

The Board of Commissioners of Belmont County, Ohio, met this day in regular session. Present: Mark A. Thomas, J. P. Dutton and Josh Meyer, Commissioners and Jayne Long, Clerk of the Board.

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

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

Motion made by Mr. Thomas, seconded by Mr. Dutton to approve and sign all bills that have been certified in the Auditor's office and considered by the Board. It is hereby ordered that the County Auditor issue his warrant on the County Treasurer in payment of the bills allowed:

IN THE TOTAL AMOUNT OF \$8,056,723.35

Upon roll call the vote was as follows:

Mr. Thomas	Yes
Mr. Dutton	Yes
Mr. Meyer	Yes

IN THE MATTER OF TRANSFERS WITHIN FUND

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

S30 OAKVIEW JUVENILE REHABILITATION FUND

FROM	TO	AMOUNT
E-8010-S030-S59.000 Fuel/Utilities	E-8010-S030-S60.000 Maintenance	\$490.00

W80 PROSECUTOR'S VICTIM ASSISTANCE PROGRAM FUND

FROM	TO	AMOUNT
E-1511-W080-P06.004 Workers Comp	E-1511-W080-P01.002 Salaries	\$1,005.00
E-1511-W080-P06.004 Workers Comp	E-1511-W080-P05.003 PERS	\$143.38
E-1511-W080-P07.006 Hospitalization	E-1511-W080-P05.003 PERS	\$475.00

Upon roll call the vote was as follows:

Mr. Thomas	Yes
Mr. Meyer	Yes
Mr. Dutton	Yes

IN THE MATTER OF TRANSFERS BETWEEN FUND

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

P53 SSD #2 REVENUE FUND AND THE O12 NEFFS BOND RETIREMENT FUND/BCSSD

FROM	TO	AMOUNT
E-3705-P053-P16.074 Transfers Out	R-9312-O012-O05.574 Transfers In	\$16,514.90

P53 SSD #2 REVENUE FUND AND THE N14 SSD #2 CAPITAL IMPROVEMENT FUND/BCSSD

FROM	TO	AMOUNT
E-3705-P053-P16.074 Transfers Out	R-9014-N014-N07.574 Transfers In	\$6,117.87

Upon roll call the vote was as follows:

Mr. Thomas	Yes
Mr. Meyer	Yes
Mr. Dutton	Yes

IN THE MATTER OF ADDITIONAL APPROPRIATIONS FOR VARIOUS FUNDS/CLOSED CARRY-OVER PURCHASE ORDERS

Motion made by Mr. Thomas, seconded by Mr. Meyer 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 August 23, 2017:

CARRYOVER PURCHASE ORDERS THAT HAVE BEEN CLOSED AND REQUIRE REAPPROPRIATION

General Fund

PO # 521391	E-0040-A002-G12.000	Bondsman	\$ 200.00
PO # 521381	E-0048-A002-K02.010	Supplies	\$ 6,543.57
PO # 521410	E-0048-A002-K03.012	Equipment	\$ 542.27
PO # 521398	E-0048-A002-K04.000	Destruction Costs	\$ 1,203.34
PO # 521372	E-0048-A002-K05.000	Other Expenses	\$ 955.34
PO # 521392	E-0051-A001-A16.000	Indigent Burials	\$ 5,000.00
PO # 521393	E-0051-A001-A19.000	Courthouse Security	\$ 8,875.00

N29 Capital Projects – Facilities Fund

PO # 521452	E-9029-N029-N02.055	CH Building Repair	\$ 11,936.90
PO # 521336	E-9029-N029-N02.055	CH Building Repair	\$ 8,375.20
PO # 521412	E-9029-N029-N03.055	Contract-Services	\$208,259.62
PO # 521414	E-9029-N029-N13.055	CH Restoration Proj	\$643,334.00

N59 Capital Projects – Senior Centers Fund

PO # 521463	E-9059-N059-N08.000	Other Expenses	\$ 2,028.16
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Upon roll call the vote was as follows:

Mr. Thomas	Yes
Mr. Meyer	Yes
Mr. Dutton	Yes

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

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

VARIOUS FUNDS/2016 CARRY-OVER PO

GENERAL FUND

PO # 521391	E-0040-A002-G12.000	Bondsman	\$200.00
PO # 521381	E-0048-A002-K02.010	Supplies	\$6,543.57
PO # 521410	E-0048-A002-K03.012	Equipment	\$542.27
PO # 521398	E-0048-A002-K04.000	Destruction Costs	\$1,203.34
PO # 521372	E-0048-A002-K05.000	Other Expenses	\$955.34
PO # 521392	E-0051-A001-A16.000	Indigent Burials	\$5,000.00
PO # 521393	E-0051-A001-A19.000	Courthouse Security	\$8,875.00

N29 CAPITAL PRRJECTS – FACILITIES FUND

PO # 521452	E-9029-N029-N02.055	CH Building Repair	\$11,936.90
PO # 521336	E-9029-N029-N02.055	CH Building Repair	\$8,375.20
PO # 521412	E-9029-N029-N03.055	Contract-Services	\$208,259.62
PO # 521414	E-9029-N029-N13.055	CH Restoration Proj	\$643,334.00

N59 CAPITAL PROJECTS – SENIOR CENTERS FUND

PO # 521463	E-9059-N059-N08.000	Other Expenses	\$2,028.16
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Upon roll call the vote was as follows:

Mr. Thomas	Yes
Mr. Meyer	Yes
Mr. Dutton	Yes

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

Motion made by Mr. Thomas, seconded by Mr. Dutton to execute payment of Then and Now Certification dated August 23, 2017, presented by the County Auditor pursuant to O.R.C. 5705.41(d) 1, and authorizing the drawing of warrant(s) in payment of amounts due upon contract to order.

Upon roll call the vote was as follows:

Mr. Thomas	Yes
Mr. Dutton	Yes
Mr. Meyer	Yes

IN THE MATTER OF GRANTING PERMISSION FOR COUNTY EMPLOYEES TO TRAVEL

Motion made by Mr. Thomas, seconded by Mr. Dutton granting permission for county employees to travel as follows:
DJFS-Michael Schlanz, Sarah Smith and Jon Purtiman to Columbus, OH, on August 21, 2017, to attend the CCMEP training. Michael Schlanz to Columbus, OH, on September 12, 2017, to attend the CCMEP training. County vehicles will be used for travel.
RECORDS-Laura Ellis to Delaware, OH, on October 6, 2017, to attend the To Scan of Not to Scan seminar. Estimated expenses: \$116.00.
SENIORS-Donna Steadman to Moundsville, WV, on September 12, 19 & 26, 2017, for a senior outing to Four Seasons Pool. Daisy Braun to Moundsville, WV, on September 14, 2017, for a senior outing to the Moundsville Penitentiary, the Goodwill and the Prima Marina. Donna Steadman to Millersburg, OH, on September 20, 2017, for a senior outing to Mt. Hope Flea Market. County vehicles will be used for travel.

Upon roll call the vote was as follows:

Mr. Thomas	Yes
Mr. Dutton	Yes
Mr. Meyer	Yes

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

Motion made by Mr. Thomas, seconded by Mr. Meyer to approve the minutes of the Belmont County Board of Commissioners regular meeting of August 16, 2017.

Upon roll call the vote was as follows:

Mr. Thomas	Yes
Mr. Meyer	Yes
Mr. Dutton	Yes

Commissioner Thomas made the following announcement:

The Board will hold its regular meeting on Thursday, August 31 instead of Wednesday, August 30, due to a scheduling conflict.
Note: Commissioner Thomas and Dutton will attend the Ohio County Commissioners’ White House Conference on August 29 in Washington, D. C. and related CCAO and NACo events on Aug 28.

IN THE MATTER OF ACCEPTING PUBLIC ROAD PETITION FOR VACATION OF T-216A (STANLEY ROAD)

RICHLAND TWP. SEC. 23, T-6, R-3/RD. IMP 1159

Motion made by Mr. Thomas, seconded by Mr. Dutton to accept the following Public Road Petition for the vacation of T-216A (Stanley Road) located in Richland Township, Sec. 23, T-6, R-3 and hereby authorize the Clerk of the Board to establish the required date and time for the viewing and hearing and proceed with the Notice of Publication for the proposed vacation hereinafter known as Road Improvement #1159 in accordance with Ohio Revised Code Section 5553.04.

PUBLIC ROAD PETITION	
NAME (SIGN & PRINT)	TAX MAILING ADDRESS (PLEASE PRINT)
<i>Arthur Thompson /s/</i>	51121 Hells Kitchen Rd
Arthur Thompson	St. Clairsville, Ohio 43950
<i>Paula Bigelow /s/</i>	70493 Crescent Rd
Paula Bigelow	St. Clairsville, Ohio 43950
<i>Angelo Fiutem /s/</i>	70160 Crescent Road
Angelo Fiutem	St. Clairsville, Ohio 43950
<i>P.J. Ballog /s/</i>	69837 Jug Run Lane
P.J. Ballog	St. Clairsville, Oh 43950
<i>William Ballog /s/</i>	116 South Street
William Ballog	St. Clairsville, Oh 43950
<i>Craig Stuart /s/</i>	70140 Crescent Road

Craig Stuart	St. Clairsville, Ohio 43950
<i>Thomas J. Zambori /s/</i>	54249 East Rd
Thomas J. Zambori	Martins Ferry, Ohio 43935
<i>Robert Morris /s/</i>	54274 East Rd.
Robert Morris	Martins Ferry, Ohio
<i>Melissa D. Dingey /s/</i>	52676 Barton Blaine Rd
Melissa D. Dingey	St. Clairsville, OH 43950
<i>Jason A. Dingey /s/</i>	52676 Barton Blaine Rd
Jason A. Dingey	St. Clairsville, Oh 43950
<i>Chuck Kolb /s/</i>	69185 Chermont Rd./ P.O. Box 348
Chuck Kolb	Bridgeport, OH/Lansing, OH 43934
<i>Pete Ignacak /s/</i>	52510 Blaine Barton Rd
Pete Ignacak	St. Clairsville, Ohio 43950
<i>Paul Keringer /s/</i>	52219 Barton Blaine Rd.
Paul Keringer	Saint Clairsville 43950
<i>J.E. Siburt /s/</i>	71820 Ayers Rd.
Jeff Siburt	St. Clairsville OH 43950
Ed Wakulchik	117 Toni Lane
<i>Edward J. Wakulchik /s/</i>	St. Clairsville, OH 43950
Brad Jewell	49560 Nature Trail
<i>Brad Jewell /s/</i>	St. Clairsville, OH 43950
Ralph Jewell	110 Toni Lane
<i>Ralph Jewell /s/</i>	St. Clairsville Ohio 43950

Upon roll call the vote was as follows:

Mr. Thomas	Yes
Mr. Dutton	Yes
Mr. Meyer	Yes

**IN THE MATTER OF THE VACATION OF
T- 216A (STANLEY RD)
RICHLAND TWP. SEC. 23, T-6, R-3/RD IMP 1159**

Office of County Commissioners

Belmont County, Ohio

**Journal Entry, Order Fixing Time and Place of View and of Final Hearing and Notice
Thereof on Public Road Petition
Rev. Code, Sec. 5553.05
RD. IMP. 1159**

The Board of County Commissioners of Belmont County, Ohio, met in regular session on the 23rd day of August, 2017 at the office of the Commissioners with the following members present:

Mr. Thomas
Mr. Dutton
Mr. Meyer

Mr. Thomas moved the adoption of the following:

RESOLUTION

WHEREAS, A Petition signed by at least twelve freeholders of the County residing in the vicinity of the proposed improvement has been presented to this Board of County Commissioners requesting said Board to vacate T-216A (Stanley Rd.) Richland Township, Section 23, T-6, R-3.

RESOLVED, That the 13th day of September, 2017 at 12:00 o'clock P.M., be fixed as the date when we will view the proposed improvement, on which date we will meet at the site and go over the line of said proposed improvement; and be it further

RESOLVED, That the 20th day of September, 2017, at 9:30 o'clock A.M. be fixed as the date for a final hearing thereof, which hearing will be at the office of the Board; and be it further

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

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

Mr. Thomas	Yes
Mr. Dutton	Yes
Mr. Meyer	Yes

Adopted August 23, 2017

Jayne Long /s/
Clerk, Belmont County, Ohio

1. "Locating," "establishing," "altering," "straightening," "vacating," or "changing the direction of."
2. "Locating,:" "establishing," "altering," "straighten," "vacate," or "change the direction of"
3. Insert "a part of," if so.

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

ROAD IMP. # 1159

Notice is hereby given that there is before the Board of County Commissioners of Belmont County, Ohio, the matter of the vacation of T- 216A (Stanley Road) located in Richland Township, Section 23, T-6, R-3, a public road, the general route and termini of which Road are as follows:

Beginning at the intersection of Barton-Blaine Rd. Cty. Rd. 10 and Stanley Rd. Twp. 216A and going in an eastern direction for an approximate distance of 1500 feet to the dead end of Twp. 216A.

August 23, 2017

Said Board of County Commissioners has fixed the 13th day of September, 2017, at 12:00 o'clock P.M., as the date when and the site as the place where said Board will view the proposed improvement and has also fixed the 20th day of September, 2017, at 9:30 o'clock A.M., at their office in the Court House of said County in St. Clairsville, Ohio as the time and place for the final hearing on said proposed improvement.

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

Jayne Long /s/

Jayne Long, Clerk

ADV. TIMES LEADER (2) Tuesdays – August 29, 2017 and September 5, 2017

IN THE MATTER OF APPROVING THE RELEASE OF ROAD USE
MAINTENANCE AGREEMENT (RUMA) WITH ECLIPSE RESOURCES
DATED JULY 23, 2014 AND ASSOCIATED BOND NUMBER B008875/ENGINEERS

Motion made by Mr. Thomas, seconded by Mr. Meyer to approve the release of a Road Use Maintenance Agreement (RUMA) with Eclipse Resources, dated July 23, 2014, for the use of CR 70 (Pultney Ridge Rd.), CR 120 (Douglas Rd) and CR 114 (Fairview Rd.) and associated Bond Number B008875 in the amount of \$100,000.00, per Terry Lively, Belmont County Engineer.

Upon roll call the vote was as follows:

Mr. Thomas	Yes
Mr. Meyer	Yes
Mr. Dutton	Yes

IN THE MATTER OF APPROVING AND SIGNING THE NOTICE OF AWARD,
CONTRACT AND THE NOTICE TO PROCEED FOR THE MARTINS FERRY
AND PEASE TWP. STREET IMPROVEMENT PROJECTS/BELOMAR

Motion made by Mr. Dutton, seconded by Mr. Meyer to approve and authorize Commission President Mark A. Thomas to sign the Notice of Award, Contract, and Notice to Proceed for The Lash Paving Company, the low bidder, for the 2016 Community Development Block Grant Formula Projects based upon the recommendation of Lisa Mullin, Belomar Regional Council as follows:

- Martins Ferry Street Improvement Project in the amount of \$39,017.00
- Pultney Township Street Improvement Project in the amount of \$31,765.00
- Total: \$70,782.00

CONTRACT

THIS AGREEMENT made this 23rd day of August, 2017, by and between The Lash Paving Company 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, materials, and perform and complete all work required for the construction of the improvements embraced in the project, namely PULTNEY TOWNSHIP & MARTINS FERRY STREET IMPROVEMENT PROJECT ², and required supplemental work for the project all in strict accordance with the Contract Documents including all addenda thereto, numbered 1, dated July 28, and _____ dated _____ all as prepared by Pultney Township (Belmont County Engineer) & City of Martins Ferry (Vaughn, Coast & Vaughn) 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 \$ Seventy Thousand, Seven Hundred Eighty Two Dollars, (\$70,782.00) (Dollars) subject to additions and deductions as provided in Section 109 hereof.

¹ Choose term most applicable; a corporation organized and existing under the laws of the State of Ohio; a partnership consisting of; an individual trading as _____.

² Supply principal items of Contract such as Grading, Paving, Water Mains, Sewer, etc.

ARTICLE 3. Contract

The executed contract documents shall consist of the following:

- This Agreement
- Addenda
- Invitation for Bids
- Instruction to Bidders
- Signed copy of Bid
- General Conditions, Parts I and II
- Special Conditions
- Technical Specifications
- 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 the 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 copies on the day and year first above written.

CONTRACTOR:

Brian L. Varrato /s/

Signature

Brian L. Varrato

Typed/printed name

Vice-President

Title

OWNER: Belmont County Commissioners

Mark A. Thomas /s/

Signature

Mark A. Thomas

Typed/printed name

President

Title

NOTICE OF AWARD

To: The Lash Paving Company
P.O. Box 296
Colerain OH 43918

PROJECT Description furnish all service labor, material and equipment necessary to perform Street Improvement work in PULTNEY TOWNSHIP & CITY OF MARTINS FERRY, Belmont County Ohio

The OWNER has considered the BID submitted by you on August 2nd 2017 (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 \$ 70,782.00.

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.

August 23, 2017

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 23rd day of August, 2017

Belmont County Commissioners
Owner
By: Mark A. Thomas /s/
Name: Mark A. Thomas
Title: President

ACCEPTANCE OF NOTICE

Receipt of the above NOTICE OF AWARD is hereby acknowledged by _____ on this _____ day of, 2017.

By: The Lash Paving Company
Name and Title: Brian Varrato - Vice President
cc: CONTRACTOR'S Surety
Surety's Agent

NOTICE TO PROCEED

To: The Lash Paving Company
P. O. Box 296
Colerain, OH 43916

PROJECT Description: furnish all service, labor, material and equipment necessary to perform Street Improvement work in PULTNEY TOWNSHIP & CITY OF MARTINS FERRY, Belmont County, Ohio

You are hereby notified to commence WORK in accordance with the Agreement dated Aug. 23 2017 on or before _____ 2017. The date of completion of all WORK is October 15, 2017.

Belmont County Commissioners
Owner
By: Mark A. Thomas /s/
Name: Mark A. Thomas
Title: President

ACCEPTANCE OF NOTICE

Receipt of the above NOTICE TO PROCEED is hereby acknowledged by _____ on this _____ day of _____, 2017

By:
Name:
Title:

Upon roll call the vote was as follows:

Mr. Dutton	Yes
Mr. Meyer	Yes
Mr. Thomas	Yes

IN THE MATTER OF RESCINDING THE REVISED RESOLUTION REGARDING BID CRITERIA FOR CONSTRUCTION, REPAIR AND RENOVATION PROJECTS IN BELMONT COUNTY ADOPTED DECEMBER 2, 2009

Motion made by Mr. Thomas, seconded by Mr. Meyer to rescind the revised resolution regarding bid criteria for construction, repair and renovation projects in Belmont County adopted Dec. 2, 2009. The sole reason for rescinding that resolution is due to changes and amendments to Ohio Revised Code 9.75 which now prohibits any public authority from requesting or demanding that a potential contractor for the public authority use local laborers; that is now prohibited per Section 9.75 of the Ohio Revised Code which was adopted by the General Assembly on August 31, 2016.

Upon roll call the vote was as follows:

Mr. Thomas	Yes
Mr. Meyer	Yes
Mr. Dutton	Yes

IN THE MATTER OF ENTERING EXECUTIVE SESSION AT 9:30 A.M.

Motion made by Mr. Thomas, seconded by Mr. Meyer to enter executive session with Katie Bayness, HR Administrator, 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. Meyer	Yes
Mr. Dutton	Yes

IN THE MATTER OF ADJOURNING EXECUTIVE SESSION AT 10:41 A.M.

Motion made by Mr. Thomas, seconded by Mr. Meyer to exit executive session at 10:41 a.m.

Upon roll call the vote was as follows:

Mr. Thomas	Yes
Mr. Meyer	Yes
Mr. Dutton	Yes

AS A RESULT OF EXECUTIVE SESSION-NO ACTION TAKEN

RECESS

Reconvened Monday, August 28, 2017 at 9:00 a.m. Present: Commissioners Thomas, Dutton and Meyer and Jayne Long, Clerk.

August 23, 2017

**IN THE MATTER OF ADJOURNING
COMMISSIONERS MEETING AT 9:00 A.M.**

Motion made by Mr. Thomas, seconded by Mr. Meyer to adjourn the meeting at 9:00 a.m.
Upon roll call the vote was as follows:

Mr. Thomas	Yes
Mr. Meyer	Yes
Mr. Dutton	Yes

Read, approved and signed this 31st day of August, 2017.

Mark A. Thomas /s/ _____

J. P. Dutton /s/ _____ COUNTY COMMISSIONERS

Josh Meyer /s/ _____

We, Mark A. Thomas 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.

Mark A. Thomas /s/ _____ PRESIDENT

Jayne Long /s/ _____ CLERK