

St. Clairsville, Ohio

September 22, 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 \$1,160,592.53**

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-0082-A002-C31.002 Salaries-Employees	E-0082-A002-C32.010 Supplies	\$15,000.00

**S77 COMM-BASED CORRECTIONS ACT GRANT**

FROM	TO	AMOUNT
E-1520-S077-S05.004 Workers Comp	E-1520-S077-S01.002 Salaries	\$608.09

**W80 PROSECUTORS-VICTIM ASSIST PROGRAM**

FROM	TO	AMOUNT
E-1511-W080-P05.003 PERS	E-1511-W080-P01.002 Salaries	\$200.00
E-1511-W080-P06.004 Workers Comp	E-1511-W080-P01.002 Salaries	\$400.00

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 22, 2021, meeting:

**A00 GENERAL FUND**

E-0051-A001-A52.000	Admin Exp-Lodging Excise Tax	\$3,000.00
E-0057-A006-F06.011	Veterinary Services	\$2,237.06
E-0131-A006-A09.000	Medical	\$19,667.43

**H00 PUBLIC ASSISTANCE/BCDJFS**

E-2510-H000-H01.002	Salaries	\$50,000.00
E-2510-H000-H05.000	Public Assistance	\$17,801.00

**H11 FAMILY & CHILDREN 1<sup>ST</sup>. COUNCIL/BCDJFS**

E-2770-H011-H06.000	System of Care	\$20,803.00
---------------------	----------------	-------------

**M78 TITLE IV-E REIMBURSEMENT (RANDOM MOMENTS)/PROBATE/JUVENILE COURT**

E-0400-M078-M04.010	Supplies	\$40,000.00
E-0400-M078-M05.000	Other Expenses	\$52,532.06

**S30 OAKVIEW JUVENILE REHABILITATION**

E-8010-S030-S54.000	Food	\$45.00
---------------------	------	---------

**S32 OAKVIEW JUVENILE-ACTIVITY FUND**

E-8012-S032-S00.000	Activity Fund	\$171.70
---------------------	---------------	----------

**S33 DISTRICT DETENTION HOME/SARGUS**

E-0910-S033-S33.002	Salaries	\$35,000.00
E-0910-S033-S47.006	Hospitalization	\$35,000.00

**Y01 UND. AUTO TAX**

E-9801-Y001-Y01.000	Und. Auto Tax	\$255,102.73
E-9801-Y001-Y03.000	Township-Permissive Tax	\$75,263.45
E-9801-Y001-Y05.000	Pease Township	\$3,444.00
E-9801-Y001-Y06.000	Goshen Township	\$1,504.00
E-9801-Y001-Y07.000	Warren Township	\$2,845.25
E-9801-Y001-Y08.000	Pultney Township	\$4,012.00
E-9801-Y001-Y09.000	Flushing Township	\$904.00
E-9801-Y001-Y10.000	Colerain Township	\$1,473.00
E-9801-Y001-Y11.000	Kirkwood Township	\$145.50
E-9801-Y001-Y12.000	Mead Township	\$822.00
E-9801-Y001-Y13.000	Richland Township	\$2,610.00
E-9801-Y001-Y14.000	Smith Township	\$724.50
E-9801-Y001-Y15.000	Somerset Township	\$585.00
E-9801-Y001-Y16.000	Union Township	\$669.00
E-9801-Y001-Y17.000	Washington Township	\$208.50
E-9801-Y001-Y18.000	Wayne Township	\$301.50
E-9801-Y001-Y19.000	Wheeling Township	\$753.00
E-9801-Y001-Y20.000	York Township	\$333.00

**Y03 COUNTY AUTO LICENSE/ENGINEER**

E-9803-Y003-Y01.000	County Auto License	\$600,000.00
---------------------	---------------------	--------------

**Y04 GASOLINE TAX/ENGINEER**

E-9803-Y004-Y01.000	Gasoline Tax	\$2,100,000.00
---------------------	--------------	----------------

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. **ADMINISTRATION FEE LODGING TAX/GENERAL FUND-\$3,000.00** deposited into R-0050-A000-A03.500 on September 14, 2021, (*Administration Fee/Lodging Excise Tax for Second Quarter 2021*)

**GENERAL FUND/REIMBURSEMENT FROM CAT STRAY SHUN-\$2,237.06** deposited into R-0057-A006-A05.500 Animal Shelter Reimbursement Vet Bills on 09-16-2021 (*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 22, 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:

**DJFS**-Jeff Felton to Coshocton, OH, on October 5 and October 15, 2021, to attend the PCSAO Regional meeting. Estimated expenses: \$190.40

**ENGINEER DEPT.**-Stephany Crist and Dustin Roe to Perrysville, OH, on October 26, 2021, to attend the Softworks seminar.

**SSOBC**-Tish Kinney to Amish Country on October 7, 2021, for a senior outing. Mary Beth Tennant to Woodsfield, OH, on October 14, 2021, for a senior outing at the Traditions Restaurant. County vehicles 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 15, 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 MICHELLE SUCHAN AS A FULL-TIME DELIVERY WORKER (DRIVER)/SSOBC**

Motion made by Mr. Echemann, seconded by Mr. Meyer to hire Michelle Suchan as a full-time Delivery Worker (Driver) with Senior Services of Belmont County, effective September 27, 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 HIRING BRIAN BETHEL AS A PART-TIME DELIVERY WORKER (DRIVER)/SSOBC**

Motion made by Mr. Echemann, seconded by Mr. Meyer to hire Brian Bethel as a part-time Delivery Worker (Driver) with Senior Services of Belmont County, effective September 27, 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 ACCEPTING THE RESIGNATION OF DWAYNE PIELECH, EXECUTIVE DIRECTOR/SSOBC**

Motion made by Mr. Echemann, seconded by Mr. Meyer to accept the resignation of Dwayne Pielech, Executive Director of Senior Services of Belmont County, effective October 8, 2021.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ACCEPTING THE RETIREMENT OF JOHN A. REGIS, SR., FACILITY MANAGER FOR BUILDING AND GROUNDS**

Motion made by Mr. Echemann, seconded by Mr. Meyer to accept the retirement of John A. Regis, Sr., Facility Manager for Belmont County Buildings and Grounds, effective November 30, 2021.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF AUTHORIZING THE HIRING OF AMY HAMILTON AS A FULL-TIME PERMANENT ELIGIBILITY/REFERRAL SPECIALIST II FOR THE BELMONT COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES**

Motion made by Mr. Echemann, seconded by Mr. Meyer to adopt the following:

**RESOLUTION**

**WHEREAS**, pursuant to the Ohio Revised Code, the Belmont County Board of Commissioners serves as co-appointing authority for the Belmont County Department of Job and Family Services; and

**WHEREAS**, in this capacity, the Board has the authority to establish compensation and benefit levels and authorize any hiring and/or other employment changes.

**NOW THEREFORE, BE IT RESOLVED THAT**, the Belmont County Board of Commissioners does hereby grant the Director of the Belmont County Department of Job and Family Services, the authority to hire Ms. Amy Hamilton, effective September 27, 2021 as an Eligibility/Referral Specialist II. Ms. Hamilton will be employed as a full-time permanent, bargaining unit employee. Compensation shall be in accordance with the salary schedule as indicated in the current bargaining unit labor contract.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF AUTHORIZING THE HIRING OF PEGGY KURTZ AS A FULL-TIME PERMANENT ELIGIBILITY/REFERRAL SPECIALIST II FOR THE BELMONT COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES**

Motion made by Mr. Echemann, seconded by Mr. Meyer to adopt the following:

**RESOLUTION**

**WHEREAS**, pursuant to the Ohio Revised Code, the Belmont County Board of Commissioners serves as co-appointing authority for the Belmont County Department of Job and Family Services; and

**WHEREAS**, in this capacity, the Board has the authority to establish compensation and benefit levels and authorize any hiring and/or other employment changes.

**NOW THEREFORE, BE IT RESOLVED THAT**, the Belmont County Board of Commissioners does hereby grant the Director of the Belmont County Department of Job and Family Services, the authority to hire Ms. Peggy Kurtz, effective October 12, 2021 as an Eligibility/Referral Specialist II. Ms. Kurtz will be employed as a full-time permanent, bargaining unit employee. Compensation shall be in accordance with the salary schedule as indicated in the current bargaining unit labor contract.

Upon roll call the vote was as follows:

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

*Note: The above two hires are for replacement positions.*

**IN THE MATTER OF AUTHORIZING JEFF FELTON, BCDJFS DIRECTOR, TO SIGN THE MEMORANDUM OF UNDERSTANDING BETWEEN BCDJFS, MENTAL HEALTH AND RECOVERY BOARD (BELMONT, HARRISON & MONROE COUNTIES) AND BELMONT, HARRISON & NOBLE COUNTY BOARD OF DD**

Motion made by Mr. Echemann, seconded by Mr. Meyer to authorize Jeff Felton, Belmont County Department of Job and Family Services Director, to sign the Memorandum of Understanding between Belmont County Department of Job and Family Services, Mental Health and Recovery Board (Belmont, Harrison and Monroe Counties) and Belmont, Harrison and Noble County Board of Developmental Disabilities effective July 1 2021 through June 30, 2022.

*Note: The purpose of the MOU is to establish a collaborative approach among the entities for the funding of planned respite and emergency respite services for at-risk youth.*

Upon roll call the vote was as follows:

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

**IN THE MATTER OF APPROVING THE ENGAGEMENT LETTER WITH AUDITOR OF STATE FOR SERVICES PERFORMED REGARDING BELMONT COUNTY AUDIT FOR YEAR ENDING 2021**

Motion made by Mr. Echemann, seconded by Mr. Meyer to approve and sign the **Engagement Letter** with the Auditor of State for services to be performed regarding the Belmont County Audit for the year ending December 31, 2021 at an estimated cost of not to exceed \$98,490.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF AMENDING MOTION OF SEPTEMBER 15, 2021, AWARDING BID TO SUB-AQUATICS, INC., DBA BREATHING AIR SYSTEMS**

Motion made by Mr. Echemann, seconded by Mr. Meyer to amend the motion of September 15, 2021, awarding the bid to Sub-Aquatics, Inc., dba Breathing Air Systems in the revised amount of \$143,948.64 which includes a maintenance contract for three (3) Fixed Cascade SCBA Filling Stations.

*Note: The incorrect bid amount was read when the bids were opened at the September 8, 2021 meeting. This amount is still lower than the next lowest bid.*

Upon roll call the vote was as follows:

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

**IN THE MATTER OF APPROVING QUOTES FROM**

**BREATHING AIR SYSTEMS**

Motion made by Mr. Echemann, seconded by Mr. Meyer to approve the following quotes from Breathing Air Systems;

- Quote #QUO-OH3952 in the amount of \$139,997.22 for three (3) VERTECON 10HP Vertical Compressors/Purifiers to be located at the Bellaire, Bethesda and Cumberland Trail Fire District #4 Fire Stations.
- Quote #QUO-OH3953 in the amount of \$3,951.42 for maintenance on the above compressors.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ENTERING INTO AGREEMENT BY AND BETWEEN  
BOARD OF TRUSTEES OF JEFFERSON BELMONT REGIONAL SOLID WASTE  
AUTHORITY AND SHERIFF OF BELMONT COUNTY**

Motion made by Mr. Echemann, seconded by Mr. Meyer to enter into agreement by and between the Board of Trustees of the Jefferson Belmont Regional Solid Waste Authority (JBRSWA) and the Sheriff of Belmont County, Ohio, effective September 22, 2021 through December 31, 2021, for the purpose of providing environmental policing services for JBRSWA.

*Note: The JBRSWA will compensate the county \$60,000.00 per contract year for services.*

**JEFFERSON BELMONT REGIONAL SOLID WASTE AUTHORITY  
2021 AGREEMENT WITH  
BELMONT COUNTY SHERIFF'S OFFICE**

This agreement is made as of this 22<sup>nd</sup> day of September, 2021, by and between the Board of Trustees of the Jefferson Belmont Regional Solid Waste Authority (the "Board" or "JBRSWA"), and the Sheriff of Belmont County, Ohio (the "Sheriff").

**WHEREAS**, the Board is a regional solid waste authority established and maintained pursuant to Section 343.011 of the Ohio Revised Code for the purpose of providing for, or causing to be provided for, the safe and sanitary management of solid wastes within all of the incorporated and unincorporated territory of Jefferson County and Belmont County, pursuant to Chapter 343 and Sections 3734.52 to 3734.575 of the Ohio Revised Code; and

**WHEREAS**, pursuant to Section 343.011 of the Ohio Revised Code, the Board may make contracts in the exercise of the rights, powers, and duties conferred upon the regional authority, and do all acts necessary or proper to carry out the duties and responsibilities imposed on or granted to the Board; and

**WHEREAS**, under Section 3734.57(G) of the Ohio Revised Code, the Board may expend the proceeds of solid waste disposal and generation fees for the purposes of implementing JBRSWA's approved solid waste management plan, and to provide financial assistance to local law enforcement agencies having jurisdiction within JBRSWA for enforcing anti-littering laws and ordinances; and

**WHEREAS**, pursuant to Section 311.29 of the Ohio Revised Code, JBRSWA is a taxing district that may enter into a contract with the sheriff to perform any police function, exercise any police power, or render any police service for said taxing district, and JBRSWA may directly furnish the equipment and supplies used by the sheriff for such policing services and/or reimburse the county for the costs incurred by the sheriff for such policing; and

**WHEREAS**, the Board is committed to the prevention of littering and the unlawful disposal of solid waste, promoting and providing public recycling, and proper maintenance and use of public recycling facilities; and

**WHEREAS**, the Board is willing to enter into an agreement to furnish equipment and supplies and provide financial reimbursement to the Sheriff in consideration of the Sheriff performing the aforementioned activities; and

**WHEREAS**, the Sheriff is willing to provide police personnel and resources to carry out the aforementioned activities in exchange for said consideration.

**NOW THEREFORE**, pursuant to Sections 311.29, 343.011 and 3734.57(G) of the Ohio Revised Code, the Board of Trustees of the Jefferson Belmont Regional Solid Waste Authority and the Belmont County Sheriff hereby agree as follows:

**ARTICLE I — CONTRACT YEAR**

**1.1 Term**

The term of this agreement (the "Agreement") shall commence on September 22, 2021, and the Agreement shall terminate on December 31, 2021 (the "Contract Year").

**ARTICLE II — OBLIGATIONS**

**2.1 Obligations of the Sheriff**

- The Sheriff agrees to provide police services to JBRSWA by assigning, exclusively to JBRSWA, one full-time Sheriff's Deputy as an Environmental Enforcement Officer (EEO).
- The Sheriff will make available to the EEO: supervision, all training programs, special equipment, and other regular facilities of the Sheriff's Office.
- The Sheriff and JBRSWA shall provide for days off and work hours in accordance with the current collective bargaining agreement between the Belmont County Sheriff and its Deputies.

**2.2 Responsibilities of the Environmental Enforcement Officer**

- Provide police assistance in the enforcement of applicable Sections of Chapter 343 and 3734 of the Ohio Revised Code;
- Assist in duties relative to the operation, maintenance and use of JBRSWA recycling facilities and services;
- Support Keep Belmont County Beautiful projects;
- Provide investigation of all reported illegal dumping;
- Provide clean-up of public right-of- ways and public properties utilizing court approved inmates from the County Jail, as requested by JBRSWA;
- Assist in public education and awareness programs of JBRSWA as requested;
- Assist in special projects as determined by JBRSWA;
- Assist in preparation of grant applications, budgets, and reports as requested by the JBRSWA.
- Enforcement of JBRSWA fees and rules in consultation with JBRSWA's Executive Director and Fiscal Officer. This includes, but is not limited to, surveillance of haulers, warrants, transfer station and landfill visits and the filing of charges, working with other solid waste districts and jurisdictions in cases concerning enforcement of JBRSWA rules and fees, or misreporting of the nature or origin of waste.

**ARTICLE III — REPORTS AND MEETINGS**

**3.1 Quarterly and Annual Reports.**

The EEO shall submit quarterly reports on all services performed within 30 days after the end of each quarter. The quarterly report shall also provide quarterly statistical reports on cases logged and investigated and resolution or continuation of those cases. Annual Reports shall include a summary of all activity and services performed and shall be submitted within 30 days after the end of each year.

Quarterly expense reports shall also be submitted within 30 days after the end of each quarter. The expense reports shall detail how JBRSWA funds were spent on personnel, training, equipment, and supplies.

**3.2 Covenant of Cooperation.**

The EEO shall meet with JBRSWA's Executive Director or her designee, as requested, to coordinate and prioritize investigation and enforcement efforts. JBRSWA and the Sheriff's Office shall cooperate with and provide necessary information to the other to enable the parties to comply with the terms of this Agreement. The parties shall perform all acts and deeds as may be necessary or appropriate to maintain and implement the purpose and effect of this Agreement including without limitation, joining in the execution of all documentation, and providing any necessary documentation required in connection with the Agreement.

**ARTICLE IV — DISBURSEMENT SCHEDULE**

**4.1** For the Contract Year, payments in the amount of Sixty Thousand and 00/100 Dollars (\$60,000.00), prorated based on the number of months in the Contract Year divided by twelve months, shall be made directly to an appropriate fund to the credit of Sheriff's Office to be used

exclusively for the purpose of providing environmental enforcement policing services for JBRSWA. Payment shall be made by JBRSWA within thirty (30) days after receipt of an invoice from the Sheriff's Office.

4.2 The above amounts shall be used to pay for the cost of one full-time Sheriff's Environmental Deputy, including compensation, fringe benefits, training, equipment, and supplies.

4.3 The balance of moneys disbursed to the Sheriff under this Agreement that have not been expended or encumbered for expenditure as of **December 31, 2021**, under this Agreement, shall be remitted back to JBRSWA by **February 28, 2022**.

**ARTICLE V — VEHICLES & EQUIPMENT**

5.1 JBRSWA agrees to provide the EEO access to a police vehicle needed for day-to-day use in investigations and all the responsibilities and duties set forth in this Agreement. The vehicle will be the property of and titled to the Board and shall be used exclusively by the EEO for the purposes set forth in this Agreement. JBRSWA agrees to provide and pay for insurance for said vehicle. The vehicle shall comply with Section 311.28 of the Ohio Revised Code concerning paint scheme and design of car-markings. The words "Environmental Enforcement" or "Environmental Enforcement Officer," or words of similar import, shall be placed on both upper rear quarter panels parallel to the ground. JBRSWA agrees to pay for the maintenance of the vehicle and fuel expenses associated with the vehicle's use. Upon the termination or expiration of this Agreement, said vehicle shall be delivered to JBRSWA within thirty (30) days.

5.2 Equipment purchased with JBRSWA funds shall not be sold without the Board's approval, nor shall any such equipment be used for any purpose not expressly authorized by JBRSWA in writing.

5.3 All equipment purchased by the Sheriff with funds provided by JBRSWA pursuant to this Agreement shall be the property of the Board. Upon termination or expiration of this Agreement, all such equipment shall be delivered to JBRSWA within thirty (30) days. The Sheriff may retain the vehicle and any equipment that was provided by JBRSWA on or about 2014 pursuant to the similar prior service agreement between the parties.

5.4 JBRSWA shall pay the cost of providing the EEO with a portable radio and a cellular phone. The Sheriff agrees, at its sole expense, to provide the EEO with any other communication or surveillance equipment that is necessary to carry out the responsibilities and duties set forth in this Agreement.

**ARTICLE VI — RELATIONSHIP OF PARTIES**

6.1 The EEO shall remain an employee of the Sheriff's Office at all times while performing the responsibilities and duties under this Agreement. The Sheriff, the Belmont County Board of Commissioners and JBRSWA are all members of, and are insured through, CORSA. Each party acknowledges that it is responsible for its own actions under this Agreement and agrees to hold the other parties harmless from any claims or losses resulting from same.

6.2 JBRSWA agrees that in the event of an emergency call to duty, the EEO can be temporarily redirected from environmental law enforcement duties to aid other officers or perform duties required by the emergency.

6.3 Neither the Board nor the Sheriff assumes any obligation, duty, or responsibility, financial or otherwise, to remove any waste or debris from private property, or to remediate or rehabilitate any private property or site where illegal or improper disposal of waste or debris has occurred. The parties' responsibilities for removing waste or debris are limited to the voluntary clean-up of public right-of- ways and public properties, at JBRSWA's discretion, utilizing court approved inmates from the County Jail, and shall in no way be construed to obligate JBRSWA or the Sheriff to clean-up, remediate, or rehabilitate any specific property, whether public or private.

**ARTICLE VII — NON-DISCRIMINATION**

7.1 The Sheriff agrees, in compliance with ORC § 125.111, that:

(a) In the hiring of employees for the performance of work under the contract or any subcontract, no contractor or subcontractor, by reason of race, color, religion, sex, age, disability, or military status as defined in section 4112.01 of the Revised Code, national origin, or ancestry, shall discriminate against any citizen of this state in the employment of a person qualified and available to perform the work to which the contract relates; and

(b) No contractor, subcontractor, or person acting on behalf of any contractor or subcontractor, in any manner, shall discriminate against, intimidate, or retaliate against any employee hired for the performance of work under the contract on account of race, color, religion, sex, age, disability or military status as defined in section 4112.01 of the Revised Code, national origin, or ancestry.

**ARTICLE VIII — TERMINATION OF AGREEMENT**

8.1 This Agreement may be terminated by either party after giving thirty (30) days advanced written notice in the event of failure by the other party to perform in accordance with the terms hereof.

**ARTICLE IX — MISCELLANEOUS**

9.2 Nothing in this Agreement shall impute or transfer any responsibility, from one party to another, for any party's acts or omissions whether through itself or its agents, employees, and contracted servants.

9.2 The provisions of this Agreement are solely for the benefit of the parties hereto, and no third-party beneficiaries are intended. Nothing in this Agreement is intended to waive any defense that would otherwise be available against any third-party claim.

9.3 This Agreement constitutes the entire agreement between the parties with respect to the subject matter hereof, supersedes all prior written and/or oral agreements, and may not be amended, altered, or modified except by a written instrument signed by both parties and which refers to this Agreement.

In Witness Whereof, the parties hereto have set their hands this 29<sup>th</sup> day of September 2021.

**JEFFERSON BELMONT REGIONAL  
SOLID WASTE AUTHORITY**

By: J. Scott Fabian /s/  
J. Scott Fabian, President  
JBRSWA Board of Trustees

**BELMONT COUNTY SHERIFF**

By: David M. Lucas /s/  
David M. Lucas, Sheriff

By: Anita Petrella /s/  
Anita Petrella, Executive Director

Date: Sept. 16, 2021

**BOARD OF COUNTY COMMISSIONERS  
OF BELMONT COUNTY, OHIO**

By: Jerry Echemann /s/

By: Josh Meyer /s/  
By: J. P. Dutton /s/  
Date: Sept. 22, 2021

Date: Sept. 22, 2021

**Approved as to form:**

By: David K. Liberati /s/ Assist P.A.  
Belmont County Prosecutor

Upon roll call the vote was as follows:

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

**IN THE MATTER OF RESOLUTION DECLARING  
AN EMERGENCY SITUATION RE: 9-1-1 KIRKWOOD  
TOWER SITE GENERATOR**

**RESOLUTION**

Motion made by Mr. Echemann, seconded by Mr. Meyer to adopt the following:

**WHEREAS**, Ohio Revised Code Section 307.86(A)(1) empowers the Belmont County Commissioners to exempt a project from competitive bidding when a situation arises that is determined to be a real and present emergency; and

**WHEREAS**, the Belmont County Commissioners have been made aware of the present situation regarding the replacement of the 200kW generator located at the WTRF Tower in Bridgeport, Ohio. The current generator is approximately twenty-four years old and there has been numerous issues with it. Parts are becoming difficult to find and annual costs are increasing; and

**WHEREAS**, the Belmont County Commissioners do hereby determine that a real and present emergency exists due to the necessity of the generator needing to be in good working order. This generator is critical to keep emergency radio communications in operation for Belmont County's first responders.

**NOW THEREFORE BE IT RESOLVED**, that the Belmont County Commissioners do hereby declare the situation regarding the 9-1-1 Kirkwood Tower Site generator a real and present emergency and authorize bypassing the competitive bidding requirements of the Ohio Revised Code when purchasing a new generator.

Upon roll call the vote was as follows:

Mr. Echemann	<u>Yes</u>
Mr. Meyer	<u>Yes</u>
Mr. Dutton	<u>Yes</u>

*Note: The bid is over \$50,000 but under \$100,000 and solicitations were made to three vendors with only one returning a bid so exemption to competitive bidding applies.*

**IN THE MATTER OF APPROVING PROPOSAL FROM ERB ELECTRIC/911**

Motion made by Mr. Echemann, seconded by Mr. Meyer to approve proposal from ERB Electric Company in the amount of \$95,000.00 to provide and install all necessary equipment for one (1) new Generac Brand 200KW diesel generator at the Kirkwood Tower Site for the Belmont County 9-1-1 Department, based upon the recommendation of Bryan Minder, Director.

Upon roll call the vote was as follows:

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

**OPEN PUBLIC FORUM**-Richard Hord, Martins Ferry, inquired about the resignation of Dwayne Pielech, Executive Director of Senior Services of Belmont County who is resigning on October 8. Mr. Echemann said at the time Mr. Pielech was hired he indicated he would not be working long-term. He said he has done a very good job and the board is sorry to see him go.

Mr. Hord stated the forming of the Belmont County Planning Commission is very positive. Mr. Echemann said the board received a lot of help from Township Association President Frank Shaffer and County Engineer Terry Lively. Mr. Meyer added Assistant Prosecutor Dave Liberati also had a lot of input.

**RECESS**

**10:00 Bid Opening-Engineer's Project 21-7 BEL-CR86-1.98/2.03 (Pugh Ridge Road), Slide Repair**

**IN THE MATTER OF BID OPENING FOR ENGINEER'S  
PROJECT 21-7 BEL-CR86-1.98/2.03 (PUGH RIDGE ROAD) SLIDE REPAIR**

This being the day and 10:00 a.m. being the hour that bids were to be on file in the Commissioners' Office for the Engineers Project 21-7 BEL-CR86-1.98/2.03(Pugh Ridge Road) Slide Repair they proceeded to open the following bids:

<b>NAME</b>	<b>BID BOND</b>	<b>BID AMOUNT</b>
<b>BBR Drilling 41462 Palmer Road Belmont, OH 43718</b>	<b>X</b>	<b>\$635,456.50</b>
<b>Alan Stone Company 5519 Suite A St. Rte. 339 Vincent, OH 45784</b>	<b>X</b>	<b>\$545,280.50</b>
<b>Geotech Services 350 Golden Oak Drive Oak Village, OH 44146</b>	<b>X</b>	<b>\$553,836.25</b>

Present: Dan Boltz, Belmont County Assistant Engineer

Motion made by Mr. Echemann, seconded by Mr. Meyer to turn over all bids received for the Belmont County Engineer's **Project 21-7 BEL-CR86-1.98/2.03 (Pugh Ridge Road), Slide Repair** to Belmont County Engineer Terry Lively for review and recommendation.

*Note: Engineer's estimate: Site 1-\$443,000.00 and Site 2-\$252,000.00.*

Upon roll call the vote was as follows:

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

**RECESS**

**IN THE MATTER OF ENTERING EXECUTIVE SESSION AT 10:23 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

**IN THE MATTER OF ADJOURNING EXECUTIVE SESSION AT 10:54 A.M.**

Motion made by Mr. Echemann, seconded by Mr. Meyer to exit executive session at 10:54 a.m.

Upon roll call the vote was as follows:

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

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

Mr. Echemann said there is one more motion for the board to consider which is not the result of the executive session.

**IN THE MATTER OF ADOPTING RESOLUTION TO RENEW  
WITH CEBCO-ANTHEM BENEFITS CONSORTIUM OF OHIO AND  
ANTHEM BLUE CROSS BLUE SHIELD AS THE HEALTH AND PRESCRIPTION  
INSURANCE CARRIER FOR BELMONT COUNTY EMPLOYEES FY2022**

**Belmont County Employees**  
Employee Benefits- Renewal Resolution  
September 22, 2021

Motion made by Commissioner Echemann, seconded by Commissioner Meyer to adopt the following resolution:

Be it resolved, that the Belmont County Commission has made the following decisions pertaining to the 01/01/2022 insurance renewals of their employee benefits package:

- 1) The Belmont County Commission has decided to renew as is with a 0% increase in rates with CEBCO- Anthem BCBS as the health and prescription insurance carrier for Belmont County Employees effective January 1, 2022-December 31, 2022.  
**PPO Plan "A": Single \$776.57 | Family \$2,047.05**  
**HDHP Plan "B": Single: \$701.55 | Family \$1,843.20**
- 2) The Belmont County Commission has decided to continue the Health Savings Account contribution using the defined contribution method for the HDHP/ Health Savings Account plan. For this method, the total employer and employee Health Savings Account contributions are equal to the PPO employer and employee contributions.  
The Belmont County Commission has decided to utilize the new Employee Assistance Program with ComPsych, through CEBCO, offered at no additional cost to the county and terminate the Employee Assistance Program the county currently pays a per employee per month rating with Mutual of Omaha.
- 3) The Belmont County Commission is continuing to vet options for an alternative Flexible Spending Account and Health Savings Account administrator for 1/1/2022. Decisions will be forthcoming.

Upon roll call the vote was as follows:

Mr. Echemann	<u>Yes</u>	Mr. Meyer	<u>Yes</u>	Mr. Dutton	<u>Yes</u>
--------------	------------	-----------	------------	------------	------------

**Signed by the Commissioners on**

**Jerry Echemann, President**

**Josh Meyer, Vice-President**

**J. P. Dutton**

September 22, 2021

Jerry Echemann /s/

Josh Meyer /s/

J. P. Dutton /s/

**BUDGET HEARING**-Present: Jaclynn Smolenak, Accounts Receivable/Accounts Payable

**AUDITOR**-Present: Cindi Henry

Ms. Henry said she needs an extra \$48,000 in her salary line to get through the end of the year. She has had two big payouts for employees that retired and a vacation payout for one employee who resigned. The computer fund is short \$5,509. She could possibly close out her travel line to cover, but she is going to a conference in October. All of the other lines are encumbered to get through the end of the year. Ms. Henry is not planning on having any encumbered general funds going into next year. She will send a memo out to all departments to double what they pay in utility payments to cover January. Ms. Henry noted this is legal per the State Auditor. An additional \$605,000 is being requested in the computer line to purchase new software for the front office. Raises up to 3% have been put in for 2022. One employee is retiring in March 2022.

**RECORDER**-Present: Jason Garczyk

Mr. Garczyk said he closed out \$96,000 of carryover from last year and put it in the General Fund to get through the rest of this year. He still has technology funds which he can use for indexing he would like to do in his office. Mr. Garczyk would also like to get everything scanned and online. He has put in a request for \$275,00 in ARPA funds to do this project. \$269,880 was requested for salaries in 2022, \$266,972 was requested in 2021. He will have approximately \$20,000 to \$25,000 of carryover in his salary line for next year.

**ENGINEER**-Present: Terry Lively

Mr. Lively said the budget he submitted has a request for \$40,000 for a GIS project and \$368,279 for the map room for 2022. He said when the GIS Department started in 2001 other departments had contributed to help cover costs. That has dwindled down and now only the Board of Commissioners contribute. It has been discussed with the previous auditor to combine efforts and save money. Mr. Lively has been talking to the current Auditor Cindi Henry to combine and save on upcoming flights. He said a new union contract was signed this past year and there were raises in it. He has an additional person shown, but the position is not filled. There is a \$6,000 shortfall in his general funds for 2021.

**RECESS**

**Reconvened Thursday, September 23 at 9:44 a.m. Present: Commissioners Echemann, Meyer and Dutton.**

**BUDGET HEARING**-Present: Jaclynn Smolenak, Accounts Receivable/Accounts Payable

**CLERK OF COURTS**-Present: Cynthia Fregiato

Mrs. Fregiato said she had addressed her budget concerns with the Commissioners in July. Her PERS line is in the negative. She feels she hasn't received enough in her budget since she has been here. Mr. Dutton said they have been dealing with level budgets and are not holding money back. When the Commissioners met with the Auditor in August she said the county is down \$600,000 in revenues for the year, but they are hoping for an increase in that number. Mr. Dutton said their office has taken the biggest cut every year in the budget. He added there is a long list of building projects that have not been addressed over the years and the board needs to take care of them. Mrs. Fregiato said her department is not overstaffed. She did give raises in July because she can't afford to lose the personnel she has. The Title Fund is down \$60,000 from 2019 to 2020. For 2021 \$280,000 was requested, \$250,000 was received. She has been making up the budget for her legal office from the Title Funds. Mr. Dutton said they are not wanting her to whittle down the Title Funds, but there is still a healthy amount in those funds. Mr. Dutton said prior Board of Commissioners went through several years of growth with the budget and just passed that along to other departments and didn't worry about debt or building obligations. He said the budget flatlined out and operating expenses grew as a county and they are trying to maintain those expenses with a flat budget. Mr. Meyer said they are dealing with every office in the county. The Sheriff's budget takes up about 25% to 30% of the overall budget. The Sheriff's budget has been cut in the past to maintain everyone else. Mr. Meyer said when seeing a shortfall in July to move money around until it is actually needed. Mrs. Fregiato said an employee in the legal section is retiring in October which will be a payout of \$22,000, this will be covered by the Title Funds. Mr. Dutton noted they don't have the budget number until December 15 from the auditor. Mr. Meyer said if the Board of Commissioners hasn't been fiscally responsible in the past there would have been cuts last year due to the pandemic. They did not have to cut any services or do any layoffs.

**CORONER**-Present: Dr. Amanda Fisher and Lori Mann, Investigator

Dr. Fisher said their biggest need is one more full-time investigator. They are bombarded with calls and they are operating at the bare minimum. She has already asked for an increase in supplies for this year. Autopsy costs are going up next year. Dr. Fisher has held off on getting a bladder scanner which would cut down on some autopsies. She said they could also use a 2<sup>nd</sup> vehicle with a power lift system and a

record keeping system, the cost would be approximately \$1,000 for start-up and a monthly charge of \$100. Mr. Dutton said at some point they need some county space so records are not kept off county property. Dr. Fisher questioned why her department was not allocated any of the CARES Act funds. Mr. Dutton said each department had to make requests to the Board of Commissioners. Ms. Smolenak will move money to cover their needs for the rest of 2021. Dr. Fisher noted she is working with the Mental Health Board to put a packet of resources together with information to help families in the aftermath of the death of a loved one due to drugs.

**TREASURER-Present:** Kathy Kelich

Ms. Kelich said her department will be short \$12,886 in her salary line by the end of the year. She has moved as much money as she can. In 2022 there will be a change on the tax bill which is a requirement by law and will cost approximately \$1,000. The Auditor is changing vendor for the software for real estate so the change will need added to her software. She doesn't know the cost yet.

**SHERIFF-Present:** Sheriff Dave Lucas and Kitty Jo Paboucek, Fiscal Officer

Sheriff Lucas said the inmate population is increasing, it was down last year in the midst of the pandemic. The mental health problem is also increasing. He said the jail is around 26 years old and is starting to need repairs, a jail expansion grant was applied for. Prisoners are still being housed out of the county. Cost of transporting prisoners, medical cost, gas, cruiser repairs, etc. are all increasing. The over-time for deputies is increasing, mostly due to the transports. Sheriff Lucas said he would like to replace four vehicles next year at the cost of \$214,000. 90% of their computers have been paid for with grant funding, but that has been low during the pandemic. Ms. Paboucek said she does not see a shortfall in their salary line.

**IN THE MATTER OF ADJOURNING  
COMMISSIONERS MEETING AT 12:43 P.M.**

Motion made by Mr. Echemann, seconded by Mr. Meyer to adjourn the meeting at 12:43 p.m.

Upon roll call the vote was as follows:

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

Read, approved and signed this 29th 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