St. Clairsville, Ohio March 16, 2022

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

# IN THE TOTAL AMOUNT OF \$874,818.55

Upon roll call the vote was as follows:

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

# IN THE MATTER OF TRANSFERS WITHIN FUND

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

# A00 GENERAL FUND

FROM TO AMOUNT E-0040-A002-G08.003 PERS E-0040-A002-G02.002 Salaries-Employees \$190,000.00

**S30 OAKVIEW JUVENILE REHABILITATION** 

 FROM
 TO
 AMOUNT

 E-8010-S030-S58.000 Communications
 E-8010-S030-S60.000 Maintenance
 \$5,000.00

Upon roll call the vote was as follows:

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

# IN THE MATTER OF ADDITIONAL APPROPRIATIONS

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

# \*\*JANUARY 5, 2022\*\* T11 BEL CO. COMMISSIONERS C.D.B.G.

E-9702-T011-T06.000	Home Program Inc Expense	\$17,740.00
**MARCH 16, 2022**		
A00 GENERAL FUND		
E-0057-A006-F06.011	Veterinary Services	\$2,603.85
Y01 UND. AUTO TAX	·	
E-9801-Y001-Y01.000	Und. Auto Tax	\$170,873.39
E-9801-Y001-Y03.000	Township-Permissive Tax	\$62,371.00
E-9801-Y001-Y05.000	Pease Township	\$2,708.00
E-9801-Y001-Y06.000	Goshen Township	\$872.00
E-9801-Y001-Y07.000	Warren Township	\$2,319.40
E-9801-Y001-Y08.000	Pultney Township	\$3,760.00
E-9801-Y001-Y09.000	Flushing Township	\$528.00
E-9801-Y001-Y10.000	Colerain Township	\$1,317.00
E-9801-Y001-Y11.000	Kirkwood Township	\$183.00
E-9801-Y001-Y12.000	Mead Township	\$576.00
E-9801-Y001-Y13.000	Richland Township	\$1,866.00
E-9801-Y001-Y14.000	Smith Township	\$465.00
E-9801-Y001-Y15.000	Somerset Township	\$286.50
E-9801-Y001-Y16.000	Union Township	\$859.50
E-9801-Y001-Y17.000	Washington Township	\$208.50
E-9801-Y001-Y18.000	Wayne Township	\$127.50
E-9801-Y001-Y19.000	Wheeling Township	\$556.50
E-9801-Y001-Y20.000	York Township	\$256.50
11 11 11 1	· 11	

Upon roll call the vote was as follows:

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

# IN THE MATTER OF REQUEST FOR CERTIFICATION

# OF MONIES BY THE BUDGET COMMISSION

Motion made by Mr. Meyer, seconded by Mr. Dutton to request the Belmont County Budget Commission certify the following monies. **GENERAL FUND/REIMBURSEMENT FROM CAT STRAY SHUN-2,603.85** deposited into R-0057-A006-A05.500 Animal Shelter Reimbursement Vet Bills on 03-14-2022 (Money was received from Belmont County Cat Stray Shun for the reimbursement of February 2022 New Horizon Animal Hospital vet bills)

Upon roll call the vote was as follows:

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

# IN THE MATTER OF APPROVING

# THEN AND NOW CERTIFICATE/AUDITOR'S

Motion made by Mr. Meyer, seconded by Mr. Dutton to execute payment of Then and Now Certification dated March 16, 2022, 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. Meyer Yes
Mr. Dutton Yes
Mr. Echemann Yes

# IN THE MATTER OF GRANTING PERMISSION

#### FOR COUNTY EMPLOYEES TO TRAVEL

Motion made by Mr. Meyer, seconded by Mr. Dutton granting permission for county employees to travel as follows:

**DJFS**-Jeff Felton and John Regis, Jr. to Columbus, OH, on May 18-19, 2022, to attend the OJFSDA Director's Training Conference. Estimated expenses: \$1,399.78.

**ENGINEER'S**-Stephany Crist to Newark, OH, on May 4-5, 2022, to attend the 2022 Administrative Professionals and County Engineers Conference. Estimated expenses: \$450.00.

**SSOBC-**Senior Centers of Belmont County to Wheeling, WV, on April 5, 7, 12, 14, 19, 21, 26 and 28, 2022, for a senior outing to the Howard Long Wellness Center. Melissa Finney to Moundsville, WV, on April 7, 2022, for a senior outing to Gravecreek Mound Museum, Dollar Tree and Guest House Restaurant. Sue Hines to Moundsville, WV, on April 21, 2022, for a senior outing to Fostoria Glass Museum, Dollar Tree and Bob's Lunch. County vehicles will be used for travel.

Upon roll call the vote was as follows:

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

# IN THE MATTER OF APPROVING MINUTES OF REGULAR

# **BOARD OF COMMISSIONERS MEETING**

Motion made by Mr. Meyer, seconded by Mr. Dutton to approve the minutes of the Belmont County Board of Commissioners regular meeting of March 9, 2022.

Upon roll call the vote was as follows:

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

# IN THE MATTER OF HIRING JUDITH STUPAK

# AS PART-TIME DELIVERY WORKER (DRIVER)/SSOBC

Motion made by Mr. Meyer, seconded by Mr. Dutton to approve the hiring of Judith Stupak as a part-time Delivery Worker (Driver) with Senior Services of Belmont County, effective March 21, 2022.

Note: This is a replacement position

Upon roll call the vote was as follows:

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

## IN THE MATTER OF HIRING DARCIE GLOVER-GIORDANO

# AS HEAD REGISTERED NURSE/JAIL

Motion made by Mr. Meyer, seconded by Mr. Dutton to approve the hiring of Darcie Glover-Giordano as Head Registered Nurse at the Belmont County Jail, effective April 4, 2022, at pay grade 14, step 2.

Note: This is a replacement position.

Upon roll call the vote was as follows:

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

# IN THE MATTER OF AUTHORIZING THE HIRING OF JESSICA HARTLEY AS A FULL-TIME PERMANENT CHILDREN SERVICES CASE MANAGER FOR THE BELMONT COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES

Motion made by Mr. Meyer, seconded by Mr. Dutton 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. Jessica Hartley, effective March 28, 2022, as a Children Services Case Manager. Ms. Hartley 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. Meyer Yes Mr. Dutton Yes Mr. Echemann Yes

# IN THE MATTER OF ACCEPTING THE RESIGNATION OF

# CHARLI DAVIS, FULL-TIME KENNEL STAFF DUE TO JOB ABANDONMENT

Motion made by Mr. Meyer, seconded by Mr. Dutton to accept the resignation of Charli Davis, full-time Kennel Staff at the Belmont County Animal Shelter, effective March 9, 2022, due to job abandonment.

Upon roll call the vote was as follows:

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

# IN THE MATTER OF ADOPTING THE FINAL RESOLUTION FOR THE

# OHIO DEPARTMENT OF TRANSPORTATION PROJECT, BEL-CR 56-33.21/34.26,

# LANDSLIDE REPAIR PROJECT/ENGINEER'S

Motion made by Mr. Meyer, seconded by Mr. Dutton to adopt the Final Resolution for the Ohio Department of Transportation Project, BEL-CR 56-33.21/34.26 PID 108718, Landslide Repair Project; Estimated LPA share is \$105,600.00 to be paid from the Engineer's MVGT fund.

Note: This project consists of a landslide repair by gabion basket walls along Pike Street (CR 56) at SLM 33.21 and Morgan Hill Road (CR 56) at SLM 34.26, including pavement repair and pavement markings, lying within Belmont County. This project is 80% federally funded, 20% funded by county.

(Resolution/Ordinance No. 1/A)

PID No. 108718

# FINAL RESOLUTION

The following Final Resolution enacted by the Board of County Commissioners, County of **Belmont**, Ohio, hereinafter referred to as the Legislative Authority/Local Public Agency or "LPA", in the matter of the stated described project.

WHEREAS, on 9th day of January, 2019, the LPA enacted legislation proposing cooperation with the Director of Transportation for the described project:

The project consists of landslide repair by gabion basket walls along Pike Street (C.R. 56) at SLM 33.21 and Morgan Hill Road (C.R. 56) at SLM 34.26, including pavement repair and pavement markings, lying within Belmont County; and

WHEREAS, the LPA shall cooperate with the Director of Transportation in the above described project as follows:

The County agrees to assume and bear one hundred percent (100%) of the entire cost of the improvement, less the amount of Federal-Aid funds set aside by the Director of Transportation for the financing of this improvement from funds allocated by the Federal Highway Administration, U.S. Department of Transportation.

The share of the cost of the LPA is now estimated in the amount of **One Hundred Five Thousand Six Hundred and - - - 00/100 Dollars**, (\$105,600.00), but said estimated amount is to be adjusted in order that the LPA's ultimate share of said improvement shall correspond with said percentages of actual costs when said actual costs are determined; and

WHEREAS, The Director of Transportation has approved said legislation proposing cooperation and has caused to be made plans and specifications and an estimate of cost and expense for improving the above described highway and has transmitted copies of the same to this legislative authority; and

WHEREAS, The LPA desires the Director of Transportation to proceed with the aforesaid highway improvement.

#### NOW, THEREFORE, be it resolved:

- That the estimated sum, of One Hundred Five Thousand Six Hundred and --- 00/100 Dollars, (\$105,600.00) is hereby appropriated for the improvement described above and the fiscal officer is hereby authorized and directed to issue an order on the treasurer for said sum upon the requisition of the Director of Transportation to pay the cost and expense of said improvement. We hereby agree to assume in the first instance, the share of the cost and expense over and above the amount to be paid from Federal funds.
- II. That the LPA hereby requests the Director of Transportation to proceed with the aforesaid highway improvement.
- III. That the LPA enter into a contract with the State, and that the **County Engineer** be, and is hereby authorized to execute said contract, providing for the payment of the LPA the sum of money set forth herein above for improving the described project.
- IV. That the LPA transmit to the Director of Transportation a fully executed copy of this Resolution.

This is to certify that we have compared the foregoing copy of Resolution with the original record thereof, found in the record of the proceedings of the LPA, and which Resolution was duly passed by the LPA on the  $\cancel{16+1}$  day of  $\cancel{MRCH}$ ,  $20\cancel{22}$ , and that the same is a true and correct copy of the record of said Resolution and the action of said LPA thereon.

We further certify that said Resolution and the action of said LPA thereon is recorded in the journal of said LPA in Volume 105, at Page N/A, and under date of MARCH 16, 2022.

Legislative Authority of the Board of County Commissioners County of Belmont, Shio

County Engineer

Clerk (Secretary Ex-Officio)

SEAL (If Applicable)

#### CONTRACT

(Chapter 5521, Ohio Revised Code)

This contract is made by and between the State of Ohio, Department of Transportation, acting through its director (hereinafter referred to as the "STATE"), 1980 West Broad Street, Columbus, Ohio 43223, and the Board of County Commissioners, County of **Belmont**, (hereinafter referred to as the legislative authority/Local Public Agency or "LPA").

#### WITNESSTH:

WHEREAS, Chapter 5521 of the Ohio Revised Code provides that the legislative authority may cooperate with the STATE in a highway project made by and under the supervision of the Director of Transportation; and

WHEREAS, through the enactment of preliminary legislation, the LPA and the STATE have agreed to cooperate in the highway project described below; and

WHEREAS, through the enactment of final legislation, the LPA has committed to pay an estimated amount of money as its share of the total estimated cost and expense of the highway project described below; and

WHEREAS, the fiscal officer of the LPA has filed with the LPA a certificate stating that sufficient moneys are available, as required by Chapter 5521 and Section 5705.41 of the Ohio Revised Code. A duplicate certificate is attached hereto; and

WHEREAS, in accordance with the final legislation, the LPA hereby enters into this contract with the STATE to provide for payment of the agreed portion of the cost of the highway project and any additional obligations for the highway project described below.

NOW, THEREFORE, in consideration of the premises and the performances of mutual covenants hereinafter set forth, it is agreed by parties hereto as follows:

# SECTION I: RECITALS

The foregoing recitals are hereby incorporated as a material part of this contract.

# SECTION II: PURPOSE

The purpose of this contract is to set forth requirements associated with the highway project described below (hereinafter referred to as the "PROJECT") and to establish the responsibilities for the administration of the PROJECT by the LPA and the STATE.

SECTION III: LEGAL REFERENCES

This contract is established pursuant to Chapter 5521 of the Ohio Revised Code.

SECTION IV: SCOPE OF WORK

The work to be performed under this contract shall consist of the following:

The project consists of landslide repair by gabion basket walls along Pike Street (C.R. 56) at SLM 33.21 and Morgan Hill Road (C.R. 56) at SLM 34.26, including pavement repair and pavement markings, lying within Belmont County.

## SECTION V: FINANCIAL PARTICIPATION

- 1. The STATE agrees to provide the necessary funds as enumerated in this section and allowed by law for the financing of this project.
- The STATE may allocate the money contributed by the LPA in whatever manner it deems necessary in financing the cost of construction, right-of-way, engineering, and incidental expenses, notwithstanding the percentage basis of contribution by the LPA.
- 3. The total cost and expenses for the project are only an estimate and the total cost and expenses may be adjusted by the STATE. If any adjustments are required, payment of additional funds shall correspond with the percentages of actual costs when said actual costs are determined, and as requested, by the Director of Transportation.
- 4. The LPA agrees to pay to the STATE its share of the total estimated cost expense for the above highway project in the amount of One Hundred Five Thousand Six Hundred and - - 00/100 Dollars, (\$105,600.00).
- 5. The County agrees to assume and bear one hundred percent (100%) of the entire cost of the improvement, less the amount of Federal-Aid funds set aside by the Director of Transportation for the financing of this improvement from funds allocated by the Federal Highway Administration, U.S. Department of Transportation.
- 6. The LPA agrees to assume and bear One Hundred Percent (100%) of the cost of any construction items required by the LPA on the entire project, which are not necessary for the improvement, as determined by the State and Federal Highway Administration.

7. The LPA agrees that change orders and extra work contracts required fulfilling the construction contracts shall be processed as needed. The STATE shall not approve a change order or extra work contract until it first gives notice, in writing, to the LPA. The LPA shall contribute its share of the cost of these items in accordance with other sections herein.

# SECTION VI: RIGHT-OF-WAY AND UTILITIES

- The LPA agrees that all right-of-way required for the described project will be acquired and/or made available in accordance with current State and Federal regulations. The LPA also understands that right-of-way costs include eligible utility costs.
- 2. The LPA agrees that all utility accommodation, relocation, and reimbursement will comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual, including that:
  - A. Arrangements have been or will be made with all utilities where facilities are affected by the described PROJECT, that the utilities have agreed to make all necessary removals and/or relocations to clear any construction called for by the plans of this PROJECT, and that the utilities have agreed to make the necessary removals and/or relocations after notification by the LPA or STATE.
  - B. The LPA shall, at its own expense, make all removals and/or relocations of publicly-owned utilities which do not comply with the reimbursement provisions of the ODOT Utilities Manual. Publicly-owned facilities which do comply with the reimbursement provisions of the ODOT Utilities Manual will be removed and/or relocated at project expense, exclusive of betterments.
  - C. The removals and/or relocation of all utilities shall be done in such a manner as not to interfere with the operation of the contractor constructing the PROJECT and that the utility removals and/or relocations shall be approved by the STATE and performed in accordance with the provisions of the ODOT Construction and Materials Specifications.

# SECTION VII: ADDITIONAL PROJECT OBLIGATIONS

- 1. The STATE shall initiate the competitive bid letting process and award the PROJECT in accordance with ODOT's policies and procedures.
- The LPA agrees:
  - A. To keep said highway open to traffic at all times;
  - B. To maintain the PROJECT in accordance with the provisions of the statutes relating thereto, including, but not limited to, Title 23, U.S.C., Section 116;

- C. To make ample financial and other provisions for such maintenance of the PROJECT after its completion;
- D. To maintain the right-of-way and keep it free of obstructions in a manner satisfactory to the STATE and hold said right-of-way inviolate for public highway purposes;
- E. To place and maintain all traffic control devices conforming to the Ohio Manual of Uniform Traffic Control Devices on the project in compliance with the provisions of Section 4511.11 of the Ohio Revised Code;
- F. To regulate parking in accordance with Section 4511.66 of the Ohio Revised Code, unless otherwise controlled by local ordinance or resolution.

# SECTION VIII: DISPUTES

In the event that any disputes arise between the STATE and LPA concerning interruption of or performance pursuant to this contract, such disputes shall be resolved solely and finally by the Director of Transportation.

# SECTION IX: NOTICE

Notice under this contract shall be directed as follows

Board of County Commissioners County of Belmont 101 West Main Street St. Clairsville, Ohio 43950 Ohio Department of Transportation Office of Contract Sales & Estimating 1980 West Broad Street, 1st Floor Columbus, Ohio 43223

# SECTION X: FEDERAL REQUIREMENTS

1. In carrying out this contract, LPA shall not discriminate against any employee or applicant for employment because of race, religion, color, sex, national origin, disability, or age. LPA will ensure that applicants are hired and that employees are treated during employment without regard to their race, religion, color, sex, national origin (ancestry), disability, genetic information, or age (40 years or older), sexual orientation, or military status (past, present, future). Such action shall include, but not be limited to, the following: Employment, Upgrading, Demotion, or Transfer; Recruitment or Recruitment Advertising; Layoff or Termination; Rates of Pay or other forms of Compensation; and Selection for Training including Apprenticeship.

- 2. To the extent necessary under Ohio law, LPA agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this nondiscrimination clause. LPA will, in all solicitations or advertisements for employees placed by or on behalf of LPA, state that all qualified applicants will receive consideration for employment without regard to race, religion, color, sex, national origin (ancestry), disability, genetic information, age (40 years or older), sexual orientation, or military status (past, present, future). If applicable, the LPA shall incorporate the foregoing requirements of this paragraph in all of its contracts for any of the work prescribed herein (other than subcontracts for standard commercial supplies or raw materials) and will require all of its subcontractors for any part of such work to incorporate such requirements in all subcontracts for such work.
- 3. LPA agrees to fully comply with Title VI of the Civil Rights Act of 1964, 42 USC Sec. 2000. LPA shall not discriminate on the basis of race, color, or national origin in its programs or activities. The Director of Transportation may monitor the Contractor's compliance with Title VI.

## SECTION XI: GENERAL PROVISIONS

- This contract constitutes the entire contract between the parties. All prior discussions and understandings between the parties are superseded by this contract.
- Neither this contract nor any rights, duties or obligations described herein shall be assigned by either party hereto without the prior express written consent of the other party.
- 3. Any change to the provisions of this contract must be made in a written amendment executed by both parties.
- 4. This contract and any claims arising out of this contract shall be governed by the laws of the State of Ohio. Any provision of this contract prohibited by the law of Ohio shall be deemed void and of no effect. Any litigation arising out of or relating in any way to this contract or the performance thereunder shall be brought only in the courts of Ohio, and the LPA hereby irrevocably consents to such jurisdiction. To the extent that the STATE is a party to any litigation arising out of or relating in any way to this contract or the performance thereunder, such an action shall be brought only in a court of competent jurisdiction in Franklin County, Ohio.
- 5. All financial obligations of the State of Ohio, as provided in this contract, are subject to the provisions of Section 126.07 of the Ohio Revised Code. The financial obligations of the State of Ohio shall not be valid and enforceable unless funds are appropriated by the Ohio General Assembly and encumbered by the STATE. Additionally, it is understood that this financial obligation of the LPA shall not be valid and enforceable unless funds are appropriated by the LPA's legislative body.

PID No. 108718

- This contract shall be deemed to have been substantially performed only when fully performed according to its terms and conditions and any modification thereof.
- LPA agrees that it is currently in compliance and will continue to adhere to the requirements of Ohio Ethics law as provided by Section 102.03 and 102.04 of the Ohio Revised Code.

# SECTION XII: SIGNATURES

Any person executing this contract in a representative capacity hereby warrants that he/she has been duly authorized by his/her principal to execute this contract on such principal behalf.

Facsimile Signatures: Any party hereto may deliver a copy of its counterpart signature page to this Agreement via fax or email. Each party hereto shall be entitled to rely upon a facsimile signature on any other party delivered in such a manner as if such signature were an original.

SEAL (If Applicable)

OHIO DEPARTMENT OF TRANSPORTATION

LOCAL PUBLIC AGENCY
Board of County Commissioners
County of Belmont

County Engineer

County Commissioner

County Commissioner

County Commissioner

County Commissioner

County Commissioner

County Commissioner

APPROVED AS TO FORM:

Upon roll call the vote was as follows:

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

# **OTTO ROAD EXTENSION**

# YORK TWP. SEC. 35, T-4, R-3/RD IMP 1185

Motion made by Mr. Meyer, seconded by Mr. Dutton to accept the following Public Road Petition for the dedication of Otto Road Extension located in York Township, Sec. 35, T-4, 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 dedication hereinafter known as Road Improvement #1185 in accordance with Ohio Revised Code Section 5553.04.

> **PUBLIC ROAD PETITION** Rev. Code Sec. 5553.045 WITH PETITION **Belmont County, Ohio**

> > **IMP 1185** 3/11/2022

To the Honorable Board of County Commissioners of Belmont County, Ohio:

The undersigned petitioners, freeholders of said county residing in the vicinity of the proposed improvement hereinafter described, represent that the public convenience and welfare require the Dedication of Otto Road Extension York Twp. Sec.35, T-4, R-3. A Public Road on the line hereinafter described, and make application to you to institute and order proper proceedings in the premises, for vacating such road, the same not being a road on the State Highway System.

The following is the general route and termini of said road:

Dedication beginning at the intersection of Twp Rd 126 (N Moores Run Rd) and Otto Road Extension heading in a southern direction for 1944.67ft

Date: <u>July 24, 2021</u>

Board of Trustees of York Township,

We the 5 landowners living currently on the last 3/10 of a mile of Otto Road wish to petition the York Township board of trustees to verify that the last 3/10 of a mile of Otto Rd. leading off of Township Rd. 668 has been used and maintained as a township road for at least the last 40 plus years.

The road is gravel based and contains culverts, all of which has been done by York Township employees. Weed control, snow plowing and tar/chipping has also always been done to this 3/10 mile section of Otto Rd. For as long as anyone living here can recall, this section of Otto Rd. has always been referred to as a township road and always treated so.

This 3/10 mile section of Otto Rd. is also used by the postal service, Kimble's garbage business, Switzerland of Ohio school bus and

We the residents of Otto Rd. would like to request that our York Township Board of Trustees have our part of Otto Rd. be designated as a township road as it has always been to us in the past.

Residents of last 3/10 mile of Otto Rd. in Jacobsburg:

Sharon Newell /s/	50580 Otto Rd.
? /s/	50580 Otto Rd
James Morrison /s/	50582 Otto Rd.
Vickie Morrison /s/	50582 Otto Rd.
Randy Street /s/	50600 Otto Rd
Debra L. Street /s/	50600 Otto Rd.
Shirley Clouston /s/	50600 Otto Rd.
Jaysen Yoho /s/	50620 Otto Rd.
Betty Street /s/	50590 Otto Rd.
? /s/	50590 Otto Rd

Upon roll call the vote was as follows:

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

IN THE MATTER OF THE DEDICATION OF

OTTO ROAD EXTENSION

YORK TWP. SEC. 35, T-4, R-3/RD IMP 1185

**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. 1185** 

The Board of County Commissioners of Belmont County, Ohio, met in regular session on the 16th day of March, 2022 at the office of the Commissioners with the following members present:

Mr. Meyer Mr. Dutton

Mr. Echemann Mr. Meyer moved the adoption of the following:

# RESOLUTION

WHEREAS, A Petition signed by the owners currently residing on Otto Road Extension has been presented to this Board of County Commissioners requesting said Board dedicate Otto Road Extension located in York Township, Sec. 35, T-4, R-3

RESOLVED, That the 30th day of March, 2022 at 12:30 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 6th day of April, 2022, at 10:00 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 <u>Times Leader</u> 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. Meyer Yes Mr. Dutton Yes Mr. Echemann Yes

Adopted March 16, 2022

Bonnie Zuzak /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.

# Rev. Code, Sec., 5553.05

#### **ROAD IMP. # 1185**

Notice is hereby given that there is before the Board of County Commissioners of Belmont County, Ohio, the matter of the dedication of Otto Road Extension located in York Twp. Sec. 35, T-4, R-3, a public road, the general route and termini of which Road are as

Dedication beginning at the intersection of Twp Rd 126 (N Moores Run Rd) and Otto Road Extension heading in a southern direction for 1944.67ft

Said Board of County Commissioners has fixed the 30th day of March, 2022, at 12:30 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 6th day of April, 2022, at 10:00 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** 

Bonnie Zuzak /s/

Bonnie Zuzak, Clerk

ADV. TIMES LEADER (2) Mondays - March 21 and March 28, 2022

IN THE MATTER OF THE VACATION OF

**Office of County Commissioners** 

**Belmont County, Ohio** 

A PORTION OF HARDESTY ST. &

REDEDICATION OF HARDESTY ST. & ALLEY 1 **COLERAIN TWP. SEC. 24 & 30, T-6, R-3/RD IMP 1184** 

The Board of County Commissioners of Belmont County, Ohio, met in Regular session on the 16th day of March, 2022, at the office of the Commissioners with the following members present:

Mr. Meyer Mr. Dutton Mr. Echemann

#### **RESOLUTION – ORDER TO CLOSE ROAD**

Sec. 5553.10 O.R.C.

Mr. Meyer moved the adoption of the following Resolution:

WHEREAS, At least ten days have elapsed since the final order of the board in the matter of this improvement, and

WHEREAS, No person, firm or corporation interested, has effected an appeal from our orders in the matter of the above named improvement, therefore, be it

RESOLVED, That it is hereby ordered that the proceedings be recorded as provided by law, and that said road be vacated and <u>rededicated</u>, as ordered heretofore, made on journal of the date of <u>March 2, 2022</u>, and a copy of this resolution be forwarded to the <u>Colerain</u> Township Trustees.

Mr. <u>Dutton</u> seconded the Resolution and the roll being called upon its adoption the vote was as follows:

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

Adopted the 16th day of March, 2022.

Bonnie Zuzak /s/

Clerk, Board of County Commissioners

Belmont County, Ohio

1. "locating," establishing, "altering," widening, "straightening," vacating or "changing the direction of."

# IN THE MATTER OF APPROVING CHANGE ORDER NO. 2 FROM **SHELLY & SANDS, INC FOR ENGINEER'S PROJECT 20-7**

# **BEL-CR4-21.21/24.75 (COLERAIN PIKE)**

Motion made by Mr. Meyer, seconded by Mr. Dutton to approve Change Order No. 2 from Shelly & Sands, Inc., for the Belmont County Engineer's Project 20-7 BEL-CR4-21.21/24.75 (Colerain Pike) in the amount of \$29,700.00, for a new contract total of \$815,787.00. Note: This is for additional quantity of seal coat added to adjust new edge of pavement to existing berm.

# **CHANGE ORDER NO. 2** SUPPLEMENTAL CONTRACT WITH BELMONT COUNTY COMMISSIONERS **BELMONT COUNTY ENGINEER'S**

PROJECT #20-7: BEL-CR4-21.21/24.75 PAVING AND RETAINING WALL

Auditor's Office, Belmont County, Ohio

This contract made and entered into this 14th day of July, 2021 between SHELLY & SANDS, INC., P.O. Box 66, Rayland, Ohio 43943, and Jerry Echemann, Josh Meyer and J.P. Dutton, Commissioners of Belmont County, WITNESSETH that said SHELLY & SANDS, INC. hereby agrees to furnish all labor, materials, equipment, tools, transportation, supplies, and other incidentals and all tasks necessary for replacing a retaining wall at CR-4-23.99 and placing 3.54 miles of asphalt concrete pavement on CR4 (Colerain Pike Road) and all related Work described by the Contract Documents.

#### **CHANGE ORDER** \* ADDITIONAL OUANTITIES \*

ROADNO.	APPROXIMATE QUANTITY	ITEM	UNIT PRICE	TOTAL AMOUNT
CR4	287.5 CY	ODOT 617 SHOULDER STONE W/SEAL COAT	\$103.30	+ \$29,700.00
		TOTAL ADDITIONS		+ \$29,700.00
TOTAL AMO	+ \$29,700.00			

**Reason for change order** – quantity added to adjust new edge of pavement to existing berm

# **SUMMARY**

ORIGINAL CONTRACT	\$779,691.00	
CHANGE ORDER NO. 1	+ \$6,396.00	
ADDITIONS - CHANGE ORDER NO. 2	- \$29,700.00	
DEDUCTIONS – CHANGE ORDER NO. 2	- \$0.00	

NET CHANGE – CHANGE ORDER NO. 2	\$29,700.00
TOTAL WORK TO BE PERFORMED	\$815,787.00
TOTAL AMOUNT OF SUPPLEMENTAL CONTRACT TO BE PERFORMED	\$36,096.00

DEDECOMED SUPPLEME	ENTAL CONTRAC	I IOBE	\$3
BELMONT COUNTY COMMISSIONERS	SHEL	LY & SANDS, INC.	
Jerry Echemann /s/		By: Rita Lantz /s/	
<del></del>		March 14, 2022	
J. P. Dutton /s/		Ritz Lantz	
Josh Meyer /s/		Print/Type Signature	
•		Assistant Vice-President	
		Title	
RECOMMENDED BY:			
Terry Lively /s/			
TERRY D. LIVELY, P.S., P.E.			
BELMONT COUNTY ENGINEER			
Upon roll call the vote was as follows:			
•	Mr. Meyer	Yes	
	Mr. Dutton	Yes	

Mr. Echemann

Yes

IN THE MATTER OF APPROVING MODIFICATION #4 TO THE PURCHASE
OF PERFORMANCE OF SERVICES CONTRACT BETWEEN BELMONT COUNTY
DEPARTMENT OF JOB AND FAMILY SERVICES AND JEFFERSON COUNTY
COMMUNITY ACTION COUNCIL, INC

Motion made by Mr. Meyer, seconded by Mr. Dutton to approve and sign Modification #4 to the Purchase of Performance of Services contract between the Belmont County Department of Job & Family Services and the Jefferson County Community Action Council, Inc., to include \$543.96 of WIOA Adult Admin, CFDA 17.258 to extend the period to April 1, 2022 for the billing to be received and paid.

Note: This contract is to assist local employers with filling their job vacancies and matching job seekers with employers in Belmont, Carroll, Harrison and Lefferson counties Harrison and Jefferson counties.

# Modification #4 to the

# Purchase of the WIOA Performance of Services Contract Business Resource Network Operation Period for Period fo

Period for Revision: December 1, 2021, to April 30, 2022

Purchaser:

The Belmont County Department of Job and Family Services 68145 Hammond Road St. Clairsville, OH 43950 (740) 695-1075 Contractor: Jefferson County

Community Action Council, Inc.

114 North 4th Street P.O. Box 130

Steubenville, OH 43952

(740) 282-0971

This modification is to include \$543.96 of WIOA Adult Admin CFDA 17.258, for services from December 1, 2021, to December 31, 2021, and to extend the period to April 30, 2022 for the billing to be received and paid.

All other original terms and conditions of this contract remain in effect.

SIGNATIJRES	* 102Z
Jeffery Felton, Director	3/14/22 Date
Belmont County Department of Job and Family Services	Date
J. P. Dutton, Belmont County Commissioner	3/16/22
3.1. Datton, Deimont County Commissioner	Date
Jerry Echemann, Belmont County Commissioner	3 16 22 Date
Josh Meyer, Belmont County Commissioner	3/16/22 Date
Michael K. McGlumphy, CEO Jefferson County Community Action Council, Inc	1/28/22 Date
WIA-16 Workforke Development Board Chair	3/9/2022 Date
WOA-16 Council of Government Chair	3/16/22 Date
Approved as to form:  Belmont County Prosecutor	3-16-22 Date

Upon roll call the vote was as follows:

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

# IN THE MATTER OF APPROVING MODIFICATION #1 TO THE PURCHASE OF PERFORMANCE OF SERVICES CONTRACT BETWEEN BELMONT COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES AND JEFFERSON COUNTY COMMUNITY ACTION COUNCIL, INC

Motion made by Mr. Meyer, seconded by Mr. Dutton to approve and sign Modification #1 to the Purchase of Performance of Services contract between the Belmont County Department of Job & Family Services and the Jefferson County Community Action Council, Inc., to clarify Re-employment Services and Eligibility Assessment (RESEA) program is for an allocation of funding that replaces the allocation under the prior contract.

Note: This grant is for individuals who are receiving unemployment compensation and may be required to meet with a worker and complete an assessment to develop a re-employment plan. The program serves Belmont, Jefferson, Harrison and Carroll County.

# Modification #1 to the

# Purchase of the WIOA Performance of Services Contract Reemployment Services and Eligibility Assessment (RESEA) Period for Revision: December 1, 2021, to June 30, 2022

Purchaser: The Belmont County Department

of Job and Family Services 68145 Hammond Road St. Clairsville, OH 43950

(740) 695-1075

Contractor:

Jefferson County

Community Action Council, Inc.

114 North 4th Street

P.O. Box 130

Steubenville, OH 43952

(740) 282-0971

This modification is to clarify that RESEA is an ongoing program, and this contract is for an allocation of funding that replaces the allocation under the prior contract. Services under this allocation and contract can include costs incurred December 1, 2021, through June 30, 2022. All billing must be received and paid by BCDJFS no later than June 30, 2022.

All other original terms and conditions of this contract remain in effect.

SIGNATIJRES	
July J. Ja Hon Jeffery Felton, Director	3/14/72 Date
Belmont County Department of Job and Family Services	Date
OPSA-	3/16/22
J. P. Dutton, Belmont County Commissioner	Date
Jerry Cchemann, Belmont County Commissioner	3.16.22
Joerry Ecnemann, Belmont County Commissioner	Date
Josh Meyer, Belmont County Commissioner	3/16/22
tounty Commissioner	Date
Wichael K. Washingly	$\frac{3/16/22}{Date}$
Michael K. McGlumphy, CEO Jefferson County Community Action Council, Inc	Date
WIA-16 Workforce Development Board Chair	3/9/2022 Dave
WIOA-16 Council of Government Chair	3/16/22 Date
Approved as to form:	
Bernont County Prosecutor	3-14-77

Upon roll call the vote was as follows:

Mr. Meyer

Yes

Mr. Dutton Mr. Echemann Yes Yes

IN THE MATTER OF AUTHORIZING
BELMONT COUNTY AUDITOR TO ESTABLISH

A NEW FUND, Y42 INDIGENT CLIENT RESOUPMENT FUND, FOR

THE BELMONT COUNTY PUBLIC DEFENDER

Motion made by Mr. Meyer, seconded by Mr. Dutton to authorize the Belmont County Auditor to establish a new fund, Y42 Indigent Client Recoupment Fund, for the Belmont County Public Defender.

Upon roll call the vote was as follows:

Mr. Meyer Mr. Dutton Yes

Mr. Echemann

Yes Yes

# IN THE MATTER OF APPROVING THE SHARP COPIER MAINTENANCE AGREEMENT WITH MOS OFFICE SYSTEMS/CLINICAL CARE COORDINATOR

Motion made by Mr. Meyer, seconded by Mr. Dutton to approve and sign the Sharp Copier Maintenance Agreement with MOS Office Systems for a one (1) year term, effective March 16, 2022. Minimum annual maintenance is \$200 per year for the Kyocera P5021cdw copier for the Correctional Facility Clinical Care Coordinator at the Belmont County Jail.

SHARP COPIER MAINTENANCE AGREEMENT							
COMPANY:	Belmont Co Sheriff		CONTAC	T:	Jaclynn Smolenak (Fiscal Officer)		
ADDRESS:	ESS: 68137 Hammond Rd		TELEPHO	NE:		740-695-7933	
CITY:	CITY: St. Clairsville		STATE:		ОН	ZIP:	43950
MAKE & MODEL:	Kyocera P5021cdw	SERIAL NUMBER:				VD0Y03717	
Billing:	Quarterly 2/5/8/11 9th						
Black & White:	.0265	S	tart: 0	Colo	r:	.12	Start: 0

It is agreed that MOS is authorized to furnish Maintenance Service for your machine/s, make, model & serial numbers listed below, in order to keep them in satisfactory condition and prolong their operating efficiency.

- 1. MOS will replace Parts, Drums, Toner and Developer, including all services calls, labor and travel.
- 2. This maintenance agreement does not include Paper and staples where applicable.
- 3. Alteration or repairs performed by personnel not authorized by MOS will VOID this contract.
- 4. Only those production models listed by serial number on the face of this agreement are covered by this agreement.
- 5. In no event shall MOS be liable for Damage caused by God, accident, storm, fire, water, spills, negligence, misuse, and incidental, consequential or special damages arising from or by reason of this maintenance agreement.
- 6. There will be an annual increase in maintenance per year, of no more than 5%, upon the date of renewal.
- 7. The minimum annual fee for copies is \$200.00. This covers all cost of maintenance.

This agreement will become in effective on the date and copy count listed below. It is to remain in force for one year from this date and will be renewed year to year at the anniversary date. To cancel by either the Customer or the Company, it must be done with a 30 day written notice and a call to MOS.

APPROVED BY: <u>Jerry Echemann /s/</u>
J. P. Dutton /s/
<u>Josh Meyer /s/</u>

Upon roll call the vote was as follows:

Mr. Meyer
Yes

Mr. Dutton Yes
Mr. Echemann Yes

**OPEN PUBLIC FORUM-**Michael Shaheen, Village of Bellaire's Solicitor, along with other village representatives, questioned a possible oversight by the county regarding a permit fee for the construction of the new water plant. He said, "You will be the owners and the occupant of the largest, most expensive building ever built in the Village of Bellaire, and there's no building permit through the Village of Bellaire." Mr. Shaheen added they would prefer the matter to be settled without litigation. He said other business owners who have built in the village paid their permit fees and was questioning why the county didn't. Mr. Meyer said, "This just came to our knowledge within the last few weeks. We will do our due diligence to see how this process is supposed to play out. We want it resolved and done quickly." He noted they are working with the Prosecutor's office on the issue. Mr. Dutton said the project is approximately 95% complete. He added they do have a permit with Southeast Ohio Building Department and all other permits they were aware of have been paid.

# RECESS

# 9:30 Sharon Kesselring, Executive Director of American Red Cross of Ohio River Valley Re: American Red Cross Month proclamation

Ms. Kesselring said the Ohio River Chapter of the American Red Cross has three staff members and the rest are volunteers. They responded to ten disasters in 2021 by assisting thirty-five people to make sure their immediate needs such as shelter, food, clothing and essentials were met. Critical care services were given to ninety-four armed service members and their families. Ms. Kesselring said the Red Cross has training for CPR and First-Aid. They collected 713 units of blood in 2021 which is a decrease since the start of COVID. She added 15% of the blood supply comes from high schoolers.

## PROCLAMATION IN RECOGNITION OF AMERICAN RED CROSS MONTH 2022

Motion made by Mr. Meyer, seconded by Mr. Dutton to adopt the proclamation in recognition of American Red Cross Month.

Whereas, In times of crisis, people in our community come together to care for one another. This humanitarian spirit is part of the foundation of our community and is exemplified by our local American Red Cross volunteers and donors; and

Whereas, In 1881, Clara Barton founded the American Red Cross, turning her steadfast dedication for helping others into a bold mission of preventing and alleviating people's suffering; and

Whereas, Today, more than 140 years later, we honor the kindness and generosity of Red Cross volunteers here in our community, who continue to carry out Clara's lifesaving legacy. They join the millions of people across the United States who volunteer, give blood, donate financially or learn vital life-preserving skills through the Red Cross; and

Whereas, In our community, the contributions of local Red Cross volunteers give hope to the most vulnerable in their darkest hours — whether it's providing emergency shelter, food and comfort for families devastated by local disasters like home fires and severe weather; donating essential blood for accident and burn victims, heart surgery and organ transplant patients, and those receiving treatment for leukemia, cancer or sickle cell disease; supporting service members and veterans, along with their families and caregivers, through the unique challenges of military life; helping to save the lives of others with first aid, CPR and other skills; or delivering international humanitarian aid; and

Whereas, Last year in the Ohio River Valley Chapter with the challenges of the pandemic, the Red Cross assisted nearly 240 families impacted by the disaster, installed over 330 smoke alarms, educated more than 900 students in preparedness education, collected almost 8,600 units of lifesaving blood at over 500 blood drives, trained over 5,200 in lifesaving skills such as CPR and first aid, provided almost 1,000 services to over 400 military members, veterans and their families through the efforts of over 150 volunteers; and

Whereas, Their work to prevent and alleviate human suffering is vital to strengthening Ohio River Valley Chapter communities' resilience. We dedicate this month of March to all those who continue to advance the noble legacy of American Red Cross founder Clara Barton, who lived by her words, "You must never think of anything except the need, and how to meet it." We ask others to join in this commitment to give back in our community.

**NOW, THEREFORE, BE IT RESOLVED,** The Board of Belmont County Commissioners does hereby proclaim the month of March 2022 as **AMERICAN RED CROSS MONTH** throughout the County of Belmont, and urge all citizens to join in supporting the American Red Cross in Belmont County.

Adopted this 16th day of March, 2022

#### **BELMONT COUNTY COMMISSIONERS**

Jerry Echemann /s/ J. P. Dutton /s/ Josh Meyer /s/

Upon roll call the vote was as follows:

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

#### **RECESS**

# IN THE MATTER OF ENTERING EXECUTIVE SESSION AT 10:22 A.M.

Motion made by Mr. Meyer, seconded by Mr. Dutton to enter executive session with Cindy Stock, HR Administrative Assistant, pursuant to ORC 121.22(G)(1) Personnel Exception, to consider the employment, compensation and discipline of public employees. Upon roll call the vote was as follows:

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

#### Commissioner Echemann exited before adjournment of executive session

# IN THE MATTER OF ADJOURNING EXECUTIVE SESSION AT 12:48 P.M.

Motion made by Mr. Meyer, seconded by Mr. Dutton to exit executive session at 12:48 p.m.

Upon roll call the vote was as follows:

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

Mr. Meyer said as a result of executive session there are two motions to be considered.

#### IN THE MATTER OF APPROVING KATHERINE BAYNESS.

# **HUMAN RESOURCE ADMINISTRATOR FOR COMMISSIONERS.**

#### TO START AUTHORIZED UNPAID FAMILY MEDICAL LEAVE

Motion made by Mr. Meyer, seconded by Mr. Dutton to approve Katherine Bayness, Human Resource Administrator for the Belmont County Commissioners, to start authorized unpaid Family Medical Leave, effective March 17, 2022 through April 27, 2022.

Upon roll call the vote was as follows:

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

# IN THE MATTER OF MOVING PAY STEP FOR LPN'S AT THE BELMONT

# COUNTY JAIL/AMY MORT, KYLIE TUSTIN AND JAMIE RANDALL

Motion made by Mr. Meyer, seconded by Mr. Dutton to move the pay step for the following Licensed Practical Nurses at the Belmont County Jail under pay scale 7, effective March 13, 2022:

- Amy Mort from minimum step to Step 2
- Kylie Tustin from minimum step to Step 2
- Jamie Randall from Step 1 to Step 3

Note: The action taken at this time to bump the steps two steps at this time will forego any movement in July 2022.

Upon roll call the vote was as follows:

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

IN THE MATTER OF ADJOURNING	
COMMISSIONERS MEETING AT 12.53	ı

MISSIONERS MEETING AT 12:53 P.M.

Motion made by Mr. Meyer, seconded by Mr. Dutton to adjourn the meeting at 12:53 p.m.

Upon roll call the vote was as follows:

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

Read, approved and signed this <u>23rd</u> day of <u>March</u> , 202	2.
Jerry Echemann /s/	
J. P. Dutton /s/	_ COUNTY COMMISSIONERS
Josh Meyer/s/	_
	erk respectively of the Board of Commissioners of Belmont County, Ohio, do hereby aid Board have been read, approved and signed as provided for by Sec. 305.11 of the
Josh Meyer/s/	PRESIDENT
Bonnie Zuzak /s/	CLERK