated expenses: \$98.32

Names: Dwayne Pielech
Destination: Columbus, OH
Dates of travel: April 4, 2001
Purpose: CSEA Meeting
Estimated expenses: \$199.80

Names: David Badia
Destination: Columbus, OH
Dates of travel: April 4, 2001
Purpose: CSEA Meeting
Estimated expenses: \$92.80

Names: Don Giffin, Cathy Kocher, Marcy Sabo, Linda Mayberry
Destination: Cambridge, OH
Dates of travel: April 10, 2001
Purpose: LOC 01 training
Estimated expenses: \$71.05

Names: Joan Hollida, Karie Hunkler, Sonny Gossett, Scott Greenlee
Destination: Cambridge, OH
Dates of travel: April 2 , 2001
Purpose: LOC 01 training
Estimated expenses: \$71.05

Names: Sonny Gossett
Destination: Cambridge, OH
Dates of travel: April 27 , 2001
Purpose: ENF-01 training
Estimated expenses: \$41.05

Names: Chad Binni
Destination: Cambridge, OH
Dates of travel: April 23, 2001
Purpose: DIS-01 training
Estimated expenses: \$41.05

Upon roll call the vote was as follows:

Mr. Thomas	Yes
Mr. Olexo	Yes

IN THE MATTER OF GRANTING PERMISSION
FOR SANITARY SEWER DISTRICT EMPLOYEES TO TRAVEL

Motion made by Mr. Thomas, seconded by Mr. Olexo granting permission for the following Sanitary Sewer District employees to travel. A County vehicle will be used for transportation.

Names: Harold Donahue, Darrell Hashman and Mike Murray
Destination: Columbus, OH
Dates of travel: April 26, 2001
Purpose: Ohio EPA Operation Testing Program

Names: John Brunner, Rich Maleski and Mark Subasic
Destination: Columbus, OH
Dates of travel: April 25, 2001
Purpose: Ohio EPA Operation Testing Program

Upon roll call the vote was as follows:
Mr. Thomas Yes
Mr. Olexo Yes

IN THE MATTER OF GRANTING PERMISSION
FOR AUDITOR'S OFFICE EMPLOYEES TO TRAVEL

Motion made by Mr. Thomas, seconded by Mr. Olexo granting permission for Judy Jenewein, Debbie Meloy and Sheila Turner to travel to Washington County Auditor's Office on April 30, 2001 to review payroll package. Estimated expenses are \$100.00

Upon roll call the vote was as follows:
Mr. Thomas Yes
Mr. Olexo Yes

IN THE MATTER OF GRANTING PERMISSION
FOR WESTERN DIVISION COURT CLERK TO TRAVEL

Motion made by Mr. Thomas, seconded by Mr. Olexo granting permission for Rosalee Ralston, Western Division Court Clerk to travel to Columbus, Ohio on May 22-25, 2001 to attend the Clerks Annual Conference. Expenses for meals and travel will be submitted after the trip.

Upon roll call the vote was as follows:
Mr. Thomas Yes
Mr. Olexo Yes

IN THE MATTER OF GRANTING PERMISSION
FOR RECYCLING AND LITTER
PREVENTION PROGRAM EMPLOYEES TO TRAVEL

Motion made by Mr. Thomas, seconded by Mr. Olexo granting permission for Samantha Carroll, Recycling and Litter Prevention Program Director to travel to Steubenville, Ohio on April 25, 2001 to attend the Litter Summit and for Dave Rykowski, Supervisor, to travel to New Philadelphia on April 24, 2001 to attend the Scrap Tire Forum. Gas will be covered by grant monies.

Upon roll call the vote was as follows:
Mr. Thomas Yes
Mr. Olexo Yes

IN THE MATTER OF GRANTING PERMISSION
FOR JOSEPH GAUDIO, TREASURER, TO TRAVEL

Motion made by Mr. Thomas, seconded by Mr. Olexo granting permission for Belmont County Treasurer Joseph Gaudio to travel to Cincinnati, Ohio on May 14-17, 2001 to attend the Ohio Treasurer's Association Spring Conference. Estimated expenses are: \$780.00

Upon roll call the vote was as follows:
Mr. Thomas Yes
Mr. Olexo Yes

IN THE MATTER OF GRANTING PERMISSION
FOR VETERANS SERVICE COMMISSION MEMBERS TO TRAVEL

Motion made by Mr. Thomas, seconded by Mr. Olexo granting permission for five members Belmont County Veterans Service Commission to travel to Columbus, Ohio on April 20-22, 2001 to attend the Spring Seminar of the O.S.A.V.S.C. Estimated expenses are: \$1,400.00

Upon roll call the vote was as follows:
Mr. Thomas Yes
Mr. Olexo Yes

IN THE MATTER OF ENTERING
EXECUTIVE SESSION WITH DEPARTMENT OF
DEVELOPMENT DIRECTOR DON MYERS AND ATTORNEY
RICHARD MYSER AT 9:30 A.M.

Motion made by Mr. Olexo, seconded by Mr. Thomas to enter executive session with Department of Development Director Don Myers and Attorney Richard Myser to discuss the possible purchase of property upon adoption of the following:

RESOLUTION OF THE BELMONT COUNTY
BOARD OF COUNTY COMMISSIONERS

WHEREAS, the Board of Belmont County Commissioners are permitted to meet in executive session in order to consider those matters specifically authorized by R.C. 121.22 (G)(2); and

WHEREAS, a majority of a quorum of the Board of Belmont County Commissioners has determined, by roll call vote, to hold an executive session to consider the purchase of property for public purposes.

WHEREFORE, BE IT RESOLVED THAT: the Board of Belmont County Commissioners shall hold an executive session to consider the purchase of property for public purposes;

WHEREFORE, BE IT FURTHER RESOLVED THAT: the Board of Belmont County Commissioners shall only adopt a resolution, resolution or formal action regarding the matters considered in executive session at an open meeting of the Board.

ROLL CALL on the adoption of the Resolution resulted as follows:

Mr. Olexo	Yes
Mr. Thomas	Yes

IN THE MATTER OF ADJOURNING
EXECUTIVE SESSION WITH DEPARTMENT OF
DEVELOPMENT DIRECTOR DON MYERS AND ATTORNEY
RICHARD MYSER AT 9:55 A.M.

Motion made by Mr. Thomas, seconded by Mr. Olexo to adjourn executive session with Department of Development Director Don Myers and Attorney Richard Myser to discuss the possible purchase of property.

Upon roll call the vote was as follows:

Mr. Thomas	Yes
Mr. Olexo	Yes

* NO ACTION TAKEN

IN THE MATTER OF ENTERING
EXECUTIVE SESSION WITH DEPARTMENT OF DEVELOPMENT
DIRECTOR, PROSECUTOR, ASSISTANT PROSECUTOR AND CLERK AT 9:55 A.M.

Motion made by Mr. Olexo, seconded by Mr. Thomas to enter executive session at 9:55 A.M. with Don Myers, Director of the Department of Development, Prosecutor Frank Pierce, Assistant Prosecutor Bob Quirk, and Clerk Darlene Pempek to discuss imminent court action upon adoption of the following:

RESOLUTION OF THE BELMONT COUNTY
BOARD OF COUNTY COMMISSIONERS

WHEREAS, the Board of Belmont County Commissioners are permitted to meet in executive session in order to consider those matters specifically authorized by R.C. 121.22 (G)(3); and

WHEREAS, a majority of a quorum of the Board of Belmont County Commissioners has determined, by roll call vote, to hold an executive session to confer with an attorney for the Board concerning disputes involving the Board that are the subject of pending or imminent court action.

WHEREFORE, BE IT RESOLVED THAT: the Board of Belmont County Commissioners shall hold an executive session to confer with an attorney for the Board concerning disputes involving the Board that are the subject of pending or imminent court action;

WHEREFORE, BE IT FURTHER RESOLVED THAT: the Board of Belmont County Commissioners shall only adopt a resolution, resolution or formal action regarding the matters considered in executive session at an open meeting of the Board.

ROLL CALL on the adoption of the Resolution resulted as follows:

Mr. Olexo	Yes
Mr. Thomas	Yes

IN THE MATTER OF ADJOURNING
EXECUTIVE SESSION WITH DEPARTMENT OF DEVELOPMENT
DIRECTOR, PROSECUTOR, ASSISTANT PROSECUTOR AND CLERK AT 10:15 A.M.

Motion made by Mr. Olexo, seconded by Mr. Thomas to adjourn executive session at 10:15 A.M. with Don Myers, Director of the Department of Development, Prosecutor Frank Pierce, Assistant Prosecutor Bob Quirk, and Clerk Darlene Pempek to discuss imminent court action.

Upon roll call the vote was as follows:

Mr. Olexo	Yes
Mr. Thomas	Yes

* NO ACTION TAKEN

**IN THE MATTER OF SIGNING
AND APPROVING THE MINUTES**

Motion made by Mr. Thomas, seconded by Mr. Olexo to sign and approve the minutes of the regular Board of Commissioners' meeting of March 30, 2001.

Upon roll call the vote was as follows:

Mr. Thomas	Yes
Mr. Olexo	Yes

**IN THE MATTER OF ADVERTISING
FOR BIDS FOR PROJECT 01-4 RESURFACING
COUNTY HIGHWAYS 5 & 7/ENGINEER'S**

Motion made by Mr. Olexo, seconded by Mr. Thomas to advertise for bids for the following resurfacing project for the Engineer's Department.

ADVERTISE FOR BIDS

It appearing to the Board that it would be to the best interest of the Public to ask and receive bids for Project 01-4, Resurfacing County Highways 5 & & for the Engineer's Department, the Clerk is hereby directed to have published in the Martins Ferry Times Leader, a newspaper having general circulation in the County, a "Notice to Bidders" as follows:

NOTICE TO BIDDERS

BELMONT COUNTY COMMISSIONERS' OFFICE ST. CLAIRSVILLE, OHIO 43950

Sealed bids will be received by the Belmont County Board of Commissioners at the Commissioners office, Belmont County Courthouse, St. Clairsville, Ohio until 9:45 A.M. (Local Time), Wednesday, May 9, 2001 for furnishing all labor, materials and equipment to complete for the Belmont County Engineer, the following resurfacing project known as **PROJECT 01-4 RESURFACING COUNTY HIGHWAYS 5 & 7** and then at said office publicly opened and read aloud.

Copies of specifications and proposals forms may be obtained at the Commissioners office between the hours of 9:00 A.M. and 4:00 P.M. daily, Monday thru Friday.

A bid guaranty shall be provided with the bid in accordance with Section 153.54 of the Ohio Revised Code as follows:

* A Bond in accordance with Section 153.54 (B) O.R.C. for the full amount of the bid **OR**

* A certified check, cashiers check or letter of credit in accordance with Section 153.54 (C) O.R.C. in an amount equal to 10% of the bid. Bid security furnished in Bond form, shall be issued by a Surety Company or Corporation licensed in the State of Ohio to provide said surety.

Each proposal must contain the full name of the party or parties submitting the proposal and all persons interested therein. Each bidder shall be pre-qualified by the Ohio Department of Transportation at the time of the bid opening and shall submit certification of said approval and pre-qualifications with bid. Each bidder must submit evidence of its experiences on projects of similar size and complexity. The owner intends and requires that this project must be completed by 07/15/01.

All contractors and subcontractors involved with the project will, to the extent practicable use Ohio products, materials, services and labor in the implementation of their project. Additionally, contractor compliance with the equal employment opportunity requirements of Ohio Administrative Code Chapter 123, the Governor's Executive Order of 1972 and Governor's Executive Order 84-9 shall be required.

Bidders must comply with the prevailing wage rates on Public Improvements in Belmont County, Ohio as determined by the Ohio Department of Industrial Relations.

Said Contract will be let to the lowest and best responsible bidder in accordance with **Attachment 1 "Bid Documents Belmont County Commission"**. The County reserves the right to reject any and all proposals and award a contract to that bidder which is in the best interest of the County.

By order of the Board of Commissioners
of Belmont County, Ohio
Darlene Pempek /s/
Darlene Pempek, Clerk of the Board

Times Leader - Adv. (2) Tuesdays April 24, 2001 and May 1, 2001

Upon roll call the vote was as follows:

Mr. Olexo	Yes
Mr. Thomas	Yes

IN THE MATTER OF CONTRACT

BETWEEN BELMONT COUNTY COMMISSIONERS
AND MARIETTA COAL COMPANY FOR
CR4 EMERGENCY SLIP REPAIR PROJECT/ENGINEER'S

Motion made by Mr. Thomas seconded by Mr. Olexo to approve the following contract:

CONTRACT WITH BELMONT COUNTY COMMISSIONERS
CR 4 SLIP REPAIR PROJECT
BELMONT COUNTY HIGHWAY 4, RICHLAND TOWNSHIP, BELMONT COUNTY, OHIO

EMERGENCY PROJECT

AUDITOR'S OFFICE, BELMONT COUNTY, OHIO

THIS AGREEMENT made and entered into this 4TH day of April, 2001 between **Marietta Coal Company**, 67705 Friends Church Road, St. Clairsville, Ohio 43950 and Charles Probst, Ryan Olexo and Mark Thomas, Commissioners of Belmont County, WITNESSETH that the said **Marietta Coal Company** hereby agrees to furnish all material and do all work requisite necessary to reconstruct County Highway 4 by removing slip material from roadway bed and replacing with suitable material, stabilizing the hillside, resurfacing and other related work on County Highway 4 in accordance with plans, specifications and direction of the Belmont County Engineer.

MARIETTA COAL AGREES TO PERFORM ALL WORK NECESSARY TO STABILIZE THE HILLSIDE AND REBUILD THE ROADWAY TO SPECIFICATION OF THE COUNTY ENGINEER AND AT NO COST TO BELMONT COUNTY. IT FURTHER AGREES TO INDEMNIFY AND HOLD HARMLESS BELMONT COUNTY FROM ANY FURTHER DAMAGE AND/OR INJURY, WHICH MAY OCCUR AT THE SITE.

All work shall be completed by May 4, 2001 and it is agreed that time is of the essence with this project.

And it is further understood and agreed upon by the parties above, that all the materials used shall be of the best kinds usually used for such purposes. That said **MARIETTA COAL COMPANY** shall cause to be executed a bond to the satisfaction of the Commissioners for the faithful performance of the work, and for the security of the county, against pecuniary loss by reoccurrence of the slip. Said bond shall be in the amount of \$150,000.00 for a period of three (3) years.

BELMONT COUNTY COMMISSIONERS	MARIETTA COAL COMPANY
<u>Ryan E. Olexo /s/</u>	<u>BY: George G. Nicolozakes /s/</u>
<u>Mark A. Thomas /s/</u>	

Upon roll call the vote was as follows:

Mr. Olexo	Yes
Mr. Thomas	Yes

IN THE MATTER OF LIQUOR
PERMIT FOR YOKER ONE, INC.
DBA MOUSE TRAP CAFE, COLERAIN TWP., BARTON, OH

Motion made by Mr. Olexo, seconded by Mr. Thomas to approve the following request for a Liquor Permit.

LIQUOR PERMIT

The Board this day approved one D3A permit for Yoker One, Inc., DBA Mouse Trap Cafe, 70736 Main St., Colerain Twp., Barton, Ohio and the Clerk is hereby authorized and directed to sign the form and return it to the Ohio Department of Liquor Control, Reynoldsburg, OH 43068.

There have been no objections received and the Board of County Commissioners have no objections to the permit.

Upon roll call the vote was as follows:

Mr. Thomas	Yes
Mr. Olexo	Yes

IN THE MATTER OF APPROVING
CHANGE ORDER NO. 1 FOR THE
ENGINEER'S LLOYDSVILLE GARAGE

Motion made by Mr. Olexo, seconded by Mr. Thomas to approve the following Change Order for the Belmont County Engineer's Lloydsville Garage project to Bedway Development to ensure that only U.S. steel will be used in the project.

Change Order No. 1
Date: 4/3/01
Contract Date: 3/21/01
Contract For: General Trades

To: Bedway Development, 67877 Pancoast Rd. North, Belmont, Ohio 43718
The Contract is changed as follows: **All steel in new metal building to be U.S. steel**
Original Contact Sum: \$413,980.00
The Contract Sum will be increase by this Change Order in the amount of: \$4,500.00
The new Contract Sum including this Change Order will be: \$418,480.00
The Contract Time will be increased by: 2 weeks

Upon roll call the vote was as follows:

Mr. Olexo	Yes
Mr. Thomas	Yes

IN THE MATTER OF THE
VACATION OF AN ALLEY
OHIO

OFFICE OF COUNTY COMMISSIONERS

BELMONT COUNTY,

IN NEW CASTLE, WAYNE TOWNSHIP
AS RECORDED IN VOL. R, PG. 536/RD IMP 1054

Journal Entry--Order Upon View of Proposed Improvement
ORDER TO COUNTY ENGINEER
Gen'l Code Sec. 6865

Mr. Thomas moved the adoption of the following:

RESOLUTION

WHEREAS, On the 18th day of April, 2001, the time heretofore fixed for view of the proposed improvement, we, the Board of County Commissioners having jurisdiction in said matter, went upon the line of said proposed improvement and made personal view of the proposed route and termini thereof, and after full investigation and due consideration of all the facts and conditions pertaining thereto; therefore be it

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

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

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

RESOLVED, That the said County Engineer be and he is hereby directed to make a report in writing to this Board, on or before the 27th day of April, 2001 the date fixed for the final hearing, setting forth the opinion of said County Engineer either for or against said proposed improvement, ² and the width to which said improvement shall be opened, which shall not be less than thirty feet; said report shall be accompanied by said plat and detailed and accurate descriptions, and filed with the County Commissioners, and this case is continued unto said date.

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

<u>Mr. Thomas</u>	,	<u>Yes</u>
<u>Mr. Olexo</u>	,	<u>Yes</u>

Adopted April 18, 2001

Darlene Pempek /s/
Clerk, Board of County Commissioners
Belmont County, Ohio

IN THE MATTER OF RESOLUTION
AUTHORIZING THE ISSUANCE OF
\$500,000 OF NOTES TO PAY PART OF THE
COSTS OF ACQUIRING AND CONSTRUCTING A
JUVENILE DETENTION FACILITY

Mr. Olexo moved the adoption of the following resolution:

RESOLUTION AUTHORIZING THE ISSUANCE OF
\$500,000 OF NOTES TO PAY PART OF THE COSTS
OF ACQUIRING AND CONSTRUCTING A JUVENILE DETENTION FACILITY

WHEREAS, the county auditor has heretofore estimated that the life of the improvement hereinafter described is at least five (5) years, and has certified that the maximum maturity of the bonds issued therefor is thirty (30) years, and of the notes to be issued in anticipation thereof is twenty (20) years; and

WHEREAS, this board of county commissioners expects the general revenues of this county (the "Revenues") to be the source of payment of debt charges on such notes and bonds; and

WHEREAS, notes heretofore issued are about to mature and should be renewed in the amount of \$500,000;

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 and sell bonds of this County in a principal sum of \$500,000 for the purpose of paying part of the costs of acquiring and constructing a juvenile detention facility, including "financing costs" as defined in Section 133.01 of the Ohio Revised Code incurred in connection with such bonds and notes issued in anticipation thereof. Such bonds shall be issued under authority of the general laws of the State of Ohio, particularly Chapter 133 of the Ohio Revised Code, shall be dated approximately May 1, 2002, shall bear interest at an average annual rate estimated at nine per cent (9%) per annum, payable semiannually, and shall mature over a period not exceeding thirty (30) years in substantially equal annual principal installments.

SECTION 2. That it is hereby determined that notes of this County shall be issued in anticipation of the issuance of such bonds. Such notes shall (i) be in the principal amount of \$500,000 (ii) be dated the date of their initial delivery to the purchaser thereof, (iii) mature not more than one year from their date of initial delivery, (iv) be of such denominations and numbered as such purchaser shall request, and (v) bear interest at the rate of three and eighty-eight hundredths per cent (3.88%) per annum (computed on a 360 day per year basis), such interest to be payable at maturity.

SECTION 3. That such notes shall express upon their faces the purpose for which they are issued and that they are issued in pursuance of this Resolution. Such notes shall be in fully registered form without coupons, and shall be signed by at least two members of this board of county commissioners and by the county auditor, and may bear the county auditor's seal, provided that such seal and all such signatures may be facsimiles. Such notes shall bear the manual authenticating signature of an authorized representative of Firststar Bank, National Association, Cincinnati, Ohio, which is hereby designated to serve as the paying agent, registrar and transfer agent (the "Paying Agent and Registrar") for the notes. The principal of and interest on each note shall be payable at the principal office of the Paying Agent and the Registrar to the person whose name appears on the note registration records as the registered holder thereof. Such notes shall be designated "Juvenile Detention Facility Bond Anticipation Notes".

The notes shall be transferable by the registered holder thereof in person or by his attorney duly authorized in writing at the principal 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.

SECTION 4. That such notes shall be sold at not less than par and accrued interest to Seasongood & Mayer, LLC, Cincinnati, Ohio in accordance with their offer to purchase which the county auditor is hereby authorized to accept without further action of this board of county commissioners, and 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 such 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 such notes in the manner provided by law.

SECTION 5. That such 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 such 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 6. That during the year or years while such notes run there shall be levied upon all of the taxable property within the territorial boundaries of this County, in addition to all other taxes, a direct tax annually within applicable limitations 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 that the Revenues or other moneys are available for the payment of such notes and bonds and are appropriated for such purpose, the amount of such tax shall be reduced by the amount of the Revenues or other moneys so available and appropriated.

SECTION 7. That such 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 such years are certified, extended and collected. Such tax shall be placed before and in preference to all other items and for the full amount thereof. The funds derived from such 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 such notes or the bonds in anticipation of which they are issued when and as the same fall due.

SECTION 8. That the notes are hereby designated as "qualified tax-exempt

obligations" to the extent permitted by Section 265(b)(3) of the Internal Revenue Code of 1986, as amended (the "Code"). This board finds and determines that the reasonable anticipated amount of qualified tax-exempt obligations (other than private activity bonds) which will be issued by the county during this calendar year does not and the board hereby covenants that, during such year, the amount of tax-exempt obligations issued by the county and designated as "qualified tax-exempt obligations" for such purpose will not exceed \$10,000,000. The county auditor and other appropriate officers, and any of them, are authorized to take such 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 this calendar year and with respect to such other matters as appropriate under Section 265(b)(3).

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, and take such other actions as may be necessary, after taking into account reasonable expectations at the time the debt is incurred, so that they will not constitute obligations the interest on which is subject to federal income taxation or "arbitrage bonds" under Sections 103(b)(2) and 148 of the Code and the regulations prescribed thereunder, including any expenditure requirements, investment limitations or rebate requirements. The county auditor and other appropriate officers, or any other officer having responsibility with respect to the issuance of such notes is authorized and directed to give an appropriate certificate on behalf of this 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 said Sections 103(b)(2) and 148 and regulations thereunder.

SECTION 10. 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 notes may be transferred only through a book entry, and (ii) physical note certificates in fully registered form are issued only to the Depository or its nominee as registered owner, with the 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 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 notes or principal and interest, and to effect transfers of 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 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 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 notes: (i) there shall be a single note of each maturity; (ii) those 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 notes in book entry form shall have no right to receive notes in the form of physical securities or certificates; (iv) ownership of beneficial interests in any 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 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 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 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 note in the custody of a Depository providing for making all payments to that owner of principal and interest on that 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 note, upon any conditions which shall be satisfactory to the Paying Agent and Registrar and to this County.

That payment in any event shall be made to the person who is the registered owner of that 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 notes and to this County. 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 notes to the Depository for use in a book entry system, and to take all other actions the county auditor deems appropriate in issuing the notes under a book entry system.

If any Depository determines not to continue to act as Depository for the 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 notes from the Depository and authenticate and deliver note certificates in fully registered form to the assigns of the Depository or its nominee, all at the cost expenses (including costs of printing definitive 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 11. 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 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 12. That 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 meeting 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. Thomas seconded the resolution, and the roll being called upon the question of its adoption the vote resulted as follows:

Mr. Olexo	Yes
Mr. Thomas	Yes

Adopted, this 18th day of April, 2001.

Darlene Pempek /s/
Clerk of the Board of County Commissioners

IN THE MATTER OF ACCEPTING
TERMS AND CONDITIONS FROM SEASONGOOD & MAYER, INC
RE: ISSUANCE OF \$500,000 OHIO JUVENILE DETENTION CENTER
BOND ANTICIPATION NOTES

Motion made by Mr. Olexo, seconded by Mr. Thomas to accept the following terms and conditions as presented by Joe Magdich, Seasongood & Mayer, LLC.

April 18, 2001

For the \$500,000 County of Belmont, Ohio Juvenile Detention Center Bond Anticipation dated May 1, 2001, and to mature May 1, 2002, bearing interest at the rate of 3.88%, interest payable at maturity, we will pay you the par value thereof plus accrued interest to date of delivery. These Notes are to be payable in Federal Reserve Funds at Firststar Bank, N.A., Cincinnati, Ohio.

This offer is made subject to the following conditions:

1. We are to receive the unconditional approving opinion of Peck, Shaffer & Williams LLP, Columbus, Ohio, for which you will pay. In addition thereto, we wish the opinion to apply to the bank qualification of the Notes and to the effect that in the opinion of Bond Counsel, based upon present laws, regulations, rulings and decisions in effect on the date of delivery of the Notes, interest on the Notes is exempt from Federal income tax upon the conditions and subject to certain limitations, except for interest on the Notes held by corporations which is includable in the computation of such corporations' adjusted net book income, adjusted current earnings or modified alternative minimum taxable income.

2. Note blanks ready for signature in denominations suitable to us, will be supplied by you.

3. Any additional issuance expenses to be paid by you, including printing costs, paying agent fees, CUSIP fee, OMAC fee, etc.

4. This offer is made for immediate acceptance or rejection.

5. The Notes are to be delivered to us in our offices on or before November 21, 2001.

6. The Underwriters shall have the right to cancel their obligation to purchase the Notes, by notifying you of their election to do so, if (I) the President of the United States or any agency or instrumentality of the Federal Government should announce a plan,

program or proposed legislation which, if implemented or adopted, would affect the tax-exempt nature of the interest on the Notes or (ii) between the date hereof and the Closing, legislation shall have been enacted or introduced by the Congress of the United States or shall have been reported out of committee or be pending in committee or a decision shall have been rendered by a court of the United States or the Tax Court of the United States, or a ruling shall have been made or a regulation shall have been proposed or made or any other release or announcement shall have been made by the Treasury Department of the United States or the Internal Revenue Service, or other federal or Ohio authority, with respect to interest received on obligations of the general character of the Notes, that in our reasonable judgement, materially adversely affects the market for the Notes or the market price generally of obligations of the general character of the Notes, or (iii) there shall have occurred any outbreak of hostilities or other local, national or international calamity or crisis, or a default with respect to the debt obligations of , or the institution of proceedings under the federal bankruptcy laws by or against, any State of the United States or agency thereof, or any city in the United States having a population of over one million, the effect of which on the financial markets of the United States will be such as, in our reasonable judgement, makes it impracticable for the Underwriters to market the Notes or to enforce contracts for the sale of the Notes, or (iv) there shall be in force a general suspension of trading on the New York Stock Exchange or minimum or maximum prices for trading shall have been fixed and be in force, or maximum ranges for prices for securities shall have been required and be in force on the New York Stock Exchange, whether by virtue of a determination by that Exchange or by order of the Securities and Exchange Commission or any other governmental authority having jurisdiction, or (v) a general banking moratorium shall have been declared by either federal, New York or Ohio authorities having jurisdiction and be in force, or (vi) legislation shall be enacted or be proposed or actively considered for enactment, or a decision by a court of the United States shall be rendered, or a ruling, of the Securities and Exchange Commission or other governmental agency having jurisdiction of the subject matter shall be made to the effect that the Notes or any securities of the political subdivision or any securities similar to the type contemplated herein (exclusive of industrial development bonds as defined by Section 103 (c) of the Internal Revenue Code, as amended) are not exempt from the registration, qualification or other requirements of the Securities Act of 1933, as amended and as then in effect, or (vii) there shall have been any material adverse change in the affairs of the political subdivision, or any indentures similar to the Indenture Act are not exempt from the registration, qualification or other requirements of the Trust Indenture Act of 1939, as amended and as then in effect, or (viii) there shall have been any material adverse change in the affairs of the political subdivision, or (viii) there shall be established by the Federal, Ohio or New York State government wage or price controls, or credit constraints, which, in the reasonable opinion of the Underwriters would affect their ability to market the Notes.

7. The County certifies that the Notes are classified as "qualified tax-exempt obligations" under the Tax Reform Act of 1986.

8. Upon acceptance by proper action of the Board of Commissioners of the County this instrument shall become a binding contract between us according to its terms.

Respectfully submitted,
SEASONGOOD & MAYER, LLC
BY: Joseph P. Magdich /S/
Joseph P. Magdich, Senior Principal

Accepted for and on behalf of the COUNTY OF BELMONT, OHIO under authorization previously granted by the County Commissioners this 18th day of April 2001.

BY: Ryan E. Olexo /S/
BY: Mark A. Thomas /S/

The Board of County Commissioners of the County of Belmont, Ohio, met in regular session at 11:00 o'clock A.M., on the 18th day of April, 2001, at the office of said board of county commissioners located at the County Courthouse, St. Clairsville, Ohio, with the following members present:

Mr. Ryan Olexo
Mr. Mark Thomas

IN THE MATTER OF AWARDDING
BID FOR BRIDGEPORT'S GOULD PARK
SERVICE BUILDING/CDBG PROJECT

Motion made by Mr. Thomas, seconded by Mr. Olexo to send the following Notice of Award for Bridgeport's Gould Park service building, a Community Development Block Grant Project based upon the recommendation of A.C. Wiethel, Belmont Regional Council.

NOTICE OF AWARD

To: Ohio-West Virginia Excavating
P.O. Box 128
Powhatan Point, Ohio 43942

PROJECT Description: Complete the construction of an addition to a service building in Gould Park as per contract

The OWNER has considered the BID submitted by you on April 6, 2001 (BID Date) for the above described WORK in response to its Advertisement for BIDS and Information for BIDDERS.

You are hereby notified that your BID has been accepted for items in the amount of \$18,185.00.

You are required by the Information for BIDDERS to execute the Agreement and furnish the required CONTRACTOR'S Contract BOND if applicable, and Certificates of Insurance within 10 calendar days from the date of this notice to you.

If you fail to execute said Agreement and to furnish said BOND within 10 days from the date of this notice, said OWNER will be entitled to consider all of your rights arising out of the OWNER'S acceptance of your BID as abandoned and as a forfeiture of your BID guaranty subject to the liabilities set forth in Section 153.54 of the Ohio Revised Code. The OWNER will be entitled to such other rights as may be granted by law.

You are required to return an acknowledged copy of this NOTICE OF AWARD to the OWNER.

Dated this 18th day of April, 2001.

Belmont County Commissioners
Owner
By: Ryan E. Olexo /s/
Name: Ryan E. Olexo
Title: President

ACCEPTANCE OF NOTICE

Receipt of the above NOTICE OF AWARD is hereby acknowledged by _____ on this day of _____, 2001.

By:

Name and Title:

cc: CONTRACTOR'S Surety
Surety's Agent

CONTRACT

This AGREEMENT made this 18th day of April, 2001 by and between Ohio-West Virginia Excavating Co. hereinafter called the "Contractor" and Belmont County Commissioners hereinafter called the "Owner".

WITNESSETH, that the Contractor and the owner for the considerations stated herein mutually agree as follows:

ARTICLE 1. Statement of Work

The Contractor shall furnish all supervision, technical personnel, labor , materials machinery, tools, equipment and services including utility and transportation services, and perform and complete all work required for the construction of the improvements embraced in the project; namely, Bridgeport Park Service Building Addition, and required supplemental work for the project all in strict accordance with the Contract Documents including all addenda thereto, numbered _____, dated _____, and _____ dated all as prepared by Wheeling Township acting and in these Contract documents preparation, referred to as the "Engineer".

ARTICLE 2. The Contract Price

The Owner will pay the Contractor for the total quantities of work performed at the unit prices stipulated in the Bid for the respective items of work completed for the sum not to exceed Eighteen thousand one hundred eighty five and 00/100 (Dollars) subject to additions and deductions as provided in Section 109 hereof.

Article 3. Contract

The executed contract documents shall consist of the following:

- a. This Agreement
- b. Addenda
- c. Invitation for Bids
- d. instructions to Bidders
- e. Signed copy of Bid
- f. General Conditions, Part I and II
- g. Special Conditions
- h. Technical Specifications
- i. Drawings (as listed in the Schedule of Drawings)

This Agreement, together with other documents enumerated in this Article 3, which said other documents are as fully a part of the Contract as if hereto attached or herein repeated, forms the Contract between the parties hereto. In the event that any provision in any component part of this Contract conflicts with any provision of any other component part, the provision of the component part first enumerated in this ARTICLE 3 shall govern, except as otherwise specifically stated.

IN WITNESS WHEREOF, the parties hereto have caused this AGREEMENT to be executed in Two original on the day first above written.

CONTRACTOR-Ohio West Virginia Excavating Co.

OWNER: Belmont County Commissioners

Signature

Ryan E. Olexo /s/
Signature

Typed/printed name

Ryan E. Olexo
Typed/printed name

Title

President
Title

Upon roll call the vote was as follows:

Mr. Thomas	Yes
Mr. Olexo	Yes

IN THE MATTER OF DISCUSSION HELD
RE: NATIONAL DAY OF PRAYER

The Commission was presented with a request from Susan Morgan, coordinator of the National Day of Prayer events, to hold the event on the Courthouse plaza. Commissioner Ryan Olexo stated, "It is important for everyone to know that we are in favor of these events and support them wholeheartedly, but because of the constitution, separation of church and state, I don't feel that as a Board we should pass a resolution granting permission to hold the events there."

Commissioner Olexo explained that the plaza is public property owned by and paid for by the taxpayers and the public can use it whenever they want. He stated, "A resolution is not necessary." Commissioner Thomas agreed stating, "Because of constitutional issues we have decided to not pass the resolution."

IN THE MATTER OF ADJOURNING
COMMISSIONERS' MEETING AT 1:40 P.M.

Motion made by Mr. Olexo, seconded by Mr. Thomas to adjourn the meeting at 1:40 P.M.

Upon roll call the vote was as follows:

Mr. Olexo	Yes
Mr. Thomas	Yes

Meeting adjourned.

Read, approved and signed this 20th day of April A.D., 2001.

_____ COUNTY COMMISSIONERS

Charles R. Probst, Jr., absent

We Ryan E. Olexo, and Darlene Pempek, 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

