

St. Clairsville, Ohio

September 15, 2021

The Board of Commissioners of Belmont County, Ohio, met this day in regular session. Present: Jerry Echemann, Josh Meyer and J. P. Dutton, Commissioners and Bonnie Zuzak, 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. Echemann, seconded by Mr. Meyer 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 her warrant on the County Treasurer in payment of the bills allowed:

IN THE TOTAL AMOUNT OF \$5,915,603.96

Upon roll call the vote was as follows:

Mr. Echemann	Yes
Mr. Meyer	Yes
Mr. Dutton	Yes

IN THE MATTER OF TRANSFERS WITHIN FUND

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

A00 GENERAL FUND

FROM	TO	AMOUNT
E-0051-A001-A16.000 Indigent Burial Expenses	E-0051-A001-A28.000 Other Expenses	\$5,000.00
E-0051-A001-A19.000 Courthouse Security	E-0051-A001-A28.000 Other Expenses	\$62,177.78
E-0051-A001-A20.012 Equipment	E-0051-A001-A28.000 Other Expenses	\$13,863.58
E-0055-A004-B04.012 Equipment	E-0055-A004-B18.000 Other Expenses	\$136,581.04
E-0057-A006-F09.011 Contract Services	E-0057-A006-F03.012 Equipment	\$22,455.89
E-0070-A012-A08.003 PERS	E-0070-A012-A02.002 Salaries	\$5,000.00
E-0251-A007-A04.000 Apiary Inspection	E-0051-A001-A10.000 Professional Services	\$2,000.00
E-0256-A014-A05.000 Official Bonds	E-0051-A001-A10.000 Professional Services	\$6,658.00
E-0257-A017-A00.000 Contingencies	E-0213-A001-H01.000 Examinations-Co. Officers	\$50,000.00

S30 OAKVIEW JUVENILE REHABILITATION

FROM	TO	AMOUNT
E-8010-S030-S40.000 Grant Holding	E-8010-S030-S53.000 Medical	\$1,000.00
E-8010-S030-S40.000 Grant Holding	E-8010-S030-S54.000 Food	\$2,000.00
E-8010-S030-S40.000 Grant Holding	E-8010-S030-S60.000 Maintenance	\$5,000.00
E-8010-S030-S40.000 Grant Holding	E-8010-S030-S68.006 Hospitalization	\$2,000.00

Upon roll call the vote was as follows:

Mr. Echemann	Yes
Mr. Meyer	Yes
Mr. Dutton	Yes

IN THE MATTER OF TRANSFERS BETWEEN FUND

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

T10 WATER & SEWER GUARANTEE DEPOSIT AND P05 WATER WORKS FUND/BCSSD

FROM	TO	AMOUNT
E-3711-T010-T04.074 Transfers Out	R-3702-P005-P15.574 Transfers In	\$4,354.27
E-3711-T010-T04.074 Transfers Out	R-3705-P053-P08.574 Transfers In	\$2,659.03

Upon roll call the vote was as follows:

Mr. Echemann	Yes
Mr. Meyer	Yes
Mr. Dutton	Yes

IN THE MATTER OF ADDITIONAL APPROPRIATIONS

Motion made by Mr. Echemann, seconded by Mr. Meyer to make the following additional appropriations, in accordance with the Official Certificate of Estimated Resources as approved by the Budget Commission, under the September 15, 2021, meeting:

A00 GENERAL FUND

E-0057-A006-F06.011 Veterinary Services
\$860.07
E-0151-A002-F09.000 Other Expenses
\$988.88

L01 SOIL CONSERVATION/BSWCD

E-1810-L001-L01.002 Salaries
\$10,175.00
E-1810-L001-L02.010 Supplies
\$10,352.00
E-1810-L001-L08.000 Education
\$5,000.00

N14 SSD CAPITAL IMPROVEMENTS

E-9014-N014-N05.055 Contract Projects
\$445,081.46
E-9014-N014-N12.000 USDA Sewer Projects
\$133,031.04

N22 WWS CAPITAL IMPROVEMENTS

E-9022-N022-N17.000 USDA Water Projects
\$5,197,699.44

S17 CHILDREN SERVICES/BCDJFS

E-2765-S017-S31.000 Other Expenses
\$118,674.00

Upon roll call the vote was as follows:

Mr. Echemann Yes
Mr. Meyer Yes
Mr. Dutton Yes

IN THE MATTER OF TRANSFER OF FUNDS FOR THE

WAIVED HOSPITALIZATION CHARGEBACKS FOR

THE MONTHS OF JULY, AUGUST AND SEPTEMBER 2021

Motion made by Mr. Echemann, seconded by Mr. Meyer to make the following transfer of funds for Waived Hospitalization for the months of July, August and September 2021.

FROM		TO	
E-0256-A014-A08.006	GENERAL	R-9891-Y091-Y03.500	9,250.00
E-1600-B000-B13.006	DOG & KENNEL FUND	R-9891-Y091-Y03.500	583.32
E-2210-E001-E15.006	COUNTY HEALTH	R-9891-Y091-Y03.500	24.96
E-2211-F069-F04.000	TRAILER PARKS	R-9891-Y091-Y03.500	12.51
E-2227-F074-F06.000	HOME SEWAGE TREATMENT	R-9891-Y091-Y03.500	87.51
E2215-F077-F01.002	REPRODUCTIVE HEALTH	R-9891-Y091-Y03.500	249.99
E-2231-F083-F01.002	PHEP	R-9891-Y091-Y03.500	12.51
E-2233-F085-F01.002	MATERNAL CHILD HEALTH	R-9891-Y091-Y03.500	249.99
E-2237-F089-F01.002	INTEG. NALOXONE ACCESS/INFRAT (IN)	R-9891-Y091-Y03.500	
E-2218-G000-G06.003	FOOD SERVICE	R-9891-Y091-Y03.500	100.02
E-2219-N050-N05.000	WATER SYSTEMS	R-9891-Y091-Y03.500	7.50
E-2220-P070-P01.002	POOLS	R-9891-Y091-Y03.500	5.01
E-5005-S070-S06.006	SENIOR PROGRAM	R-9891-Y091-Y03.500	1,416.66
E-3702-P005-P31.000	WATER & SEWER WWS#3	R-9891-Y091-Y03.500	1,100.00
E-3705-P053-P15.000	WATER & SEWER SSD #2	R-9891-Y091-Y03.500	150.00
E-8010-S030-S68.006	OAKVIEW JUVENILE REHAB	R-9891-Y091-Y03.500	916.66
E-0910-S033-S47.006	DISTRICT DETENTION	R-9891-Y091-Y03.500	1,416.66
E-4110-T075-T52.008	WIC FRINGES	R-9891-Y091-Y03.500	250.00
E-2510-H000-H16.006	PUBLIC ASSISTANCE	R-9891-Y091-Y03.500	3,416.66
E-2760-H010-H12.006	PUBLIC ASSISTANCE/CS	R-9891-Y091-Y03.500	1,250.00
E-2812-K000-K20.006	MVGT-K11 ENGINEERS	R-9891-Y091-Y03.500	500.00
E-2410-S066.S80.000	DEVELOPMENTAL DISABILITIES	R-9891-Y091-Y03.500	2,083.32

E-1810-L001-L14.000	SOIL AND WATER	R-9891-Y091-Y03.500	1,000.00
E-1310-J000-J06.000	REAL ESTATE ASSESSMENT	R-9891-Y091-Y03.500	83.33
E-6010-S079-S07.006	CERT OF TITLE/CLK OF COURTS	R-9891-Y091-Y03.500	250.00
E-9799-S012-S02.006	PORT AUTHORITY	R-9891-Y091-Y03.500	250.00
		TOTAL	24,666.61

Upon roll call the vote was as follows:

Mr. Echemann	Yes
Mr. Meyer	Yes
Mr. Dutton	Yes

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

Motion made by Mr. Echemann, seconded by Mr. Meyer to request the Belmont County Budget Commission certify the following monies. **GENERAL FUND/REIMBURSEMENT FROM CAT STRAY SHUN-\$860.07** deposited into R-0057-A006-A05.500 Animal Shelter Reimbursement Vet Bills on 09-09-2021 (*Money was received from Belmont County Cat Stray Shun for the reimbursement of August 2021 New Horizon Animal Hospital vet bills*)

Upon roll call the vote was as follows:

Mr. Echemann	Yes
Mr. Meyer	Yes
Mr. Dutton	Yes

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

Motion made by Mr. Echemann, seconded by Mr. Meyer to execute payment of Then and Now Certification dated September 15, 2021, 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. Echemann	Yes
Mr. Meyer	Yes
Mr. Dutton	Yes

IN THE MATTER OF GRANTING PERMISSION FOR COUNTY EMPLOYEES TO TRAVEL

Motion made by Mr. Echemann, seconded by Mr. Meyer granting permission for county employees to travel as follows: **COMMISSIONERS**-Jerry Echemann to Millersburg, OH, on September 20-21, 2021, to attend the OMEGA Semi-annual meeting. A county vehicle will be used for travel.

Upon roll call the vote was as follows:

Mr. Echemann	Yes
Mr. Meyer	Yes
Mr. Dutton	Yes

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

Motion made by Mr. Echemann, seconded by Mr. Meyer to approve the minutes of the Belmont County Board of Commissioners regular meeting of September 8, 2021.

Upon roll call the vote was as follows:

Mr. Echemann	Yes
Mr. Meyer	Yes
Mr. Dutton	Yes

Mr. Echemann made the following announcement:

The Belmont County Planning Commission's monthly meetings will be held on the last Monday of every month at 12:00 p.m. in the Courthouse Annex III building located at 101 North Market Street, St. Clairsville, Ohio. The meetings are open to the public.

IN THE MATTER OF HIRING LISA SAUDNERS AS PART-TIME DELIVERY WORKER (DRIVER)/SSOBC

Motion made by Mr. Echemann, seconded by Mr. Meyer to hire Lisa Saunders as a part-time Delivery Worker (Driver) with Senior Services of Belmont County, effective September 20, 2021.

Note: This is a replacement position.

Upon roll call the vote was as follows:

Mr. Echemann	Yes
Mr. Meyer	Yes
Mr. Dutton	Yes

IN THE MATTER OF AWARDING BID FOR SCBA FILLING STATIONS TO SUB-AQUATICS, INC. DBA BREATHING AIR SYSTEMS

Motion made by Mr. Echemann, seconded by Mr. Meyer to award the bid to Sub-Aquatics, Inc., dba Breathing Air Systems in the amount of \$139,997.22 for three (3) Fixed Cascade SCBA Filling Stations, based upon the recommendation of Tim Hall, Cumberland Trail Fire District #4 Fire Chief, at the following locations:

- Bellaire Fire Department Fire Station, Bellaire, Ohio
- Bethesda Fire Department Fire Station, Bethesda, Ohio
- Cumberland Trail Fire District No. 4 Fire Station, St. Clairsville, Ohio

Upon roll call the vote was as follows:

Mr. Echemann	Yes
Mr. Meyer	Yes
Mr. Dutton	Yes

Chief Hall explained these compressors are essential for the departments to fill the breathing apparatus that allows the fire fighters to do structural interior firefighting. They are located geographically in the county to benefit the fire services.

Note: The incorrect bid amount was read when the bids were opened at the September 8, 2021 meeting. The correct total is \$143,948.64 which includes a maintenance contract. This amount is still lower than the next lowest bid. (See corrected motion of September 22, 2021 minutes)

IN THE MATTER OF RESOLUTION ADOPTING AN INDIGENT DEFENSE FEE/COST RECOUPMENT POLICY FOR BELMONT COUNTY

WHEREAS, the Office of the Ohio Public Defender has by Rule OAC 120-1-03 adopted regulations for the appointment of counsel for the indigent; and

WHEREAS, pursuant to this rule, the Board of County Commissioners needs to adopt a plan to recoup all or part of the cost of counsel for persons who meet certain income guidelines;

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

- The Courts of this county shall make the appointment of counsel, either private assigned counsel or the County Public Defender, in accordance with the rules established by the Ohio Public Defender Commission and the State Public Defender to enable this county to receive reimbursement from the state for a part of the indigent defense costs.
- The Courts of this county assigning indigent defense counsel shall, in accordance with OAC 120-1-03, order that a part of counsel fees be repaid to the County where appointment is made and the defendant falls into the income guidelines set forth in the rule (above 125 percent of the poverty threshold). In appropriate cases all counsel fees may be assessed unless it creates an undue burden.
- Payments shall be made pursuant to the Belmont County Indigent Defense Fee/Cost Recoupment Policy, a copy of which is hereby attached to this resolution. This resolution shall be effective for all cases as of the date of this resolution or later.

THEREFORE BE IT RESOLVED, this Board of County Commissioners hereby finds and determines that all formal actions relative to the adoption of this resolution were taken in an open meeting of this Board, and that all deliberations of this Board and of its committees, if any, which resulted in formal action were taken in meetings open to the public in full compliance with applicable legal requirements.

Adopted this 15th day of September, 2021.

Commissioner Echemann motioned to adopt the foregoing resolution, seconded by Commissioner Meyer and the vote on motion resulted as follows:

Commissioner Echemann Yes Commissioner Meyer Yes Commissioner Dutton Yes

BELMONT COUNTY INDIGENT DEFENSE FEE/COST RECOUPMENT POLICY ADOPTED ON SEPTEMBER 15, 2021

- The Court shall review each defendant’s indigent status and determine if recovery of assigned counsel fees or public defender costs is appropriate. The Court may waive the fees if it is determined that the imposition of such would result in an undue hardship on the client.
- The recoupment policy is in addition to the \$25.00 application fee contained in ORC 120.36. The Court shall order when the recoupment amount is due. However, no recoupment shall be assessed against an individual whose gross income is less than 125% of the Federal Poverty level. Enforcement may not include jail. Persons shall pay according to the following:
 “For persons whose gross income exceeds 125% of the Federal Poverty level, each Judge shall determine whether a reasonable attorney’s fee should be assessed, and also, the timing of any such payment or payments. The Judge’s determination shall take into account the level of offense charged, but shall not impose an undue hardship on the client and/or any dependents.”
- Payments shall be remitted to the Clerk of Court in which the proceeding is heard. The Clerk shall transfer such recoupment amounts to the County Treasurer, at least on a monthly basis. The Auditor shall then transmit the appropriate amount to the Ohio State Public Defender, proportionate to the amount. This amount is to be a separate line item from the application fee collections.

IN THE MATTER OF ACCEPTING THE CRIMINAL COST REPORT SUBMITTED BY BELMONT COUNTY SHERIFF’S OFFICE

Motion made by Mr. Echemann, seconded by Mr. Meyer to accept the Criminal Cost Report for the period of September 1, 2020 through August 31, 2021, as submitted by the Belmont County Sheriff’s Office per Ohio Revised Code 311.16.

Upon roll call the vote was as follows:

Mr. Echemann	Yes
Mr. Meyer	Yes
Mr. Dutton	Yes

IN THE MATTER OF APPROVING ESTIMATE FROM BLACKIES SEALING/COURTHOUSE LOTS

Motion made by Mr. Echemann, seconded by Mr. Meyer to approve the estimate from Blackies Sealing in the amount of \$5,075.50, for sealing and striping of the side and back Courthouse parking lots.

Upon roll call the vote was as follows:

Mr. Echemann	Yes
Mr. Meyer	Yes
Mr. Dutton	Yes

Discussion-Frank Shaffer, Pultney Township Trustee, thanked the Commissioners for creating the Belmont County Planning Commission. Mr. Echemann said they have a good representation on the commission with individuals of various backgrounds. He said the main purpose is to upgrade the subdivision regulations.

OPEN PUBLIC FORUM-Father Michael Ziebarth, Martins Ferry, inquired if the county is testing for the same contaminants that the Bridgeport water system was shut down for by the EPA. Mr. Echemann said he would check with Belmont County Water and Sewer District Director Kelly Porter and get back with Father Ziebarth. Mr. Dutton said he was sure any required testing is being done. He added the county water was tested for radium in April and found to be well below the levels considered hazardous and the new water treatment plant will have an ion exchange system to further treat radium.

RECESS

IN THE MATTER OF ENTERING EXECUTIVE SESSION AT 9:54 A.M.

Motion made by Mr. Echemann, 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 of public employees.

Upon roll call the vote was as follows:

Mr. Echemann	Yes
Mr. Meyer	Yes
Mr. Dutton	Yes

Commissioner Meyer exited after entering into executive session.

IN THE MATTER OF ADJOURNING EXECUTIVE SESSION AT 11:01 A.M.

September 15, 2021

Motion made by Mr. Echemann, seconded by Mr. Dutton to exit executive session at 11:01 a.m.
Upon roll call the vote was as follows:

Mr. Echemann	Yes
Mr. Dutton	Yes
Mr. Meyer	Absent

Mr. Echemann said as a result of executive session there are no motions for the board to consider at this time.

Reconvened at 1:18 p.m. Present: Commissioners Echemann and Dutton. Absent: Commissioner Meyer

IN THE MATTER OF ADJOURNING
COMMISSIONERS MEETING AT 1:19 P.M.

Motion made by Mr. Echemann, seconded by Mr. Dutton to adjourn the meeting at 1:19 p.m.
Upon roll call the vote was as follows:

Mr. Echemann	Yes
Mr. Dutton	Yes
Mr. Meyer	Absent

Read, approved and signed this 22nd day of September, 2021.

Jerry Echemann /s/ _____

Josh Meyer /s/ _____ COUNTY COMMISSIONERS

J. P. Dutton /s/ _____

We, Jerry Echemann and Bonnie Zuzak, 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.

Jerry Echemann /s/ _____ PRESIDENT

Bonnie Zuzak /s/ _____ CLERK