

St. Clairsville, Ohio

October 18, 2023

The Board of Commissioners of Belmont County, Ohio, met this day in regular session. Present: J. P. Dutton, Jerry Echemann and Josh Meyer, 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. Dutton, seconded by Mr. Echemann 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 \$1,122,730.86**

Upon roll call the vote was as follows:

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

**IN THE MATTER OF TRANSFERS WITHIN FUND**

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

**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-S59.000 Fuel/ Utilities	\$2,000.00

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADDITIONAL APPROPRIATIONS**

Motion made by Mr. Dutton, seconded by Mr. Echemann to make the following additional appropriations, in accordance with the Official Certificate of Estimated Resources as approved by the Budget Commission, under the October 18, 2023, date:

**H00 PUBLIC ASSISTANCE/BCDJFS**

E-2510-H000-H17.000	Other Expenses	\$8,854.19
---------------------	----------------	------------

**L01 SOIL CONSERVATION FUND/BSWCD**

E-1810-L001-L01.002	Salaries	\$15,738.00
E-1810-L001-L09.000	Travel & Expenses	\$8,700.00
E-1810-L001-L11.003	OPERS	\$1,300.00

**N22 WWS CAPITAL IMPROVEMENTS/BCWSD**

E-9022-N022-N11.012	Equipment	\$173,180.00
E-9022-N022-N17.000	USDA Water Projects	\$252,658.23

**S30 OAKVIEW JUVENILE REHABILITATION**

E-8010-S030-S54.000	Food	\$3,958.79
---------------------	------	------------

**S32 OAKVIEW JUVENILE REHABILITATION/ACTIVITY FUND**

E-8012-S032-S00.000	Activity Fund	\$394.97
---------------------	---------------	----------

**Y01 UND. AUTO TAX**

E-9801-Y001-Y01.000	Und. Auto Tax	\$224,841.73
E-9801-Y001-Y03.000	Township-Permissive Tax	\$70,677.21
E-9801-Y001-Y05.000	Pease Township	\$3,322.72
E-9801-Y001-Y06.000	Goshen Township	\$1,428.97
E-9801-Y001-Y07.000	Warren Township	\$2,765.39
E-9801-Y001-Y08.000	Pultney Township	\$3,294.99
E-9801-Y001-Y09.000	Flushing Township	\$634.34
E-9801-Y001-Y10.000	Colerain Township	\$1,270.27
E-9801-Y001-Y11.000	Kirkwood Township	\$111.29
E-9801-Y001-Y12.000	Mead Township	\$805.51
E-9801-Y001-Y13.000	Richland Township	\$3,096.75
E-9801-Y001-Y14.000	Smith Township	\$475.15
E-9801-Y001-Y15.000	Somerset Township	\$393.79
E-9801-Y001-Y16.000	Union Township	\$668.96
E-9801-Y001-Y17.000	Washington Township	\$244.91
E-9801-Y001-Y18.000	Wayne Township	\$206.00
E-9801-Y001-Y19.000	Wheeling Township	\$589.14
E-9801-Y001-Y20.000	York Township	\$354.64

**Y02 MUNICIPAL AUTO LICENSE/ENGINEER**

E-9802-Y002-Y09.000	County License Tag Fee	\$51,244.52
---------------------	------------------------	-------------

Upon roll call the vote was as follows:

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

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

Motion made by Mr. Dutton, seconded by Mr. Echemann to execute payment of Then and Now Certification dated October 18, 2023, 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. Dutton	Yes
Mr. Echemann	Yes
Mr. Meyer	Yes

**IN THE MATTER OF GRANTING PERMISSION**  
**FOR COUNTY EMPLOYEES TO TRAVEL**

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

**DJFS**-Christine Parker to Lewis Center, OH, on November 30-December 1, 2023, to attend the PCSAO Executive meeting. Estimated expenses: \$391.37.

**SSOBC**-Employees of Senior Centers of Belmont County to Wheeling, WV, on all Tuesdays and Thursdays to the Howard Long Wellness Center to participate in the Silver Sneakers Program. Flushing Senior Center employees to Dennison, OH, on November 3, 2023, for a senior outing to the Dennison Railroad Museum. Bellaire Senior Center employees to Amish Country on November 9, 2023, for a senior outing. Colerain Senior Center employees to Cambridge, OH, on November 16, 2023, for a senior outing to the Mosser Glass Factory and Cambridge Christmas lights. Martins Ferry and Powhatan Senior Center employees to Clarington, OH, on November 20, 2023, for a senior outing to the Clair Tavern & Grill. Lansing Senior Center employees to Wheeling, WV, on November 20, 2023, for a senior outing to the Stifel Center. Bethesda Senior Center employees to Wheeling, WV, on November 20, 2023, for a senior outing to the Festival of Lights at Oglebay. Bellaire and Centerville Senior Center employees to Cambridge, OH, on November 27, 2023, for a senior outing to the Cambridge Light Show. St. Clairsville Senior Center employees to Wheeling, WV, on November 28, 2023, for a senior outing to the Oglebay Festival of Lights. Barnesville Senior Center employees to Wheeling, WV, on November 29, 2023, for a senior outing to the Oglebay Festival of Lights. County vehicles will be used for travel.

Upon roll call the vote was as follows:

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

Mr. Dutton noted the senior centers also travels within the county.

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

Motion made by Mr. Dutton, seconded by Mr. Echemann to approve the minutes of the Belmont County Board of Commissioners regular meeting of October 12, 2023.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF APPROVING THE PROMOTION OF SIERRA DAVIS FROM PART-TIME KENNEL STAFF TO FULL-TIME KENNEL STAFF**

Motion made by Mr. Dutton, seconded by Mr. Echemann to promote Sierra Davis from part-time Kennel Staff to full-time Kennel Staff at the Belmont County Animal Shelter, effective October 22, 2023.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF APPROVING THE FACILITY SERVICES RENTAL SERVICE AGREEMENT WITH CINTAS**

Motion made by Mr. Dutton, seconded by Mr. Echemann to approve and sign the Facility Services Rental Service Agreement with Cintas for rental of products at various county locations.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF APPROVING THE SATISFACTION OF MORTGAGE BY SEPARATE INSTRUMENT FOR BARBARA J. HORES/BELOMAR**

Motion made by Mr. Dutton, seconded by Mr. Echemann to approve and sign the **Satisfaction of Mortgage By Separate Instrument** for Barbara J. Hores for a mortgage deed dated May 10, 2010, as recorded in Volume 0230 pages 927-929, in the Belmont County Recorder’s Office based upon the recommendation of Natalie Hamilton, Belomar Regional Council.

SATISFACTION OF MORTGAGE BY SEPARATE INSTRUMENT

The undersigned hereby certifies that a certain mortgage deed(s) dated May 10, 2010, and recorded in the Office of the Recorder of Belmont County, Ohio in Mortgage Volume 0230 at pages 927-929 and executed by Barbara K/ Hores to the undersigned, has been fully paid and satisfied and the Recorder is authorized to discharge the same of record property:

10/18/23  
Date

Belmont County Commissioners:

By: J. P. Dutton /s/  
J. P. Dutton, President  
Jerry Echemann /s/  
Jerry Echemann  
Josh Meyer /s/  
Josh Meyer

Upon roll call the vote was as follows:

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

**IN THE MATTER OF APPROVING PROJECT MODIFICATION REQUEST FROM WALLACEPANCHER GROUP/COURTHOUSE PLAZA PROJECT**

Motion made by Mr. Dutton, seconded by Mr. Echemann to approve the Project Modification Request from WallacePancher Group for Belmont County Courthouse Plaza Construction Documents and Engineering Services, in the amount of \$40,000.00, for civil, structural and architectural modifications; new contract total \$378,620.00.



WallacePancher Group  
Project Modification Request (PMR)

Client:	Belmont County Commissioners	Modification #:	#1
	100 W. Main Street		
	St. Clairsville, OH 43950	Prepared by:	Justin Alexander, PLA
Attn:	County Commissioners	Date:	9/8/2023
Project:	Belmont County Courthouse Plaza CDs		
Project #:	22085	Client Purchase Order #	NA

Description of additional work:

PMR#1 (Design Modifications) includes the following changes:

**A. Civil Modifications:**

- 1. WPG will revise the site layout design to include the new design modifications per concept plan (attached) dated 2023-08-24. This will include adjustments to paving limits and general geometry, retaining walls, seat walls, ADA ramps, steps, fountains, drainage, landscaping, site amenities, etc.
- 2. WPG will revise the grading design to include ADA accessible route compliance and overall grading adjustments based upon the new site layout design.
- 3. WPG will re-analyze the stormwater design and calculations based upon the new site layout and grading modifications.
- 4. WPG will provide an estimated construction cost adjustment based upon the new design modifications for comparison to the original TAP grant estimate.
- 5. WPG will coordinate with the Commissioners and the Subconsultants on the design modifications.
- 6. WPG will participate in two (2) team meetings to discuss the design modifications.

**B. Structural Modifications:**

- 1. WPG will design the additional retaining walls, seat walls, and steps based upon the new site layout design.
- 2. WPG will design the new exterior ramp to be located on the southwest corner of the Courthouse Annex.

**C. Architectural Modifications:**

- 1. WPG / Hardlines Designs will coordinate with SHPO/OHPO on the necessary design solutions associated with the inclusion of the new exterior ramp to be located on the southwest corner of the Courthouse Annex. This will include any coordination and design related to treatments of any exterior doors, windows, and steps impacted.

**Exclusions:**

- 1. No additional studies (civil, structural, architectural) are included beyond what is described above and shown on the Concept Plan (attached) dated 2023-08-24. It is assumed that the concept plan will be used as the basis of design for the project moving forward. Any deviations from this plan by the Commissioners or reviewing Agencies will result in additional scope & fee.
- 2. If SHPO rejects the proposed ramp location to the Courthouse Annex, an alternative route may need to be studied. This may result in additional scope and fee. This will be determined upon receiving feedback from SHPO.


10/18/23  
Submitted to Kelly Nays  
+ Jacquelyn

Our billing method and other terms and conditions remain per our original agreement.

Original Contract Amount:	\$355,590.00
Previous Contract Modifications:	-\$16,970.00 (3.0 Geotechnical Analysis)
Total Amount of this Modification:	<u>\$40,000.00 (PMR#1 Design Modifications)</u>
New Contract Total:	\$378,620.00

Client Approval

X



Approval Signature:

X



Title:

BELMONT CO. COMMISSIONERS

Date

10-18-2023

WallacePancher Group

Authorized Signature:

Title:

Date

Upon roll call the vote was as follows:

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

**IN THE MATTER OF APPROVING PROPOSAL WITH VERDANTAS/  
FORMER BELMONT COUNTY JAIL PROPERTY**

Motion made by Mr. Dutton, seconded by Mr. Echemann to approve the proposal with Verdantas in the amount of \$19,730.00 for preparation of a Phase 1 assessment, Asbestos & Lead-Based Paint surveys, and an Ohio Brownfield Remediation Fund Grant application for the former Belmont County Jail property.

Upon roll call the vote was as follows:

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

Motion rescinded on November 29, 2023.







IN THE MATTER OF ENTERING INTO AUCTION SALE AGREEMENT  
WITH DAVID JONES, CAI AUCTIONEER/COUNTY AUCTION

Motion made by Mr. Dutton, seconded by Mr. Echemann to enter into the Auction Sale Agreement with David Jones, CAI Auctioneer, 400 East High Street, Flushing, OH, 43977, to conduct the annual Belmont County Auction to be held Tuesday, October 31, 2023, beginning at 4:00 p.m. at 68147 Hammond Road.

DAVID JONES AUCTIONEER

Since 1964



400 East High Street • Flushing, OH 43977  
Phone: (740) 968-3710 • Fax: (740) 968-3690  
Cell: (740) 391-3710

RECEIVED  
OCT 16 2023  
BELMONT COUNTY COMMISSIONERS

Auction Sale Agreement

1. I hereby grant unto David Jones the exclusive right and authority to sell the personal property of Bel. Cty Commissioners described on the auction inventory or auction advertising at public auction. Located at 68147 Hammond Rd County Bel State Ohio

2. Auction will be held on Oct 31 - 2023 Date Year Time 4:00

3. I have the full power and authority to sell the personal property and that the said property is free and clear of all liens and encumbrances Except as follow: none

4. I agree to pay David Jones Auctioneer a commission of 20 percent of the gross proceeds of personal property. 10 percent of Vehicle and — percent of — Minimum fee of —

5. I the seller agree to pay for all paper ads. Approx. price of 350.00 and the following other expenses None

6. The terms and conditions are Cash or a good check day of auction. Collection of bad checks, debts and collection of unpaid money will be the responsibility of David Jones Auctioneer in cooperation of the seller.

7. The auctioneer's policy will not accept absentee bids.

8. All proceeds will be deposited in David Jones escrow account. Settlement will occur within 15 days of the date of the auction unless advised otherwise.

9. Any unsold items will be the responsibility of the seller. The auctioneer will dispose of [Unsold items at our auction center]

10. Auction shall be a reserve auction as defined in ORC 4707.01

11. I AGREE NOT TO SELL OR REMOVE ANY ITEMS FROM THE PREMISES AFTER THE DATE OF THIS CONTRACT EVEN THOUGH THEY MAY NOT BE ON ANY ADVERTISEMENT

12. The seller agrees to indemnify and save harmless David Jones and his employees, against any and all claims, demands, action or causes of action whatsoever in any manner arising by the execution of this contract.

13. It is mutually agreed that this contract shall be binding upon the undersigned and the separate heirs, administrators, executors, assigns and successors in interest of the undersigned.

14. The auctioneer may hire other auctioneers to assist him in any auctions he may conduct.

15. The undersigned auctioneer is licensed by the Ohio Department of Agriculture and bonded by the state of Ohio under the auction recovery fund.

16. In witness whereof the parties have hereunto executed this contract in duplicate on the date set forth above.

17. I have read the above contract and agree to the conditions thereof. I hereby acknowledge receipt of a copy of this agreement.

By Jerry Echemann Address 101 WEST MAIN ST Ph. 740-699-2155

By David Jones Address ST. CLAIRSVILLE, OH Ph. 43950

Auctioneer: David Jones Auct

Attorney: — Probate No: —

APPROVED AS TO FORM:

Marking Assistant Prosecuting Attorney  
PROSECUTING ATTORNEY

Upon roll call the vote was as follows:

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

OPEN PUBLIC FORUM-Sandy Lewis, Shadyside, questioned when the Animal Shelter became a kill shelter. Mr. Dutton said the national standard to be considered a no-kill shelter is if less than 10% of animals are euthanized a year, Belmont County is below that percentage. He said the decision to euthanize an animal is not made lightly. Vince Lewis, Shadyside, asked about the chain of command and accountability. Mr. Dutton explained the shelter is under the Board of Commissioners and they are audited yearly by the State Auditor's office. He said the fees collected are not enough to run the shelter. They supplement funding from the General Fund. Mr. Dutton said more animals need to be adopted. The facility should be holding 30 to 40 animals, there are currently double that amount. Mr. Dutton said they are doing everything they can to keep the shelter open. Mr. Lewis also questioned if the volunteer program is on furlough and who takes care of the dogs. Mr. Dutton said the

animals are cared for by the staff. Currently, there are volunteers at the shelter, but it is limited. The volunteer application process runs through the Human Resources Department.

Lew Gray, Jacobsburg, voiced his concern about flooding issues on a section of State Route 148 which he feels is a safety hazard. He said the township trustees have refused to fix it and asked if the Commissioners could help resolve the problem. Mr. Dutton said the issue is most likely the township’s, but they will reach out to ODOT for options. He told Mr. Gray he can also talk to the County Engineer.

**RECESS**

**IN THE MATTER OF ENTERING EXECUTIVE SESSION AT 10:33 A.M.**

Motion made by Mr. Dutton, seconded by Mr. Echemann 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. Dutton	Yes
Mr. Echemann	Yes
Mr. Meyer	Yes

**IN THE MATTER OF ADJOURNING EXECUTIVE SESSION AT 11:27 A.M.**

Motion made by Mr. Dutton, seconded by Mr. Echemann to exit executive session at 11:27 a.m.  
Upon roll call the vote was as follows:

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

Mr. Dutton said there is no motions to be considered at this time as a result of executive session.

**BUDGET HEARINGS**-Present: Jaclynn Smolenak, Fiscal Clerk  
2024 budget requests were reviewed.

**AUDITOR**-Present: Auditor Cindi Henry  
\$1,962,577.00 requested for 2024. Mr. Dutton said it is working well with departments not having carryover. A few departments did ask for additional funds, but they were told no. He said they are considering creating a Special Revenue fund to cover payouts. Ms. Henry said the other part of their server needs replaced. There were issues downloading payroll and she is requesting funds to purchase new software. She would also like to go to paying bills with ACH and said the Treasurer is okay with that. It would make balancing a lot easier. Mr. Dutton asked if there was a change in the software would it change how benefits are handled. Ms. Henry said benefits should run through the Auditor’s office. Ms. Henry is talking to County Engineer Terry Lively about bringing the GIS Department in to her middle office, she feels there would be an easier flow pattern.

**SHERIFF’S DEPARTMENT**-Present: Sheriff Dave Lucas and Kitty Jo Paboucek, Fiscal Officer  
\$9,256,543.00 requested for 2024. Sheriff Lucas is requesting to purchase six new vehicles. The cost would be approximately \$55,000 per vehicle which includes uplifting. A line item has been added for new body cameras. Seven out of the 80 cameras they have now do not work. They are looking to get an upgraded camera and have the funds to cover 43 of the 83 needed, but do not have a cost yet. Fuel, food, medical and cruiser repair costs are all increasing.

**RECESS**

**Reconvened Thursday, October 19, 2023, at 10:05 a.m. with Commissioners Dutton, Echemann and Meyer present.**

**BUDGET HEARINGS**-Present: Jaclynn Smolenak, Fiscal Clerk  
2024 budget requests were reviewed.

**BUILDING AND GROUNDS**-Present: Scott Larkin, Facilities Director  
\$3,473,400.00 requested for 2024. A 6% increase was added to the other expense line item and utilities for next year. Next year \$70,000 is budgeted for a truck/snowplow, \$19,000 for a 72” commercial mower and \$25,000 for a used one-ton dump truck which will replace the F350.

**RECESS**

**CLERK OF COURTS**-Present: Laura Zupko  
\$505,139.00 requested for 2024.  
Ms. Zupko said one employee is expected to retire next year. The amount of the payout is expected to be approximately \$17,000.00. Mr. Dutton explained they are considering creating a fund to cover payouts.

**RECESS**



**IN THE MATTER OF ADJOURNING**  
**COMMISSIONERS MEETING AT 11:19 A.M.**  
Motion made by Mr. Dutton, seconded by Mr. Echemann to adjourn the meeting at 11:19 a.m.  
Upon roll call the vote was as follows:

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

Read, approved and signed this 26th day of October, 2023.

J. P. Dutton /s/

Commissioner Echemann – Absent COUNTY COMMISSIONERS

Josh Meyer /s/

We, J. P. Dutton 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.

J. P. Dutton /s/ PRESIDENT

Bonnie Zuzak /s/ CLERK