

The Board of Commissioners of Belmont County, Ohio, met this day in regular session. Present: Ryan E. Olexo, Charles R. Probst and Mark A. Thomas, Commissioners and Darlene Pempek, Clerk of the Board. Minutes of the meeting of September 12, 2001, were read, approved and signed.

**MEETINGS ARE NOW BEING RECORDED**  
**ALL DISCUSSIONS ARE SUMMARIZED, FOR COMPLETE PROCEEDINGS**  
**PLEASE SEE CORRESPONDING TAPE FOR THIS MEETING DAY.**

**IN THE MATTERS OF DISCUSSION HELD**  
**RE: RECENT ATTACK ON AMERICA**

Commissioner Olexo stated, "In the wake of Tuesday's tragedy, we would like to take this opportunity to have a moment of Prayer." Many courthouse employees were in attendance. Mr. Ed Polli led the audience in prayer. Commissioner Olexo then stated, " September 18, 2001 has been designated as Ohio County Support Day. Belmont County will be holding a candlelight vigil on Tuesday evening." Commissioner Olexo continued that a press release would be forthcoming, and thanked all those in attendance for their support. The First Presbyterian Church will be holding a special service tonight and will be ringing their bell at the conclusion of their meeting, Mr. Price would like for the County Bell to ring as well. Mr. Price was in attendance to ask the Commissioners if a representative of the County could ring the bell in front of the courthouse at 8:00 P.M. in recognition of the recent attack.

Prayer by Ed Polli, as delivered to those in attendance at the Belmont County Commissioners Meeting, Wednesday, September 12, 2001.

Dear Heavenly Father,

Our Country faces some very difficult times and in our need, we turn to you because you are the source of all Love, Goodness, Hope and Strength.

We ask you to bless our nation's leaders with wisdom to do what is right as they try to bring an end to this terrible tragedy. Guide them in the right way to find solutions to prevent this from happening again.

We ask you to bless those in our armed forces, and those involved in recovery and rescue operations.

We ask you too, to grant eternal rest to those who have lost their lives, and give strength and comfort to their loved ones.

The mother of your son, Jesus, under the title of the immaculate conception, is the patroness of our country, ask her too, to watch over our beloved land so that we may always remain free, strong and at peace.

We ask this an all things through Jesus Christ our Lord,

Amen

**IN THE MATTER OF THE ALLOWANCE OF BILLS**  
**AS CERTIFIED IN THE AUDITOR'S OFFICE.**

**"BILLS ALLOWED"**

The following bills having been certified in the Auditor's office, on motion by Mr. Olexo, seconded by Mr. Thomas all members present voting YES, each bill was considered and it is hereby ordered that the County Auditor issue his warrant on the County Treasurer in payment of bills allowed.

Claim of	Purposes	Amount
Marathon Oil Company	Gasoline/Cruisers-General	1,274.77
Xerox Corporation	Meter usage-General	17.42
Citgo Petroleum Corporation	Gasoline/Cruisers-General	535.15
Ohio Assoc. of Probate Judges	Registration/Crt Investigators Course-Gen	135.00
Manatron	Monthly contrct serv/Auditors-Gen	10,471.93
Ameritech	Probation Dept/Phone Bill-General	91.60
Teeters Consulting & Research	3 <sup>rd</sup> Qtr Pmt for services/Auditor-Gen	875.00
Manatron Inc.	Monthly contract serv/Auditor-General	5,940.18
Belmont Veterinary Service	Medical service-Dog & Kennel	178.00
Carr Concrete	Bridge beams-Engineer's MVGT	15,225.00
C&C Electric Company	Lloydsville Garage-Eng Bldg Constrct	23,629.50
Davison Electric Co. Inc.	Neffs Garage Site-Eng Bldg Constrct	1,800.00
Power City Plumbing	Lloydsville Garage Site-Eng Bldg Const	7,920.00
Allstate Construction Co.	Neffs Garage Site-Eng Bldg Constrction	57,150.00
Bedway Development Inc.	Lloydsville Garage Site-Eng Bldg Const	83,372.58

Claim of	Purpose	Amount
Cusip Service Bureau	Bond Anticipation Notes-Eng Bldg Const	42.14
Bedway Development, Inc.	Tacoma Garage site-Eng Bldg Construct	82,327.50
Davison Electric Co., Inc.	Tacoma Garage site-Eng Bldg Construct	2,700.00
First USA Bank, NA	Supplies-Bel Harr Juv Group Group Home	34.00
MCI	Service/E Gorence-Common Pleas Grant	12.19
Marathon Oil Company	Gasoline/E Gorence-Common Pleas Grant	46.00
Maximus	Install,setup, etc/3 Processors-Eastern	1,876.03
Erb Electric	Install phone system-Eastern Court	4,458.00
Belmont County Committee On Aging	April operating exp-In Home Care Levy	61,360.35

**IN THE MATTER OF APPROVING**  
**RECAPITULATION OF VOUCHERS**  
**FOR THE VARIOUS FUNDS**

Motion made by Mr. Thomas, seconded by Mr. Olexo to approve the Recapitulation of Vouchers for the various funds dated for September 14, 2001 as follow:

FUND	AMOUNT
General	\$23,544.89
General/Sheriff's	\$14,720.73
General/Disaster Services	\$184.02
Dog & Kennel	\$622.35
Belmont County 9-1-1	\$65.00, \$2,691.14
BCDJFS/PA	\$12,814.20, \$23,820.00
BCDJFS/PA	\$123,187.87
BCDJFS/Children Services	\$8,649.00
County Home	\$33,729.59
Engineer's MVGT	\$39,627.02, \$420.34
Disaster Services LEPC	240.00
Sargus Center	\$5,526.34
Group Homes	\$3,335.10
Western Division Court	\$200.00

Upon roll call the vote was as follows:

Mr. Thomas	Yes
Mr. Olexo	Yes
Mr. Probst	Yes

**IN THE MATTER OF TRANSFER**  
**OF FUNDS WITHIN THE GENERAL FUND**

Motion made by Mr. Thomas, seconded by Mr. Olexo to make the following transfer of funds within the Belmont County General Fund.

FROM	TO	AMOUNT
A201-C09 Workers Comp	A002-A06 Transcripts	\$ 999.73
A102-A08 Workers Comp	A002-A06 Transcripts	68.19
A202-F12 Workers Comp	A002-A06 Transcripts	1,034.77
A203-A09 Workers Comp	A002-A06 Transcripts	444.84
A212-A08 Workers Comp	A002-A06 Transcripts	628.05
A213-A04 Workers Comp	A002-A06 Transcripts	601.62
A006-H05 Ambulance Contract	A002-A06 Transcripts	1,500.00
A115-A15 Advances Out	A002-A06 Transcripts	1,412.00
A008-D03 Crippled Children Aid	A002-A06 Transcripts	2,100.00
A008-D03 Crippled Children Aid	A015-A14 Attorney Fees	\$ 5,000.00

Upon roll call the vote was as follows:

Mr. Thomas	Yes
Mr. Olexo	Yes
Mr. Probst	Yes

**IN THE MATTER OF TRANSFER**  
**OF FUNDS WITHIN THE DOG KENNEL FUND**

Motion made by Mr. Olexo, seconded by Mr. Thomas to make the following transfer of funds within the Belmont County Dog Kennel Fund.

FROM	TO	AMOUNT
B000-B11 Other Expenses	B100-B07 Medical	\$1,000.00
B000-B11 Other Expenses	B000-B10 Medicare	181.69

Upon roll call the vote was as follows:

Mr. Olexo	Yes
Mr. Thomas	Yes
Mr. Probst	Yes

**IN THE MATTER OF TRANSFER**  
**WITHIN FUND FOR THE BELMONT COUNTY DEPARTMENT**  
**OF JOB AND FAMILY SERVICES/PA FUND**

Motion made by Mr. Olexo, seconded by Mr. Probst to approve the following transfer within fund for the BCDJFS/PA H000 Fund.

FROM	TO	AMOUNT
H000-H04 Contracts	H000-H07 Purchase of Services	\$20,000.00

Upon roll call the vote was as follows:

Mr. Olexo	Yes
Mr. Probst	Yes
Mr. Thomas	Yes

**IN THE MATTER OF MEDICARE\**  
**SOCIAL SECURITY CHARGEBACKS**  
**FOR JULY AND AUGUST 2001**

Motion made by Mr. Olexo, seconded by Mr. Thomas to make the following transfer of funds for Medicare and Social Security Chargebacks for the months of July and August, 2001.

From M055-M11 CCap Donated	to Y091-Y02	109.92
From M060-M27 Care/Custody	to Y091-Y02	158.40
From M060-M63 C/C Restitution	to Y091-Y02	57.89
From M060-M73 C/C Drug Court	to Y091-Y02	7.61
From M056-M02 SPIRIT Program	to Y091-Y02	8.18
From M061-M03 CCap Stress	to Y091-Y02	0.00
From M062-M04 Intake Coord.	to Y091-Y02	70.25
From M064-M04 Placement	to Y091-Y02	78.57
From M067-M04 Alt School	to Y091-Y02	311.26
From M068-M04 Drug Crt II	to Y091-Y02	23.98
From M069-M04 Drug Crt III	to Y091-Y02	35.97
From M070-M06 Tutoring	to Y091-Y02	29.51
From S031-G16 Group Home	to Y091-Y02	485.58
From S138-R47 Restitution	to Y091-Y02	0.00
From S139-V47 O.V. Recycling	to Y091-Y02	0.00
From S032-S04 Status Offenders	to Y091-Y02	0.00
From H150-H12 Litter Control	to Y091-Y02	125.82
From S133-S48 Dist.Det.Home	to Y091-Y02	1,538.09
From S035-S05 PRC Grant	to Y091-Y02	132.97
From S078-S12 County Recorder	to Y091-Y02	119.61
From J000-J08 Real Est.Assess.	to Y091-Y02	239.65
From W082-T08 DRETAC/Treas.	to Y091-Y02	0.00
From W080-P08 Pros./Victim Asst.	to Y091-Y02	120.40
From W081-P08 Pros.DRETAC	to Y091-Y02	14.50
From S076-S04 Halfway House	to Y091-Y02	60.35
From S094-S02 Co. Ct. Probation	to Y091-Y02	10.45
From S077-S02 Corrections Act	to Y091-Y02	111.97
From B000-B10 Dog & Kennel	to Y091-Y02	192.66
From P090-P03 LEPC	to Y091-Y02	2.90
From P092-P05 Co Emergency	to P092-P05	9.28
From L101-L12 Soil Conservation	to Y091-Y02	271.37
From G050-G02 Lodging Tax	to Y091-Y02	14.50
From H530-H14 County Home	to Y091-Y02	5,004.44
From E301-E12 County Health	to Y091-Y02	546.35
From E101-E12 County Health	to Y091-Y02	0.00
From P071-P05 Lice	to Y091-Y02	9.00
T076-T02 Child Safety	to Y091-Y02	22.00
From T077-T01 IAP	to Y091-Y02	24.00
From T078-T01 Rabies	to Y091-Y02	20.00
From T079-T01 Welcome Home	to Y091-Y02	24.00
From S149-S63 Mental Health	to Y091-Y02	453.09
From S266-S79 Mental Retardation	to Y091-Y02	6,381.35
From H200-H13 Human Services	to Y091-Y02	9,537.51

From H200-H13 WIA/PA	to Y091-Y02	86.38
From H210-H08 CSEA	to Y091-Y02	1,061.81
From K100-K10 MVGT K-2	to Y091-Y02	397.13
From K100-K24 MVGT K-11	to Y091-Y02	2,082.15
From K100-K37 MVGT K-25	to Y091-Y02	740.30
From Y090-Y18 Water/Sewer	to Y091-Y02	1,299.50
From Y075-T02 WIC	to Y091-Y02	451.54
From T075-T52 WIC	to Y091-Y02	0.00
From S079-S08 Clerk of Crts.Title	to Y091-Y02	170.98
From S430-S66 Oakview Juvenile	to Y091-Y02	897.93
From S430-S16 Oakview Juvenile	to Y091-Y02	0.00
From S028-S55 Aftercare	to Y091-Y02	250.50
From S084-S13 Eastern Comp.	to Y091-Y02	41.47
From S082-S13 Western Comp.	to Y091-Y02	92.57
From S088-S05 Western-Special	to Y091-Y02	0.00
From S083-S13 Northern Comp.	to Y091-Y02	37.84

Upon roll call the vote was as follows:

Mr. Probst	Yes
Mr. Olexo	Yes
Mr. Thomas	Yes

**IN THE MATTER OF TRANSFERS**  
**WITHIN FUND FOR THE NORTHERN DIVISION**  
**COURT COMPUTER FUND S83**

Motion made by Mr. Olexo, seconded by Mr. Probst to approve the following transfer within fund for the Northern Division Court Computer Fund.

FROM	TO	AMOUNT
S083-S06 Computer Software/Northern	S083-S14 Hospitalization	\$743.43

Upon roll call the vote was as follows:

Mr. Olexo	Yes
Mr. Probst	Yes
Mr. Thomas	Yes

**IN THE MATTER OF TRANSFERS**  
**WITHIN FUND FOR THE NORTHERN DIVISION**  
**COURT GENERAL SPECIAL PROJECTS FUND S86**

Motion made by Mr. Olexo, seconded by Mr. Probst to approve the following transfer within fund for the Northern Division Court Special Projects Fund.

FROM	TO	AMOUNT
S086-S07 Equipment	S086-S06 Supplies	\$465.00

Upon roll call the vote was as follows:

Mr. Olexo	Yes
Mr. Probst	Yes
Mr. Thomas	Yes

**IN THE MATTER OF REQUESTING**  
**CERTIFICATION OF MONIES**

Motion made by Mr. Olexo, seconded by Mr. Probst to request the following monies be certified.

September 14, 2001

Budget Commission  
Belmont County Courthouse  
St. Clairsville, Ohio 43950

RE: Certification of monies/CDBG Fund

Dear Sirs:

Requesting certification of monies for the Commissioners CDBG Fund as follows:  
\$18,986.00 paid into T011-T01 on September 4, 2001 Grant B-F-00-007-1

Thank you for your consideration.

Very truly yours,  
Belmont County Commissioners  
Ryan E. Olexo /s/  
Mark A. Thomas /s/  
Charles R. Probst, Jr. /s/

Upon roll call the vote was as follows:

Mr. Olexo	Yes
Mr. Probst	Yes

**IN THE MATTER OF A RESOLUTION**  
**SUPPORTING RELIEF EFFORTS**

**RESOLUTION**

Motion made by Commissioner Thomas and seconded by Commissioner Probst to adopt the following Resolution:

WHEREAS, on September 11, 2001, the United States of America was suddenly and brutally attacked by terrorists in New York City, Washington, D. C., and Somerset County, PA;

WHEREAS, thousands of innocent American people were killed and injured as a result of these cowardly, terrorist attacks;

WHEREAS, America has been blessed as a great nation with people from many nations and religions that are proud to be united as one nation, indivisible, under God;

WHEREAS, the spirit of the American people cannot be suppressed or divided by terrorist acts,

WHEREAS, in support of public pride and unity, the Belmont County Commissioners declare September 18, 2001 as Ohio County Government National Support Day;

WHEREAS, the Belmont County Commissioners are eternally grateful for the faithful efforts of rescue workers, some who gave their lives, to save and protect fellow Americans;

THEREFORE BE IT RESOLVED, that the Belmont County Commissioners support and entrust President George W. Bush, the Members of Congress, the National Security Council, and the Armed Services to defend our liberties and protect the United States of America around the world against additional attacks, find the perpetrators, and bring them to justice, and;

BE IT STILL FURTHER RESOLVED, that the Belmont County Commissioners recommend that the citizens of Belmont County support relief efforts by coordinating a moment of silence in honor of these disaster victims.

The roll being called upon its adoption the vote resulted as follows:

Mr. Thomas	Yes
Mr. Probst	Yes
Mr. Olexo	Yes

**IN THE MATTER OF APPROVING PRELIMINARY**  
**PLAT OF BAILEY DRIVE EXTENSION**  
**WARREN TOWNSHIP**

**"Hearing Had-9:30 A.M."**

"Preliminary Plat Approved"

Mr. Olexo moved the adoption of the following:

**RESOLUTION**

WHEREAS, this day there was presented to the Board for approval preliminary plat of Bailey Drive Extension, Warren Township Sec 9, Twp 8, Rg 6 , which appears to be regular in form and approved by the proper parties:

THEREFORE, said plat is hereby approved, upon recommendation of the County Engineer and the County Health Department,

Mr. Probst seconded the motion and upon roll call the vote was as follows:

Mr. Olexo	<u>Yes</u>
Mr. Probst	<u>Yes</u>
Mr. Thomas	<u>Yes</u>

**IN THE MATTER OF APPROVING FINAL**  
**PLAT OF BAILEY DRIVE EXTENSION**  
**WARREN TOWNSHIP**

"Final Plat Approved"

Mr. Probst moved the adoption of the following:

**RESOLUTION**

WHEREAS, this day there was presented to the Board for approval final Plat of Bailey Drive Extension, Warren Township Sec 9, Twp 8, Rg 6 which appears to be regular in form and approved by the proper parties;

THEREFORE, said plat is hereby approved, upon recommendation of the County Engineer and with concurrence of the Township Trustees.

Mr. Probst seconded the motion and upon roll call the vote was as follows:

Mr. Olexo	<u>Yes</u>
Mr. Probst	<u>Yes</u>
Mr. Thomas	<u>Yes</u>

**UNDER DISCUSSION**

Ruth Graham, County Engineer Department, stated that this plat would straighten out Township Road 184 in the Tacoma area, taking some bends out of the road. Ms. Graham described in detail the actual section on the map. She stated, "This is the purpose of the subdivision, there have been no complaints received and this meets with everyone's approval."

**IN THE MATTER OF SUBDIVISION**  
**HEARING FOR SPACEVIEW RIDGE 11<sup>TH</sup> ALLOTMENT,**  
**RICHLAND TOWNSHIP**

Hearing scheduled for 9:30 A.M. cancelled due to the fact the developer, Calvin Pollock, lost his buyer for one lot.

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

Motion made by Mr. Olexo, seconded by Mr. Probst to approve the minutes of the regular Board meeting of August 10, 2001.

Upon roll call the vote was as follows:

Mr. Olexo	Yes
Mr. Probst	Yes
Mr. Thomas	Yes

**IN THE MATTER OF ENTERING**  
**EXECUTIVE SESSION WITH CLERK AT 9:52 A.M.**

Motion made by Mr. Olexo, seconded by Mr. Thomas to enter executive session with Clerk Darlene Pempek at 9:52 A.M. to discuss compensation of public employees upon adoption of the following:

**RESOLUTION OF THE BELMONT COUNTY**  
**BOARD OF COUNTY COMMISSIONERS**

**WHEREAS**, the Board of Belmont County Commissioners are permitted to meet in executive session in order to consider those matters specifically authorized by R.C. 121.22 (G) (1); and

**WHEREAS**, a majority of a quorum of the Board of Belmont County Commissioners has determined, by roll call vote, to hold an executive session to consider **compensation of a public employee**;

**WHEREFORE, BE IT RESOLVED THAT:** the Board of Belmont County Commissioners shall hold an executive session to consider **compensation of a public employee**;

**WHEREFORE, BE IT FURTHER RESOLVED THAT:** the Board of Belmont County Commissioners shall only adopt a resolution, resolution or formal action regarding the matters considered in executive session at an open meeting of the Board.

ROLL CALL on the adoption of the Resolution resulted as follows:

Mr. Olexo	Yes
Mr. Thomas	Yes
Mr. Probst	Yes

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

Motion made by Mr. Olexo, seconded by Mr. Thomas to adjourn executive session with Clerk Darlene Pempek at 10:?? A.M. to discuss compensation of public employees.

Upon roll call the vote was as follows:

Mr. Olexo	Yes
Mr. Thomas	Yes
Mr. Probst	Yes

**IN THE MATTER OF DISCUSSION HELD**

**RE: ACTION TAKEN**

Commissioner Olexo stated that the Board had recently passed a motion on September 5, 2001 to increase wages by fifty cents for Park Health employees, this action being retroactive to January of 2001. He continued, "We have decided to amend that motion to state this is for current employees only."

**IN THE MATTER OF AMENDMENT**

**TO MOTION OF SEPTEMBER 5, 2001**

**RE: PARK HEALTH CENTER WAGE INCREASES**

The following motion was made on September 5, 2001.

Motion made by Mr. Thomas, seconded by Mr. Olexo to:

Increase the wages of all non-union employees of Park Health Center by four percent (4%) retroactive to January 2001. In addition to the four percent (4%) increase, four administrative nurses will receive a two percent (2%) increase retroactive to January 2000. Raises would exclude the Park Health Center Administrator and Director of Nursing.

Upon roll call the vote was as follows:

Mr. Thomas            Yes

Mr. Olexo            Yes

**Motion made by Mr. Olexo, seconded by Mr. Thomas to amend the foregoing motion to read "increase the wages of all CURRENT non-union employees of Park Health Center..."**

FOR THE RECORD: A question was raised concerning the motion made on September 5, 2001 regarding a 4% wage increase for all Park Health Center non-bargaining union employees. The intent was for the motion to include all "CURRENT" non-union employees of Park Health Center.

RECESS UNTIL 11:00 A.M.

**IN THE MATTER OF BID OPENING**

**FOR STATE ROUTES 149 & 40 FORCE MAINS PROJECT/  
SANITARY SEWER DISTRICT**

**BID OPENING**

This being the day and 11:00 A.M. being the hour that bids were to be on file in the Commissioners Office for the State Routes 149 & 40 Force Mains Project for the Sanitary Sewer District, they proceeded to open the following bids:

	Contract No. 3 FORCE MAIN	Contract No. 4 LIFT STATIONS	Contract No. 5 ELECTRICAL	Bid Bond
Holley Brothers Const. Co. Gallopolis, Ohio	\$1,108,197.50	648,000.00		X
James White Const. Co. Weirton, WV	1,397,505.50	639,000.00		X
Seneca Valley Inc. Caldwell, OH	992,525.70			X
Stonegate Const. Inc. Belpre, Ohio	1,630,818.50			X
ELECTRICAL ONLY Davison Electric Co. Martins Ferry, Ohio			\$282,900.00	X
Erb Electric, Inc. Bridgeport, Ohio			306,347.00	X

Present for the bid opening were Michael Gianni, James White Construction Co.; Glenn Kessering, Davison Electric; Charles McFadden, Erb Electric; Kaven Hiehle, Stonegate Construction; Chris Hively, Holley Bros. Construction; John Christopher, Director of BCSSD, Tom Gentile, Ohio River Collieries; Dave Grum, Project Consultant; Jeff Vaughn, Engineer, Vaughn, Coast & Vaughn, Inc.; Joselyn King, Intelligencer and Jeremy Midei, Times Leader.

Motion made by Mr. Olexo, seconded by Mr. Thomas to turn bids over to Jeff Vaughn, Vaughn, Coast & Vaughn, Inc. for review and recommendation.

Upon roll call the vote was as follows:

Mr. Olexo            Yes

Mr. Thomas        Yes

Mr. Probst          Yes

**IN THE MATTER OF LETTER**  
**RE: COMMITTEE ON AGING CONTRACT STIPULATIONS**

As per the motion made on August 29, 2001, the following letter was sent to Bob Laxton, Director, Belmont County Committee on Aging:

September 14, 2001

Mr. Bob Laxton  
Director, Belmont County Committee on Aging  
P.O. Box 155  
St. Clairsville, Ohio 43950

Dear Mr. Laxton:

The Belmont County Commissioners adopted a Resolution at the August 29, 2001 board meeting directing you to abide by the current contract dated October 14, 1998.

The Board is requesting you submit the required information as detailed in the contract language:

**1. In accordance with *Section 4 Eligibility Process:***

Eligibility intake information on a prescribed form submitted to the Board for approval and the subsequent results

**2. In accordance with *Section 5 Contribution and Fee Policies:***

A contribution policy and fee schedule submitted for the review and approval of the Commissioners

**3. In accordance with *Section 6 Hearings and Appeals:***

Notification to the Board of any hearings and/or appeals

**4. In accordance with *Section 9 Projection of Expenditures:***

Projection of annual expenditures submitted to the Board

**5. In accordance with *Section 10, Monthly Expenditures and Reimbursements:***

Submit expenditures on a monthly basis for approval  
Prior approval for all expenditures in an amount greater than \$10,000.00  
Travel expenditures submitted for prior approval  
Adhere to the bidding policy of Belmont County  
Submit annual inventory of items  
Submit written quarterly report to the Board

**6. In accordance with *Section 11, Reporting:***

Submit quarterly reports on a prescribed form as specified in the contract

The Board looks forward to an amicable resolution to the current situation. Our intent is to have both parties abide by the contract language in order to continue our combined efforts to serve our elderly.

Thank you for your anticipated cooperation.

Sincerely,  
BELMONT COUNTY COMMISSIONERS

\_\_\_\_\_  
Ryan E. Olexo, President

\_\_\_\_\_  
Mark A. Thomas, Vice President

\_\_\_\_\_  
Charles R. Probst, Jr.

REO/MAT/CRP/dp

**IN THE MATTER OF AWARDING**  
**BID FOR RESURFACING VARIOUS**  
**VARIOUS PULTNEY TOWNSHIP ROADS/CDBG PROJECT**

Motion made by Mr. Olexo, seconded by Mr. Probst to award the bid for the following Community Development Block Grant resurfacing project for various Pultney Township roads to Lash Excavating & Paving Co. in the amount of \$49,361.00 based upon the recommendation of A.C. Wiethe, Bel-O-Mar Regional Council, as follows:

**NOTICE OF AWARD**

To: Lash Excavating & Paving  
P.O. Box 296  
Colerain, OH 43916

PROJECT Description: Furnish all service, labor, material and equipment necessary to resurface various Pultney Township roads

The OWNER has considered the BID submitted by you on August 31, 2001, (BID Date) for the above described WORK in response to its Advertisement for BIDS and Information for BIDDERS.

You are hereby notified that your BID has been accepted for items in the amount of \$49,361.00.

You are required by the Information for BIDDERS to execute the Agreement and furnish the required CONTRACTOR'S Contract BOND if applicable, and Certificates of Insurance within 10 calendar days from the date of this notice to you.

If you fail to execute said Agreement and to furnish said BOND within 10 days from the date of this notice, said OWNER will be entitled to consider all of your rights arising out of the OWNER'S acceptance of your BID as abandoned and as a forfeiture of your BID guaranty subject to the liabilities set forth in Section 153.54 of the Ohio Revised Code. The OWNER will be entitled to such other rights as may be granted by law.

You are required to return an acknowledged copy of this NOTICE OF AWARD to the OWNER.

Dated this 7th day of September, 2001.

Belmont County Commissioners  
Owner  
By: Ryan E. Olexo /s/  
Name: Ryan E. Olexo  
Title: President

ACCEPTANCE OF NOTICE

Receipt of the above NOTICE OF AWARD is hereby acknowledged by Lash Excavating & Paving on this 7th day of September, 2001.

By: Wilson Adams /s/

Name and Title: Wilson Adams

cc: CONTRACTOR'S Surety  
Surety's Agent

**CONTRACT**

This AGREEMENT made this 7th day of September, 2001 by and between Lash Excavating and Paving hereinafter called the "Contractor" and Belmont County Commissioners hereinafter called the "Owner".

WITNESSETH, that the Contractor and the owner for the considerations stated herein mutually agree as follows:

ARTICLE 1. Statement of Work

The Contractor shall furnish all supervision, technical personnel, labor, materials, machinery, tools, equipment and services including utility and transportation services, and perform and complete all work required for the construction of the improvements embraced in the project; namely, Pulney Township Street Improvement Project, and required supplemental work for the project all in strict accordance with the Contract Documents including all addenda thereto, numbered \_\_\_\_\_, dated \_\_\_\_\_, and \_\_\_\_\_ dated \_\_\_\_\_ all as prepared by Village of Bridgeport acting and in these Contract documents preparation, referred to as the "Engineer".

ARTICLE 2. The Contract Price

The Owner will pay the Contractor for the total quantities of work performed at the unit prices stipulated in the Bid for the respective items of work completed for the sum not to exceed Forty Nine Thousand Three Hundred Sixty One and 00/100 (Dollars) subject to additions and deductions as provided in Section 109 hereof.

\*see attached

Article 3. Contract

The executed contract documents shall consist of the following:

- a. This Agreement
- b. Addenda
- c. Invitation for Bids
- d. instructions to Bidders
- e. Signed copy of Bid
- f. General Conditions, Part I and II
- g. Special Conditions
- h. Technical Specifications
- i. Drawings (as listed in the Schedule of Drawings)

This Agreement, together with other documents enumerated in this Article 3, which said other documents are as fully a part of the Contract as if hereto attached or herein repeated, forms the Contract between the parties hereto. In the event that any provision in any component part of this Contract conflicts with any provision of any other component part, the provision of the component part first enumerated in this ARTICLE 3 shall govern, except as otherwise specifically stated.

IN WITNESS WHEREOF, the parties hereto have caused this AGREEMENT to be executed in Two original copies on the day and year first above written.

CONTRACTOR  
Lash Excavating & Paving  
Wilson Adams /s/  
Signature

Wilson Adams  
Typed/printed name

\_\_\_\_\_  
Title

OWNER: Belmont County Commissioners  
Ryan E. Olexo /s/  
Signature

Ryan E. Olexo  
Typed/printed name

President  
Title

**NOTICE TO PROCEED**

To: Lash Excavating & Paving  
P.O. Box 296  
Colerain, OH 43916

PROJECT Description: Furnish all service, labor, material and equipment necessary to resurface various Pultney Township roads

You are hereby notified to commence WORK in accordance with the Agreement Dated September 7th, 2001, on or before September 18, 2001, and you are to complete the WORK within 30 consecutive calendar days thereafter. The date of completion of all WORK is therefore October 17, 2001.

Belmont County Commissioners  
Owner  
By: Ryan E. Olexo /s/  
Name: Ryan E. Olexo  
Title: President

ACCEPTANCE OF NOTICE

Receipt of the above NOTICE TO PROCEED is hereby acknowledged by Lash Excavating & Paving on this 7th day of September, 2001.

By: Wilson Adams /s/  
Name: Wilson Adams  
Title:

RECESS UNTIL AFTER LUNCH

**IN THE MATTER OF ADJOURNING COMMISSIONERS**  
**MEETING AT 2:25 P.M.**

Motion made by Mr. Thomas, seconded by Mr. Probst to adjourn the meeting at 2:25 P.M.

Upon roll call the vote was as follows:

Mr. Thomas	Yes
Mr. Probst	Yes
Mr. Olexo	Absent

Read, approved and signed this 19th day of September A.D., 2001.

\_\_\_\_\_

\_\_\_\_\_ COUNTY COMMISSIONERS

\_\_\_\_\_

We, Ryan E. Olexo and Darlene Pempek, 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.

\_\_\_\_\_ PRESIDENT

\_\_\_\_\_ CLERK

