

St. Clairsville, Ohio

November 29, 2023

The Board of Commissioners of Belmont County, Ohio, met this day in regular session. Present: J. P. Dutton and Josh Meyer, Commissioners and Bonnie Zuzak, Clerk of the Board. Absent: Commissioner Jerry Echemann

**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. 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 \$455,429.90**

Upon roll call the vote was as follows:

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

**IN THE MATTER OF TRANSFERS WITHIN FUND**

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

**A00 GENERAL FUND**

FROM	TO	AMOUNT
E-0051-A001-A50.000 Budget Stabilization	E-0042-A002-J00.002 Salary	\$6,301.57
E-0051-A001-A50.000 Budget Stabilization	E-0042-A002-J02.003 PERS	\$698.43
E-0131-A006-A04.002 Road-Salary	E-0131-A006-A03.002 Jail-Salary	\$200,000.00
E-0131-A006-A05.002 Maintenance-Salary	E-0131-A006-A03.002 Jail-Salary	\$102,954.80
E-0141-A001-C03.010 Supplies	E-0141-A001-C02.002 Salaries	\$4,700.00
E-0141-A001-C04.012 Equipment	E-0141-A001-C02.002 Salaries	\$1,300.00
E-0141-A001-C04.012 Equipment	E-0141-A001-C09.003 PERS	\$800.00

Upon roll call the vote was as follows:

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

**IN THE MATTER OF TRANSFERS BETWEEN FUND**

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

**A00 GENERAL FUND AND O54 DEBIT SERVICES-COUNTY ISSUES**

FROM	TO	AMOUNT
E-0257-A015-A15.074 Transfers -Out	R-9256-O054-O21.574 Transfers In	\$231,823.90

**A00 GENERAL FUND AND S12 PORT AUTHORITY**

FROM	TO	AMOUNT
E-0051-A001-A50.000 Budget Stabilization	R-9799-S012-S04.574 Transfers In	\$6,408.42

*\*\*December 2022-November 2023 Lighting Expense-Mall Road & Commons Mall Crossing Road\*\**

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADDITIONAL APPROPRIATIONS**

Motion made by Mr. Dutton, 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 following meeting dates:

**\*\*JANUARY 10, 2023\*\***

**A00 GENERAL FUND**

E-0257-A015-A15.074	Transfers -Out	\$138,402.05
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**\*\*NOVEMBER 29, 2023\*\***

**A00 GENERAL FUND**

E-0131-A006-A17.012	Cruisers	\$5,555.12
E-0257-A015-A15.074	Transfers -Out	\$93,421.85

**S33 DISTRICT DETENTION HOME/SARGUS**

E-0910-S033-S33.002	Salaries	\$70,985.80
E-0910-S033-S38.011	Contract Services	\$10,000.00
E-0910-S033-S44.003	OPERS/STRS	\$2,000.00

**S86 NORTHERN CT-GEN SPEC PROJECTS**

E-1561-S086-S06.010	Supplies	\$4,200.00
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**SHERIFF/VARIOUS FUNDS**

E-0131-A006-A09.000	Medical	\$249.00
E-0131-A006-A17.010	Cruisers	\$4,487.28
E-0131-A006-A20.000	False Alarms	\$700.00
E-0131-A006-A21.000	Towing	\$180.00
E-0131-A006-A23.000	Background	\$259.00
E-0131-A006-A24.000	E-SORN	\$455.00
E-0131-A006-A28.000	Shop with a Cop	\$3,490.00
E-1652-B016-B02.000	DUI	\$25.00
E-5100-S000-S01.010	Commissary	\$25,268.45
E-5101-S001-S06.000	CCW License	\$2,749.50
E-5101-S001-S07.012	CCW Equipment	\$2,963.50
E-9710-U010-U06.000	Reserve	\$8,121.25

Upon roll call the vote was as follows:

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

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

Motion made by Mr. Dutton, seconded by Mr. Meyer to execute payment of Then and Now Certification dated November 29, 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. Meyer	Yes
Mr. Echemann	Absent

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

Motion made by Mr. Dutton, seconded by Mr. Meyer to request the Belmont County Budget Commission certify the following monies. **CASINO REVENUE Q3 2023/GENERAL FUND-\$93,421.85** deposited into R-0010-A000-A06.500 on 10/31/2023. *(This amount is above the 2023 estimated revenue for R-0010-A000-A06.500).*

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ACKNOWLEDGING THE BELMONT COUNTY  
COMMISSIONERS RECEIVED AND REVIEWED THE FINAL SALES  
& USE TAX DISTRIBUTION REPORT FOR SEPTEMBER 2023**

Motion made by Mr. Dutton, seconded by Mr. Meyer to acknowledge the Belmont County Commissioners received and reviewed the following from the Belmont County Auditor’s Office:

- Final Sales & Use Tax Distribution Report for the month of September 2023.

Upon roll call the vote was as follows:

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

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

Motion made by Mr. Dutton, seconded by Mr. Meyer granting permission for county employees to travel as follows:  
**DJFS**-Jennifer Fietz to Sugarcreek, OH, on January 11-13, 2024, to attend the Foster Parent Winter Conference. Estimated expenses: \$486.00.  
**HR DEPARTMENT**- Erin McVay to Columbus, OH, on December 8, 2023, to attend the CLCCA Winter meeting. A county vehicle will be used for travel.

Upon roll call the vote was as follows:

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

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

Motion made by Mr. Dutton, seconded by Mr. Meyer to approve the minutes of the Belmont County Board of Commissioners regular meeting of November 21, 2023.

Upon roll call the vote was as follows:

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

**Mr. Dutton made the following announcement:** The Belmont County Board of Commissioners are accepting applications for the Belmont County Transportation Improvement District (TID) Board. Applications will be accepted through December 15, 2023. Interested parties may stop in or contact the Commissioners' office at 740-699-2155 to request an application.

**IN THE MATTER OF HIRING JUSTINE SCHELL-GREEN  
AS FULL-TIME RN/JAIL**

Motion made by Mr. Dutton, seconded by Mr. Meyer to approve the hire of Justine Schell-Green as a full-time RN at the Belmont County Jail, effective November 30, 2023.

*Note: This is a replacement position.*

Upon roll call the vote was as follows:

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

**IN THE MATTER OF APPROVING QUOTE FROM CARNEY & SLOAN, INC./JAIL**

Motion made by Mr. Dutton, seconded by Mr. Meyer to approve the quote from Carney & Sloan, Inc. in the amount of \$3,163.00 for one Ice Maker with bin, cube-style, Model No. UC2024SA-1 for the Belmont County Jail.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF APPROVING QUOTE NUMBER 1441  
FROM DIGITAL DATA COMMUNICATIONS, INC./ANIMAL SHELTER**

Motion made by Mr. Dutton, seconded by Mr. Meyer to approve Quote Number 1441 from Digital Data Communications, Inc., in the amount of \$1,419.52 for one Lenovo PC and one Lenovo monitor and one Office 365 Business in the monthly amount of \$8.50 for the Belmont County Animal Shelter.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ACCEPTING PROPOSAL FROM MOS OFFICE SYSTEMS/JAIL**

Motion made by Mr. Dutton, seconded by Mr. Meyer to accept the proposal from MOS Office Systems in the amount of \$1,568.75 for one Sharp MX-C357F Color Copier/Printer/Scanner/Fax for the medical office at the Belmont County Jail.  
Upon roll call the vote was as follows:

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

**IN THE MATTER OF APPROVING THE SHARP COPIER MAINTENANCE AGREEMENT WITH MOS OFFICE SYSTEMS/JAIL**

Motion made by Mr. Dutton, seconded by Mr. Meyer to approve and sign the Sharp Copier Maintenance Agreement with MOS Office Systems for a one-year term, effective November 29, 2023. Minimum annual maintenance is \$200 per year for the Sharp MX-C357F copier located in the medical office at the Belmont County Jail.  
Upon roll call the vote was as follows:

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

**IN THE MATTER OF APPROVING THE PURCHASE OF THREE 2023 DODGE DURANGO PURSUIT FROM JIM SHORKEY AUTO GROUP/SHERIFF'S**

Motion made by Mr. Dutton, seconded by Mr. Meyer to approve the purchase of three 2023 Dodge Durango Pursuit, for a total cost of \$123,834.00, from Jim Shorkey Auto Group through the State of Ohio Cooperative Purchasing Contract, based upon the recommendation of Sheriff Dave Lucas.  
*Note: These are replacement vehicles and will be assigned to the Patrol Division and will be paid for by the Belmont County Sheriff's Department.*  
Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADOPTING THE AMENDED BELMONT COUNTY CAPITAL ASSETS ACCOUNTING POLICY**

Motion made by Mr. Dutton, seconded by Mr. Meyer to adopt the amended Belmont County Capital Assets Accounting Policy, effective November 29, 2023.  
*Note: The policy is for the purpose of complying with the "General Accepted Accounting Principles" (GAAP) as recommended by the State of Ohio Auditor's Office.*  
Upon roll call the vote was as follows:

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

**IN THE MATTER OF RESCINDING MOTION OF OCTOBER 18 2023, APPROVING PROPOSAL WITH VERDANTAS**

Motion made by Mr. Dutton, seconded by Mr. Meyer to rescind the motion made on October 18, 2023, approving 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.  
*Note: The Belmont County Land Bank will be handling this project.*  
Upon roll call the vote was as follows:

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

Mr. Dutton said the front of the building is Belmont County Historical Museum. The back part of the building was the actual jail. It has been on the list of projects to work on doing a rehabilitation inside the old jail. The exterior of the jail was restored about four years ago. Verdantas will be working on some of the beginning stages.

**IN THE MATTER OF ADOPTING RESOLUTION TEMPORARILY REDUCING LEGAL AXLE LOAD LIMIT ON WAYNE TOWNSHIP ROADS/ENGINEER**

Motion made by Mr. Dutton seconded by Mr. Meyer to adopt the following:  
**RESOLUTION**  
**Whereas**, Ohio Revised Code Section 5577.07 empowers the Belmont County Commissioners to prescribe reduction of weight and speed during times of thaws and moisture that render the improved highways of the County insufficient to bear the traffic thereon; and  
**Whereas**, the Belmont County Board of Commissioners have received a request from the Wayne Township Trustees requesting that the legal axle load limit on all of their roads be reduced by fifty percent (50%); and  
**Whereas**, the Belmont County Engineer has recommended that the Wayne Township Trustees' request be granted.  
**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Belmont County Commissioners does hereby authorize that the legal axle load limit on all of the roads in Wayne Township be reduced by fifty percent (50%) for the period beginning December 1, 2023 and ending April 15, 2024.  
Upon roll call the vote was as follows:

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

**IN THE MATTER OF ENTERING INTO CONTRACT WITH SHELLY & SANDS, INC. FOR ENGINEER'S PROJECT 23-6 BEL-CR10-22.09 SUPERSTRUCTURE REPLACEMENT**

Motion made by Mr. Dutton, seconded by Mr. Meyer to enter into contract with Shelly & Sands, Inc., in the amount of \$1,633,090.18 for the Belmont County Engineer's Project 23-6 BEL-CR10-22.09 Superstructure Replacement, based upon the recommendation of Belmont County Engineer Terry Lively.  
*Note: Federal Share \$1,306,472.14 and County Share \$326,618.04.*

**CONTRACT WITH BELMONT COUNTY COMMISSIONERS**  
**BELMONT COUNTY ENGINEER'S**  
**PROJECT #23-6: BEL-CR10-22.09 (PID 116179) SUPERSTRUCTURE REPLACEMENT**  
**DBE GOAL = 9%**

This contract made and entered into this 29th day of November, 2023 between **SHELLY & SANDS, INC.**, P.O. Box 66, Rayland, OH 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 to replace the superstructure and all related Work described by the Contract Documents.

All Work for BEL-CR10-22.09 (PID 116179) shall be completed by SEPTEMBER 28, 2024.

Contractor and Subcontractor shall pay the prevailing rate of wages as required under Chapter 4115, Ohio Revised Code, and comply with all other bidder specifications.

All Work shall be in accordance with the State of Ohio Department of Transportation Construction and Materials Specifications (CMS), dated January 1, 2023, and shall be under the direction of the County Engineer.

**PROJECT #23-6: BEL-CR10-22.09 (PID 116179) SUPERSTRUCTURE REPLACEMENT**

**PROJECT #23-6 TOTAL = \$1,633,090.18**  
*COUNTY SHARE WILL BE \$326,618.04*  
*FEDERAL SHARE WILL BE \$1,306,472.14 (FHWA FUNDING)*

And it is further understood and agreed upon by the parties above, that all the materials used shall be of the best kinds usually used for such purposes. That said **SHELLY & SANDS, INC.** shall cause to be executed a bond to the satisfaction of the Commissioners for the faithful performance of the work, and for the security of the County, against pecuniary loss.

<b>BELMONT COUNTY COMMISSIONERS</b>	<b>SHELLY &amp; SANDS, INC.</b>
<i>J. P. Dutton /s/</i> _____	By: <i>Rita Lantz /s/</i> _____
_____	<i>Rita Lantz, Assistant Vice-President</i> _____
<i>Josh Meyer /s/</i> _____	<i>Print/Type Signature</i>

Upon roll call the vote was as follows:

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

**IN THE MATTER OF APPROVING CHANGE ORDER NO. 1 FROM RAZE INTERNATIONAL, INC. FOR FORMER COUNTY HOME, BOILER HOUSE AND WATER SANITATION BUILDING DEMOLITION PROJECT**


Motion made by Mr. Dutton, seconded by Mr. Meyer to approve Change Order No. 1 from Raze International, Inc., for the Former County Home, Boiler House and Water Sanitation Building Demolition project for an increase of \$820.00, for a new contract total of \$169,120.00.

*Note: Underground pipe was uncovered and is believed to be an ACM Transite Pipe. Additional cost is for testing, removal and disposal of pipe.*

CHANGE ORDER FORM

PROJECT NAME	Former County Home, Boiler House, and Water Sanitation Building Demolition		
LOCATION OF WORK	68325 Bannock Road, St. Clairsville, OH		
PROJECT MANAGER	DOUG MCFARLAND	CLIENT	Belmont County Commissioners
REQUESTING PARTY	RAZE INTERNATIONAL INC	DATE OF REQUEST	11/17/2023

CHANGE REQUEST OVERVIEW


DESCRIPTION OF CHANGES NEEDED	Add Cost of Optional Bid Items 006 and 007 to Contract Amount Item 006 – Testing of Pipe and/or Pipe Insulation – 3 Samples - \$26.00 Each – Total \$78.00 Item 007 – Removal and Disposal of Pipe and/or Pipe Insulation – 30 LF – Total \$750.00		
REASON FOR CHANGE	Underground Pipe was uncovered and is believed to be an ACM Transite Pipe		
SUPPORT & JUSTIFICATION DOCUMENTS	List all attached documents which support the requested change and justify any increased cost and time.		
SPECIFICATIONS			
ADDITIONAL INFORMATION			


CHANGE IN CONTRACT PRICE

ORIGINAL PRICE	\$168,300.00
NET CHANGES OF PREVIOUS CHANGE ORDERS	0
NET INCREASE / DECREASE AS A RESULT OF THIS CHANGE	\$820.00
TOTAL CONTRACT PRICE WITH APPROVED CHANGES	\$169,120.00

CHANGE IN CONTRACT TIMES

ORIGINAL TIMES	30 Days
NET CHANGES OF PREVIOUS CHANGE ORDERS IN DAYS	
NET INCREASE / DECREASE AS A RESULT OF THIS CHANGE	0
TOTAL CONTRACT TIME WITH APPROVED CHANGES	0

ACCEPTED BY SIGNATURE	X 
NAME & TITLE	J.P. DUTTON BELMONT CO. JOSH MEYER COMMISSIONERS
DATE	11-29-23

APPROVED BY SIGNATURE	X 
NAME & TITLE	J.P. DUTTON BELMONT CO. JOSH MEYER COMMISSIONERS
DATE	11-29-23

Upon roll call the vote was as follows:

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

**IN THE MATTER OF APPROVING CHANGE ORDER NO. 2 FROM RAZE INTERNATIONAL, INC. FOR FORMER COUNTY HOME, BOILER HOUSE AND WATER SANITATION BUILDING DEMOLITION PROJECT**

Motion made by Mr. Dutton, seconded by Mr. Meyer to approve Change Order No. 2 from Raze International, Inc., for the Former County Home, Boiler House and Water Sanitation Building Demolition project for an increase of \$22,000.00, for a new contract total of \$191,120.00.  
*Note: Removal of three underground cisterns and backfilling with stone is necessary to optimize the project site layout and ensure safety and integrity of the surrounding structure and landscape.*



CHANGE ORDER FORM

PROJECT NAME	Former County Home, Boiler House, and Water Sanitation Building Demolition		
LOCATION OF WORK	68325 Bannock Road, St. Clairsville, OH		
PROJECT MANAGER	Amanda Smathers	CLIENT	Belmont County Commissioners
REQUESTING PARTY	RAZE INTERNATIONAL INC	DATE OF REQUEST	11/17/2023

CHANGE REQUEST OVERVIEW

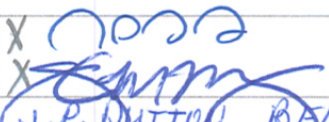
DESCRIPTION OF CHANGES NEEDED	Removal and Backfilling of 3 Large underground Cisterns
REASON FOR CHANGE	The removal of the cisterns and backfilling with stone is necessary to optimize the project site layout and ensure the safety and integrity of the surrounding structures and landscape.
SUPPORT & JUSTIFICATION DOCUMENTS	<div>List all attached documents which support the requested change and justify any increased cost and time.</div> <div>The cisterns size, location, and condition are reducing the project site life out</div>
SPECIFICATIONS	Cistern Demolition includes dewatering, collapsing, and backfilling the cisterns in accordance with the project specifications and safety regulations.
ADDITIONAL INFORMATION	

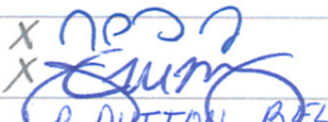
CHANGE IN CONTRACT PRICE

ORIGINAL PRICE	\$168,300.00
NET CHANGES OF PREVIOUS CHANGE ORDERS	\$820.00
NET INCREASE / DECREASE AS A RESULT OF THIS CHANGE	\$22,000.00
TOTAL CONTRACT PRICE WITH APPROVED CHANGES	\$191,120.00

CHANGE IN CONTRACT TIMES

ORIGINAL TIMES	30 Days
NET CHANGES OF PREVIOUS CHANGE ORDERS IN DAYS	0
NET INCREASE / DECREASE AS A RESULT OF THIS CHANGE	3
TOTAL CONTRACT TIME WITH APPROVED CHANGES	33

ACCEPTED BY SIGNATURE	X 
NAME & TITLE	J.P. DUTTON BELMONT CO. COMMISSIONERS
DATE	11-29-23

APPROVED BY SIGNATURE	X 
NAME & TITLE	J.P. DUTTON BELMONT CO. COMMISSIONERS
DATE	11-29-23

Upon roll call the vote was as follows:

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

IN THE MATTER OF APPROVING THE MEMORANDUM OF UNDERSTANDING BETWEEN THE BOARD OF COMMISSIONERS AND CANDACE FLEAGANE

Motion made by Mr. Meyer, seconded by Mr. Dutton to approve and authorize Commission President J. P. Dutton to sign the Memorandum of Understanding, effective January 1, 2024 through December 31, 2024, by and between the Board of County Commissioners of Belmont County, Ohio and Candace Fleagane; Ms. Fleagane will assist County with providing for the care and control of cats by reimbursing the County for various expenses associated with the care and control of cats.

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding is entered into this 29th day of November, 2023, by and between the Board of County Commissioners of Belmont County, Ohio (“County”) and Candace Fleagane (“Fleagane”).

WHEREAS, County operates an Animal Shelter primarily for the care and control of dogs pursuant to the Ohio Revised Code; and  
WHEREAS, Fleagane is concerned with the care and control of cats and desires to assist County with providing for the care and control of cats by reimbursing the County for various expenses associated with the care and control of cats.

NOW THEREFORE, County and Fleagane agree as follows:

- (1) During the term of this agreement, County shall provide a room at the Animal Shelter to house cats that have been surrendered to the Shelter until such time as said cats may be adopted. It is anticipated that the room can accommodate up to 32 cats at any one time.
- (2) Fleagane agrees to assume the cost of providing initial care of cats surrendered to the Shelter so that the same may be adopted. These initial costs shall include routine spay and neutering, and any general health issues. Fleagane shall not assume the cost associated with treatment of any extraordinary injury or serious disease of any individual cat unless agreed to by Fleagane prior to treatment.
- (3) County shall provide spay and neutering services and initial care of the cats through the services of local veterinarians.
- (4) Within ten (10) days of the end of each calendar month, County shall submit to Fleagane the costs incurred by County for spaying, neutering, and providing general routine healthcare to the cats during the preceding calendar month and Fleagane shall pay said amount in full to County within 30 days of receiving the invoice for said costs.
- (5) Since Fleagane is subsidizing the cost of initial healthcare for the cats, the County agrees to reduce the adoption fee for said cats to \$50.00 to allow for more adoptions.
- (6) This Agreement may be terminated by either party upon ten (10) days’ notice to the other in writing.
- (7) This Memorandum of Understanding shall remain in effect through, and including, December 31, 2024 and shall terminate at that time unless renewed in writing by County and Fleagane.

11/29/23  
Date  
12/4/23  
Date  
Jacob Manning /s/  
Jacob Manning  
Belmont County Assistant Prosecutor

Board of County Commissioners of Belmont County:  
J. P. Dutton /s/  
J. P. Dutton, President  
Candace Fleagane /s/  
Candace Fleagane

Upon roll call the vote was as follows:

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

Mr. Dutton said this is the 6<sup>th</sup> or 7<sup>th</sup> year for this MOU. Ms. Fleagane has a non-profit organization, Cat Stray Shun, that has been involved in Belmont County Animal Shelter. There is a cat room at the Belmont County Animal Shelter, the population is usually around 30-35 cats. All of the expenses for the care of cats is covered by Cat Stray Shun. Mr. Dutton said by Ohio Revised Code counties are only required to be responsible for dogs, a lot of that is due to public safety. He added they had a meeting before this agreement was in place and met with all of the non-profits in Belmont County trying to find ways to work together and Cat Stray Shun was willing to take this project on.

**IN THE MATTER OF APPROVING THE RENEWAL OF THE ONE-YEAR LEASE AGREEMENT WITH THE BELMONT COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES FOR THE FOX-SHANNON LOCATION**

Motion made by Mr. Meyer, seconded by Mr. Dutton to approve and authorize Commission President J. P. Dutton to sign the renewal of the one-year lease agreement with the Belmont County Department of Job and Family Services for the Fox-Shannon location, effective January 1, 2024, in the amount of \$1,421.21.

**2024 LEASE AGREEMENT**

The Board of County Commissioners of Belmont County, Ohio the Lessor, in consideration of the rents and covenants stipulated to be paid and performed by the **Belmont County Department of Job & Family Services**, Lessee, leases to the Lessee, the following premises:  
Fourteen thousand two hundred twenty five (14,225) square feet of office space in the building known as the **310 Fox Shannon Place** and located at **310 Fox Shannon Place, St. Clairsville**, Ohio 43950.  
For the term of one (1) year commencing on January 1, 2024 at a total cost of \$1,421.21, payable in eleven (11) monthly installments of \$118.43 and one (1) monthly installment of \$118.48 on the first day of each month, in advance, all rent being payable at the office of the Lessor, Belmont County Courthouse, St. Clairsville, Ohio. Said amount is calculated from the original amortization schedule.

The Lessor and Lessee agree as follows:

- 1. That the Lessee will pay the rent at the time and place and in the manner specified above;
- 2. That the Lessee will occupy the premises in a safe and proper manner;
- 3. That the Lessee will not assign this lease, nor sublet the premises, without the written consent of Lessor;
- 4. That the Lessee will make no alterations or additions in the premises without the written consent of Lessor;
- 5. That the Lessee will permit the Lessor, or agents of the Lessor, to enter upon the premises, at all reasonable times, to examine the condition of the premises and to make repairs;
- 6. That the Lessee will surrender and deliver up the premises at the end of the term, in as good order and condition as the premises are at the time of occupancy, reasonable use or natural wear and tear and damage by fire or unavoidable casualty, expected;
- 7. That any failure of the Lessor to enforce rights or seek remedies upon any default of the Lessee with respect to the obligations of the Lessee shall not prejudice or affect rights or remedies of the Lessor in the event of any subsequent default of the Lessee.
- 8. Lessor shall be held harmless by Lessee from any liabilities for damages to any person or any property in or upon the premises and the adjoining side walk and parking spaces allocated to use of Lessee, including the person and property of Lessee, and its employees and all persons in the building at its or their invitation. All property kept, stored and maintained in the premises shall be so kept, stored or maintained at the risk of Lessee. Lessee shall not suffer or give cause for the filing of any liens against the premises.
- 9. Lessee shall provide its own telephone connections and services upon the approval of Lessor.
- 10. Lessee agrees to pay rent for capital cost purposes at the amounts designated in the forty (40) year amortization schedule on file with the Commissioners’ office. Property insurance on this facility is collected in the annual cost allocation plan as part of the Shared indirect cost amount. Other operating costs such as utilities, etc., are paid directly by Lessee.
- 11. This agreement may be terminated by either party with a sixty (60) day written notice by certified registered mail.
- 12. The Lessee shall be responsible for maintenance service repairs and janitorial service.
- 13. Lessor shall supply adequate parking spaces for use by Lessee’s employees and customers.
- 14. If the Lessee breaches any of its agreements, or vacates the premises during the term for the highest obtainable rent and may recover from the Lessee any deficiency between the amount obtained and the rent reserved.
- 15. If the premises, without any fault of the Lessee, are made unfit for occupancy by the elements, or other cause, the Lessee may surrender possession of the premises to the Lessor and terminate the lease.
- 16. All rights and remedies under this lease shall be cumulative and not exclusive of any rights and remedies available at law or in equity.
- 17. This lease and all its terms shall inure to the benefit of and be binding upon the legal successors in interest of Lessor and Lessee.

The Lessor and Lessee have signed on the 29th day of November, 2023, at St. Clairsville, Ohio.

J. P. Dutton /s/  
J. P. Dutton, President  
Belmont County Board of Commissioners

Lessor  
Jeffery Felton /s/  
Jeffery Felton, Director  
Belmont County Dept. of Job & Family Services  
Lessee  
Approved as to form:  
Jacob Manning /s/  
Jacob Manning  
Belmont County Assistant Prosecutor  
Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADOPTING RESOLUTION FOR THE  
ODOT 5% MATCHING GRANT APPLICATION FOR THE  
BELMONT COUNTY REGIONAL AIRPORT AUTHORITY**

Motion made by Mr. Meyer, seconded by Mr. Dutton to adopt the resolution authorizing Commission President J. P. Dutton to sign the ODOT 5% Matching Grant application and submit to ODOT for the Belmont County Regional Airport Authority.  
*Note: The grant funds of \$4,342.50 will be used in conjunction with Grant 3-39-0007-015-2023.*

**Resolution of the Belmont County Board of Commissioners**

The Belmont County Board of Commissioners met in regular session on the 29th day of November 2023 at the Belmont County Courthouse, St. Clairsville, Ohio with the following members present: Commissioner Dutton and Commissioner Meyer. Mr. Meyer moved and Mr. Dutton seconded the adoption of the following:

**Resolution**

WHEREAS, the Belmont County Board of Commissioners recently approved a FAA grant offer for AGIS Survey (Control, As-Built, Obstruction); and  
WHEREAS, the Ohio Department of Transportation has a 5% matching grant available; and  
WHEREAS, the Ohio Department of Transportation requires a resolution from the Board of Commissioners authorizing signing and submission of a grant application to ODOT for the 5% matching grant;  
NOW THEREFORE BE IT RESOLVED by the Belmont County Board of Commissioners, Belmont County, Ohio that:  
Board President J. P. Dutton is authorized to sign the ODOT matching grant application and submit it to ODOT with a copy of the executed FAA grant offer, and to sign the Grant Offer when it is received.  
BE IT FURTHER RESOLVED that the Clerk of the Belmont County Commissioners is hereby directed to prepare a copy of this resolution for attachment to the ODOT matching grant application.  
Upon roll call the vote was as follows:

Mr. Meyer	<u>Yes</u>	Mr. Dutton	<u>Yes</u>	Mr. Echemann	<u>Absent</u>
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Frank Shaffer, Pultney Township Trustee, commended the Commissioners on taking care of county buildings. Mr. Dutton said they have gotten behind, as a county, in terms of facilities and are now playing catch up. They are making a lot of progress. He said three buildings needed to be demolished. The former Hab Center was demolished earlier in the year at no expense to Belmont County. The second building being worked on now is the former County Home. The third building houses Belmont County Records, but as soon as the project is completed to move the records to another facility that building will be demolished. Mr. Dutton said two buildings were auctioned off in October that the county had no use for and didn’t want to have the upkeep. He noted they are hoping to secure some funding through the Land Bank to do some of the remediation work at the former jail.

**OPEN PUBLIC FORUM**-Sandy Lewis, Shadyside, said she is happy to see everyone working together to get the dogs adopted. She asked if the dogs left outside have straw when the weather is cold. Mr. Dutton said all of the dogs are kept in the shelter overnight. They may go outside some through the day. Mr. Meyer said he is thankful the adoptions are going on. He said over the last few weeks the shelter has taken a very bad rap in a lot of instances. A lot of things said have been unfounded or untrue about the dog warden and the staff. They are very diligent about doing their job. Mr. Meyer said they are not cruel to the animals and there is no death list. He said they have looked into the allegations. Mr. Meyer said the Commissioners have a lot of other things going on in the county. They have talked to other elected officials about the accusations and they are unfounded. Mr. Meyer said there were a few euthanizations, there are 100’s of dogs that go through the shelter every year that are either reclaimed by their owners, adopted out or go to other non-profits to try to get them adopted out. He said the staff goes above and beyond what they need to do to care for the animals. Some things have been said on Facebook about the dog warden and staff that was uncalled for. Saying the dogs were not marketed was false. Mr. Meyer said the euthanizations are done professionally by a veterinarian and they are not taken lightly. He said when the staff feels unsafe it’s a problem. Mr. Meyer said he appreciates all of the donations to the shelter. They have taken multiple hours out of the regular meetings to discuss, but also had a 2 ½ hour evening meeting. He doesn’t have a problem if someone disagrees with them, but there is a way to address it. Mr. Meyer said they support the shelter staff 100% and they are not getting fired unless they do something that is against the law. Vince Lewis asked if the volunteer program is back on track. Mr. Meyer said there are people that apply to just go out and nib so they have to cipher through the applications because people are not going out for the right intentions. Mr. Dutton said the volunteer program was paused in early June for a small period of time. Since then there have been volunteers. The volunteers are there to assist the staff towards the goals of the organizations. When that gets deviated from it becomes a function of whether or not that volunteer is still helpful to the organization. He added they are volunteers, not an employee so they are under a different classification.

**RECESS**

**10:01 Bid Opening-Engineer’s Project 23-17 BEL-CR42-1.41/1.47 (Fulton Hill Road) Slide Repair**  
Mr. Dutton noted all bids were received by 10:00 a.m.

County Engineer Terry Lively said there were two new slides that happened in 2022 on Fulton Road. He applied for emergency funding from OPWC and was awarded an 80/20 grant. The maximum grant amount is \$454,000.00. Mr. Dutton said the Engineer’s office has done a phenomenal job in bringing outside funding to the county.

**IN THE MATTER OF BID OPENING FOR ENGINEER’S  
PROJECT 23-17 BEL-CR42-1.41/1.47 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 23-17 BEL-CR42-1.41/1.47 Slide Repair; they proceeded to open the following bids:

NAME	BID BOND	BID AMOUNT
Goettle	X	\$938,040.00
2100 Corporate Drive, Suite 250 Wexford, PA 15090		
Ohio-West Virginia Excavating	X	\$453,191.00
PO Box 128		



**Powhatan Point, OH 43942**  
**Alan Stone Company, Inc.**  
**5519 Suite A, State Route 339**  
**Vincent, OH 45784**

X

**\$436,256.00**

Engineers Estimate: \$509,990.00

Present: Belmont County Engineer Terry Lively

Motion made by Mr. Dutton, seconded by Mr. Meyer to turn over all bids received for the Belmont County Engineer's **Project 23-17 BEL-CR42-1.41/1.47 Slide Repair** to Belmont County Engineer Terry Lively for review and recommendation.

Upon roll call the vote was as follows:

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

**RECESS**

**IN THE MATTER OF ENTERING EXECUTIVE SESSION AT 10:27 A.M.**

Motion made by Mr. Dutton, 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, compensation and discipline of public employees.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADJOURNING EXECUTIVE SESSION AT 11:28 A.M.**

Motion made by Mr. Dutton, seconded by Mr. Meyer to exit executive session at 11:28 a.m.

Upon roll call the vote was as follows:

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

Mr. Dutton said there is are two motions to be considered at this time as a result of executive session.

**IN THE MATTER OF APPROVING THE PROMOTION OF BRANDON ERNEST FROM  
FULL-TIME COOK TO FULL-TIME NUTRITION LEAD**

Motion made by Mr. Dutton, seconded by Mr. Meyer to approve the promotion of Brandon Ernest from full-time Cook to full-time Nutrition Lead, effective November 27, 2023.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ACCEPTING RESIGNATION OF**  
**ROBERT AMABILE, FULL-TIME KENNEL STAFF**

Motion made by Mr. Dutton, seconded by Mr. Meyer to accept the resignation of Robert Amabile, full-time Kennel Staff at the Belmont County Animal Shelter, effective December 5, 2023.

Upon roll call the vote was as follows:

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

## RECESS

**Reconvened at 12:36 p.m. with no further business to be had.**

**IN THE MATTER OF ADJOURNING**  
**COMMISSIONERS MEETING AT 12:36 P.M.**

Motion made by Mr. Dutton, seconded by Mr. Meyer to adjourn the meeting at 12:36 p.m.  
Upon roll call the vote was as follows:

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

Read, approved and signed this 6th day of December, 2023.

J. P. Dutton /s/

Josh Meyer /s/ COUNTY COMMISSIONERS

Commissioner Jerry Echemann – Absent

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