

St. Clairsville, Ohio

April 4, 2012

The Board of Commissioners of Belmont County, Ohio, met this day in regular session. Present: Ginny Favede, Matt Coffland and Charles R. Probst, Jr., Commissioners and Jayne Long, 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 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. Probst, seconded by Mr. Coffland, 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.

<u>Claim of</u>	<u>Purposes</u>	<u>Amount</u>
A-Cardmember Services	Travel expenses-Ginny Favede/General Fund	38.69
A-Cardmember Services	Travel expenses-Chuck Probst/General Fund	923.05
A-Cardmember Services	Travel expenses-Cindi Henry/General Fund	747.95
A-Cardmember Services	Travel expenses-Matt Coffland/General Fund	222.02
A-Draft-Co, Inc.	Web Hosting-GIS Projects/General Fund	500.00
A-Matt Coffland	Travel expenses/General Fund	584.10
A-Michael W. Kinter	Reimburse travel expenses/General Fund	121.50
K-Donald Pickenpaugh	Reimburse mileage/Engineer MVGT	361.80
K-Transystems Corp.	Stone Arch Bridges/Engineer MVGT Fund	3,961.21
N-Lash Paving, Inc.	Asphalt/Bridge & Retaining Wall Constr. Improv. Fund	2,904.44
P-Borden Office Equipment	Supplies/BCSSD Funds	975.92
P-Postmaster	Supplies/BCSSD Funds	900.00
P-Renee' Wilson	Reimburse travel expenses/BCSSD Funds	148.50
P-Water Bond Retirement Fund	Transfer out/WWS#3 Revenue Fund	432.92
S-City of Martins Ferry	Receipts from Sale of property/Port Authority Fund	450,000.00
S-Courtview	Courtview access license/Probate Court Computer Fund	7,821.50
S-H.E. Neumann Co.	Boiler Repairs at South School/Belmont Co. Senior Program Fund	4,121.04
S-Sam's Club/GECRB	Food/Oakview Juvenile Residential Center Fund	385.07
S-Staples	Supplies/Certificate of Title Adm Fund	103.84
S-TSG	Backup vaulting/Northern Div. Ct. Computer Fund	124.78
W-Matthew Bender & Co.	Books/Law Library Fund	811.08
W-West	Information Charges/Law Library Fund	530.96

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

Motion made by Mr. Probst, seconded by Mr. Coffland to approve the Recapitulation of Vouchers dated for April 4, 2012 as follow:

FUND	AMOUNT
A-GENERAL	\$3,219.54; \$24,521.55; \$470.88
A-GENERAL/EMA	\$2,539.28
A-GENERAL/JUVENILE COURT	\$1,175.28
A-GENERAL/CLERK OF COURTS	\$201.80; \$1,000.00
A-GENERAL/SHERIFF	\$2,996.18
A-GENERAL/911	\$24,005.16
B-Dog Kennel	\$970.67
E-911	\$822.32
H-Job & Family, CSEA	\$2,393.30
H-Job & Family, Public Assistance	\$350.88; \$92,729.69; \$506.32
H-Job & Family, WIA	\$49,722.00; \$4,065.95
J-Real Estate Assessment	\$40,840.64
K-Engineer MVGT	\$21,925.22; \$1,406.72
M-Juvenile Ct. – Title IV-E Reimb.	\$24,470.88
P-Oakview Bldg.	\$1,682.70
P-Sanitary Sewer District	\$1,794.40; \$2,806.77; \$5,362.81; \$903.67
S-Clerk of Courts Computer Fund	\$14,340.00
s-District Detention Home	\$5,006.72
S-Juvenile Ct. Computer Fund	\$106.95
S-Juvenile Ct. Gen. Special Projects	\$4,671.13
S-Job & Family, Children Services	\$6,149.30; \$26,103.28
S-Job & Family, Senior Program	\$169.90; \$1,227.78; \$24,149.77
S-Oakview Juvenile Residential Center	\$20,127.30
S-Sheriff Commissary	\$8,626.00

Upon roll call the vote was as follows:

Mr. Probst	Yes
Mr. Coffland	Yes
Mrs. Favede	Yes

IN THE MATTER OF TRANSFER WITHIN FUND FOR
THE GENERAL FUND/RECORDER

Motion made by Mr. Probst, seconded by Mr. Coffland to approve the following transfer within fund for the General Fund.

FROM	TO	AMOUNT
E-0121 A006-B02.002 Salaries-Employees	E-0051-A001-A02.002 Salaries-Employees	\$ 500.00

Note: Payment to Kathy Marino for Extended Hours in Recorder's Office on March 19, 2012 & March 27, 2012.

Upon roll call the vote was as follows:

Mr. Probst	Yes
Mr. Coffland	Yes
Mrs. Favede	Yes

**IN THE MATTER OF TRANSFER WITHIN FUND
FOR THE BCDJFS CSEA ADMN FUND**

Motion made by Mrs. Favede, seconded by Mr. Coffland to approve the following transfer within fund for the BCDJFS CSEA Admn Fund.

FROM	TO	AMOUNT
E-2760-H010-H15.000 Other	E-2760-H010-H07.003 PERS	\$ 60,000.00

Upon roll call the vote was as follows:

Mrs. Favede	Yes
Mr. Coffland	Yes
Mr. Probst	Yes

**IN THE MATTER OF TRANSFER WITHIN FUND FOR
THE OAKVIEW JUVENILE REHABILITATION FUND**

Motion made by Mr. Coffland, seconded by Mr. Probst to approve the following transfer within fund for the Oakview Juvenile Rehabilitation Fund.

FROM	TO	AMOUNT
E-8010-S030-S53.000 Medical	E-8010-S030-S56.000 Motor Vehicles	\$ 548.75

Upon roll call the vote was as follows:

Mr. Coffland	Yes
Mr. Probst	Yes
Mrs. Favede	Yes

**IN THE MATTER OF TRANSFER OF FUNDS
FOR 2011 WORKERS' COMPENSATION CHARGEBACKS**

Motion made by Mrs. Favede, seconded by Mr. Coffland to approve the following transfer of funds for the 2011 Workers' Compensation Chargebacks.

GENERAL FUND

AUDITOR, EMPL & UND ESTATE	E-0011-A001-B10.004	R-9899-Y089-Y04.574	8,569.12
AUD PERSONAL PROPERTY	E-0012-A001-B15.004	R-9899-Y089-Y04.574	593.99
AUD REAL PROPERTY	E-0013-A001-B19.004	R-9899-Y089-Y04.574	1,123.91
CLERK OF COURTS & EMPLOYEES	E-0021-A002-E10.004	R-9899-Y089-Y04.574	4,100.23
COMMISSIONERS & EMPLOYEES	E-0051-A001-A26.004	R-9899-Y089-Y04.574	7,055.06
NURSES AT THE JAIL	E-0052-A001-A92.004	R-9899-Y089-Y04.574	2,139.67
COMM LAW LIBRARY	E-0053-A013-A03.004	R-9899-Y089-Y04.574	
COMM CIVIL DEFENSE & DISASTER SERV	E-0054-A006-F06.004	R-9899-Y089-Y04.574	1,037.46
COMM MAINT & OPERATION	E-0055-A004-B17.004	R-9899-Y089-Y04.574	6,896.66
CO COURT JUDGES, EMPL & BONDS	E-0040-A002-G09.004	R-9899-Y089-Y04.574	6,222.93
EASTERN COURT COMMUNITY SERVICE	E-0040-A002-G09.004	R-9899-Y089-Y04.574	634.64
NORTHERN COURT COMMUNITY SERVICE	E-0040-A002-G09.004	R-9899-Y089-Y04.574	1,603.09
WESTERN COURT COMMUNITY SERVICE	E-0040-A002-G09.004	R-9899-Y089-Y04.574	36.24
911 DEPARTMENT	E-0056-A006-E09.004	R-9899-Y089-Y04.574	10,512.95
COMMON PLEAS COURT	E-0061-A002-B15.004	R-9899-Y089-Y04.574	6,919.68
COMMON PLEAS CT. COMMUNITY SERVICE	E-0061-A002-B15.004	R-9899-Y089-Y04.574	
MAGISTRATE	E-0063-A002-B29.004	R-9899-Y089-Y04.574	2,382.15
ENGINEERS EMPLOYEES	E-0070-A012-A09.004	R-9899-Y089-Y04.574	3,088.04
PROBATE COURT JUDGE & EMPL	E-0081-A002-D11.004	R-9899-Y089-Y04.574	2,654.08
JUVENILE COURT	E-0082-A002-C37.004	R-9899-Y089-Y04.574	10,545.02
JUVENILE COURT COMMUNITY SERVICE	E-0082-A002-C37.004	R-9899-Y089-Y04.574	266.21
PROS ATTORNEY & EMPL	E-0111-A001-E10.004	R-9899-Y089-Y04.574	9,181.02
RECORDER & EMPLOYEES	E-0121-A006-B10.004	R-9899-Y089-Y04.574	4,517.08
SHERIFF & EMPLOYEE	E-0131-A006-A14.004	R-9899-Y089-Y04.574	39,681.89
TREASURER & EMPLOYEE	E-0141-A001-C10.004	R-9899-Y089-Y04.574	3,871.36
CORONER & EMPLOYEES	E-0151-A002-F08.004	R-9899-Y089-Y04.574	1,321.19
SOLIDER'S RELEIF & BD MEMBERS	E-0161-A009-C09.004	R-9899-Y089-Y04.574	355.29
VETERANS	E-0160-A009-D08.004	R-9899-Y089-Y04.574	3,396.55
PUBLIC DEFENDER	E-0170-A006-G10.004	R-9899-Y089-Y04.574	2,775.68
BD ELECTION, JANITOR, & POLL WRKRS	E-0181-A003-A10.004	R-9899-Y089-Y04.574	5,096.18
BUDGET COMMISSION	E-0210-A001-F02.004	R-9899-Y089-Y04.574	55.46
COURT OF APPEALS	E-0064-A002-A07.004	R-9899-Y089-Y04.574	58.49
JURY COMMISSIONERS	E-0065-A002-B19.004	R-9899-Y089-Y04.574	87.28
AGRICULTURE	E-0251-A007-A06.004	R-9899-Y089-Y04.574	
T. B. SAN (CHEST CLINIC)	E-0300-A008-B11.004	R-9899-Y089-Y04.574	657.07
TOTAL GENERAL FUND			147,435.67

OTHER AGENCIES

DOG AND KENNEL	E-1600-B000-B09.004	R-9899-Y089-Y04.574	1,328.84
PUBLIC ASSISTANCE	E-2510-H000-H13.004	R-9899-Y089-Y04.574	79,586.95
FLOOD GRANT-PD FROM WIA	E-2600-H005-H11.000	R-9899-Y089-Y04.574	1,908.46
C.S.E.A.	E-2760-H010-H08.004	R-9899-Y089-Y04.574	7,409.35
REAL ESTATE ASSESSMENT	E-1310-J000-J05.004	R-9899-Y089-Y04.574	4,472.21
M.V.G.T. K-1 & K-2	E-2811-K000-K09.004	R-9899-Y089-Y04.574	4,309.38
M.V.G.T. K-11	E-2812-K000-K22.004	R-9899-Y089-Y04.574	17,852.69
M.V.G.T. K-25	E-2813-K000-K35.004	R-9899-Y089-Y04.574	7,244.29
SOIL CONSERVATION	E-1810-L001-L12.004	R-9899-Y089-Y04.574	938.36

WATER SHED COORDINATOR-SOIL	E-1815-L005-L12.004	R-9899-Y089-Y04.574	377.84
LEPC	E-1720-P090-P09.004	R-9899-Y089-Y04.574	191.17
PORT AUTHORITY	E-9799-S012-S09.004	R-9899-Y089-Y04.574	1,281.51
DISTRICT DETENTION HOME	E-0910-S033-S45.004	R-9899-Y089-Y04.574	15,525.01
Sargus - Intern workers	E-0910-S033-S45.004	R-9899-Y089-Y04.574	29.57
MENTAL HEALTH	E-2310-S049-S61.004	R-9899-Y089-Y04.574	4,443.21
MENTAL RETARDATION	E-2410-S066-S77.004	R-9899-Y089-Y04.574	37,263.90
BELMONT CO SENIOR PROGRAM	E-5005-S070-S03.004	R-9899-Y089-Y04.574	4,864.25
COUNTY RECORDER	E-1210-S078-S13.004	R-9899-Y089-Y04.574	551.69
CERTIFICATE OF TITLE	E-6010-S079-S09.004	R-9899-Y089-Y04.574	3,506.70
WESTERN COURT COMPUTER FUND	E-1550-S082-S12.004	R-9899-Y089-Y04.574	
EASTERN COURT COMPUTER FUND	E-1570-S084-S12.004	R-9899-Y089-Y04.574	441.19
NORTHERN COURT-SPECIAL	E-1561-S086-S04.004	R-9899-Y089-Y04.574	391.07
EASTERN COURT-SPECIAL	E-1571-S087-S04.004	R-9899-Y089-Y04.574	314.17
WESTERN COURT-SPECIAL	E-1551-S088-S04.004	R-9899-Y089-Y04.574	1,096.16
COMMON PLEAS COURT-SPECIAL	E-1572-S089-S08.004	R-9899-Y089-Y04.574	155.57
JUVENILE COURT-GEN SPECIAL PROJ	E-1589-S096-S09.000	R-9899-Y089-Y04.574	
OAKVIEW JUVENILE REHABILITATION	E-8010-S030-S67.004	R-9899-Y089-Y04.574	10,056.02
CORRECTIONS ACT GRANT-COMM PLEAS	E-1520-S077-S05.004	R-9899-Y089-Y04.574	1,193.40
W.I.C. PROGRAM	E-4110-T075-T52.008	R-9899-Y089-Y04.574	4,304.77
LAW LIBRARY RESOURCES FUND	E-9720-W020-W04.004	R-9899-Y089-Y04.574	309.33
PROSECUTOR'S VICTIM PROGRAM	E-1511-W080-P06.004	R-9899-Y089-Y04.574	808.18
DRETAC - PROSECUTOR	E-1510-W081-P06.004	R-9899-Y089-Y04.574	872.57
DRETAC - TREASURER	E-1410-W082-T06.004	R-9899-Y089-Y04.574	
Water Dept			
WWS #2 REVENUE	E-3701-P003-P30.004	R-9899-Y089-Y04.574	2,706.43
WWS #3 REVENUE	E-3702-P005-P30.004	R-9899-Y089-Y04.574	12,630.18
SSD#1 REVENUE	E-3704-P051-P14.004	R-9899-Y089-Y04.574	927.95
SSD #2 REVENUE	E-3705-P053-P14.004	R-9899-Y089-Y04.574	3,352.28
SSD #3A REVENUE	E-3706-P055-P14.004	R-9899-Y089-Y04.574	301.28
SSD #3B REVENUE	E-3707-P056-P14.004	R-9899-Y089-Y04.574	52.62
JUVENILE COURT GRANTS			
ALTERNATIVE SCHOOL	E-0400-M067-M03.004	R-9899-Y089-Y04.574	701.96
CARE AND CUSTODY-YSSP	E-0400-M060-M28.004	R-9899-Y089-Y04.574	1,650.20
CARE AND CUSTODY-SUBSTANCE ABUSE	E-0400-M060-M74.004	R-9899-Y089-Y04.574	1,396.57
TRUANT OFFICE	E-0400-M079-M02.008	R-9899-Y089-Y04.574	722.79
TITLE IV-E REIMB	E-0400-M078-M02.008	R-9899-Y089-Y04.574	546.20
COUNTY HEALTH			
COUNTY HEALTH	E-2210-E001-E11.004	R-9899-Y089-Y04.574	6,028.46
TRAILER PARKS	E-2211-F069-F02-002	R-9899-Y089-Y04.574	30.00
HOME SEWAGE TREATMENT SYS	E-2227-F074-F03.002	R-9899-Y089-Y04.574	455.00
VITAL STATISTICS	E-2213-F075-F01.002	R-9899-Y089-Y04.574	515.00
FAMILY PLANNING	E-2215-F077-F01.002	R-9899-Y089-Y04.574	910.00
TOBACCO	E-2216-F078-F02.002	R-9899-Y089-Y04.574	95.00
WOMENS HEALTH SERVICE	E-2217-F079-F01.002	R-9899-Y089-Y04.574	
CDC LEAD	E-2228-F080-F01.002	R-9899-Y089-Y04.574	205.00
PH EMERGENCY READINESS	E-2229-F081-F01.001	R-9899-Y089-Y04.574	
PREP	E-2230-F082-F01.002	R-9899-Y089-Y04.574	105.00
PHEP	E-2231-F083-F01.002	R-9899-Y089-Y04.574	825.00
FOOD SERVICE	E-2218-G000-G01.002	R-9899-Y089-Y04.574	<u>865.00</u>
TOTAL WORKER'S COMP.			395,485.40
PUBLIC EMPLOYER EMERG ORGANIZATION #9439	E-0131-A006-A14.004	R-9899-Y089-Y04.574	3,284.58
GRAND TOTALS			398,769.98
PUBLIC WORKS RELIEF EMPLOYEE-P.W.R.E.	E-2510-H000-H08.004	R-9899-Y089-Y04.574	9,607.45
Upon roll call the vote was as follows:			
	Mrs. Favede	Yes	
	Mr. Coffland	Yes	
	Mr. Probst	Yes	

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

Motion made by Mr. Probst, seconded by Mr. Coffland to execute payment of Then and Now Certification dated April 4, 2012, 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 or order.

Upon roll call the vote was as follows:

Mr. Probst	Yes
Mr. Coffland	Yes
Mrs. Favede	Yes

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

Motion made by Mr. Probst, seconded by Mr. Coffland to request the Belmont Co. Budget Commission certify the following monies.

GENERAL FUND – \$ 74.15 paid into R-0040-A000-Q00.500 Insurance Reimbursements on 4/2/12. *Note: This reimbursement is from Allstate Insurance for damage to a Bd. of DD bus. D/L 2/23/12. Claim #0236008314. Insured – Lou Ann Hodgson*

GENERAL FUND - \$120,000.00 – Money from sale of Pipe Creek Property

CDBG FUND - \$100,190.00 paid into R-9702-T011-To1.501 CDBG–Grant Formula on April 2, 2012. Draw No. 146, Grant #B-F-11-1AG-1.

Upon roll call the vote was as follows:

Mr. Probst	Yes
Mr. Coffland	Yes
Mrs. Favede	Yes

IN THE MATTER OF GRANTING PERMISSION FOR COUNTY EMPLOYEES TO TRAVEL

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

DJFS – Susan Hines and Senior Members to travel to Wheeling, WV, on April 11, 2012, for a Bethesda Senior Center outing. Estimated expenses: \$12.00

SANITARY SEWER DISTRICT – Michael Reed and Benji Sall to travel to Moon Twp., PA, on May 2, 2012, for a Confined Space Safety Class. A county vehicle will be used.

Dale Jendrusik to travel to Columbus, OH, on May 9, 2012, to take the Ohio EPA Waste Water Test. A county vehicle will be used.

Chris Craig, William Eddy, Jr., Todd Krebs, T.J. Moore, Justin Mowery, Victor Pempek, Nick Rocchio, Mike Stewart, Eric Taylor, Travis Vensel and Brian Ware to travel to Columbus, OH, on May 10, 2012, to take the Ohio EPA Water Test. County vehicles will be used.

Upon roll call the vote was as follows:

Mr. Probst	Yes
Mr. Coffland	Yes
Mrs. Favede	Yes

OPEN PUBLIC FORUM – Richard Hord asked for an update on the South School Building. Mr. Coffland advised we have a purchaser. It will be sold to Ohio River Properties (James Carson) and the county will receive exactly what we paid for the building plus the monies put into it regarding maintenance expenses. It will be sold as soon as the paperwork is completed. \$50,000.00 will be returned to the Senior Services Levy Fund.

Pease Township Trustee Mike Bianconi had praise for the township cleanups sponsored by the JB Green Team. He also voiced his opposition to the renovations to the historic Sheriff’s residence and the Ohio University Eastern (OUE) Brick Tavern renovations. He wants to see taxpayer dollars spent on roads and bridges. Mrs. Favede noted that the county is only the pass through for the Brick Tavern as it is OUE’s project. Mr. Bianconi stated it needs to be said that it’s wrong to spend our tax dollars this way. Mr. Probst noted that Roxanne Kane of the Ohio Department of Transportation is here today to discuss these projects.

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

Motion made by Mr. Probst, seconded by Mr. Coffland to approve the minutes of the Belmont County Board of Commissioners **regular meetings** of February 29 and March 8 and March 14 , 2012.

Upon roll call the vote was as follows:

Mr. Probst	Yes
Mr. Coffland	Yes
Mrs. Favede	Yes

IN THE MATTER OF ADVERTISING FOR STATEMENTS OF QUALIFICATIONS FOR ENGINEERING SERVICES IN CONNECTION WITH THE BCSSD FOX SHANNON WASTEWATER TREATMENT PLANT IMPROVEMENT PROJECT

Motion made by Mr. Probst, seconded by Mr. Coffland to advertise for Statements of Qualifications for engineering services in connection with the Belmont County Sanitary Sewer District’s Fox Shannon Wastewater Treatment Plant Improvement Project.

**BELMONT COUNTY COMMISSIONERS’ OFFICE
ST. CLAIRSVILLE, OHIO 43950
PUBLIC ANNOUNCEMENT**

The Belmont County Commissioners intend to contract for engineering services in connection with the Fox-Shannon Wastewater Treatment Plant Improvement Project. The project consists of wet well repair/replacement, sludge management improvements, influent flow equalization and increasing treatment plant capacity. Engineering firms interested in being considered for a contract to provide the required services should reply with a statement of qualifications no later than April 23, 2012. Statements received after this deadline will not be considered.

Statements of qualifications should include information regarding the firm’s history; education and experience of owners and key technical personnel; the technical expertise of the firm’s current staff; the firm’s experience in performing engineering studies, securing project funding, design, construction administration and construction observation; availability of staff; the firm’s equipment and facilities; references; and any previous work performed for Belmont County.

Statements of qualifications should be transmitted to: Kelly Porter, Project Manager; Belmont County Sanitary Sewer District; Fox-Shannon Wastewater Treatment Plant Improvement Project; P.O. Box 457; 68325 Bannock Road; St. Clairsville, OH 43950

As required by Ohio Revised Code 153.65-71, responding firms will be evaluated and ranked in order of their qualifications. Following this evaluation, the Belmont County Commissioners will enter into contract negotiations with the most highly qualified firm.

By order of the Board of Commissioners
of Belmont County, Ohio
Jayne Long /s/
Jayne Long, Clerk

Times-Leader Advertisement: Two (2) Mondays: April 9, 2012 & April 16, 2012

Upon roll call the vote was as follows:

Mr. Probst	Yes
Mr. Coffland	Yes
Mrs. Favede	Yes

IN THE MATTER OF APPROVING THE SUBMITTAL OF THE EMERGENCY MANAGEMENT PERFORMANCE GRANT (EMPG) BUDGET CERTIFICATION TO THE OHIO EMA

Motion made by Mr. Probst, seconded by Mr. Coffland to approve the signing and submittal of the 2012 Emergency Management Performance Grant (EMPG) Budget Certification to the Ohio EMA, in the amount of \$106,770.00, on behalf of the Belmont County Emergency Management Agency.

**2012
EMERGENCY MANAGEMENT PERFORMANCE GRANT
(EMPG)
BUDGET CERTIFICATION
Belmont County**

The following total certified amount is provided to certify the fiscal year budget for our County Emergency Management Agencies:

Total Certified Amount: \$106,770.00

***2,000.00 of this total is not eligible for reimbursement under the Emergency Management Planning Grant. (see attached 2010 Appropriations list)**

This amount is according to County Budget figures located on Page # _____ of Commissioners Journal Volume #93 dated April 4, 2012.

To the best of my knowledge and belief, all data on this application is true and correct. The applicant will comply with assurances provided in the initial application guidance.

Charles R. Probst, Jr., /s/

Charles R. Probst, Jr., President
Belmont County Board of Commissioners

Date: 4/4/12

Upon roll call the vote was as follows:

Mr. Probst	Yes
Mr. Coffland	Yes
Mrs. Favede	Yes

IN THE MATTER OF ADVERTISING FOR BIDS FOR ENGINEER'S PROJECT 12-3 APPLYING LIQUID BITUMINOUS MATERIAL FOR DUST CONTROL

Motion made by Mr. Probst, seconded by Mr. Coffland to advertise for bids for the Belmont County Engineer's *Project 12-3 Applying Liquid Bituminous Material* for dust control on various County Highways, based upon the recommendation of Fred Bennett, County Engineer and authorize the Clerk of the Board to proceed with the required Notice to Bidders.

**NOTICE TO BIDDERS
BELMONT COUNTY COMMISSIONERS' OFFICE
ST. CLAIRSVILLE, OHIO 43950**

Sealed bids will be received by the Belmont County Board of Commissioners at the Commissioners Office, Belmont County Courthouse, 101 West Main Street, St. Clairsville, Ohio 43950 until **10:30 a.m.** (Local Time) **Wednesday, April 25, 2012** for **Project 12-3 "Applying Liquid Bituminous Material for dust control on various County Highways"** for the Belmont County Engineering Department, St. Clairsville, Ohio, 43950, then at said office publicly opened and read aloud.

Copies of specifications and bid forms may be obtained at the Commissioners office between the hours of 9:00 A.M. and 4:00 P.M. daily, Monday through Friday.

Each bid must be accompanied by a bid Guaranty meeting the requirements of Section 153.54 of the Ohio Revised Code as follows:

- A Bond in accordance with Section 153.54 (B) O.R.C. —OR—
- A certified check, cashiers check or letter of credit in accordance with Section 153.54 © O.R.C in an amount equal to 10% of the bid.

Bid Security furnished in Bond form, shall be issued by a Surety company or Corporation licensed in the State of Ohio to provide said surety: Each bid must contain the full name of the party or parties submitting the proposal and all persons interested therein. Said contract will be let to the lowest and best responsible bidder in accordance with the Attachment 1 "Bid Documents Belmont County Commission". The County reserves the right to reject any and all bids and award a contract to that bidder which is in the best interest of the County.

By order of the Board of Commissioners
of Belmont County, Ohio

Jayne Long /s/

Jayne Long, Clerk

Times Leader Advertisement: Two (2) Tuesdays: April 10, 2012 & April 17, 2012

Upon roll call the vote was as follows:

Mr. Probst	Yes
Mr. Coffland	Yes
Mrs. Favede	Yes

IN THE MATTER OF NOTICE OF AWARD, CONTRACT AND NOTICE TO PROCEED FOR JAMES WHITE CONSTRUCTION CO. FOR THE VILLAGE OF YORKVILLE FIFTH STREET IMPROVEMENT PROJECT/BELOMAR

Motion made by Mrs. Favede, seconded by Mr. Coffland to approve and authorize the President of the Board, Charles R. Probst, Jr., to execute the Notice of Award, Contract and Notice to Proceed for James White Construction Co., the low bidder, in the amount of \$ 68,873.00 for the Village of Yorkville Fifth Street Improvement Project, a 2010 CDBG Formula project, based upon the recommendation of A.C. Wiethe, Assistant Director of Management Services, Belomar Regional Council.

NOTICE OF AWARD

To: James White Construction Company
4156 Freedom Way
Weirton, WV 26062

PROJECT Description: furnish all service, labor, material and equipment necessary to perform Street Improvement work in Village of Yorkville, Belmont County, Ohio

The OWNER has considered the BID submitted by you on March 21, 2012 (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 \$ 68,873.00.

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.

April 4, 2012

You are required to return an acknowledged copy of this NOTICE OF AWARD to the OWNER.
Dated this 4th day of April, 2012.

Belmont County Commissioners
Owner
By: Charles R. Probst, Jr. /s/
Name: Charles R. Probst, Jr
Title: President

ACCEPTANCE OF NOTICE

Receipt of the above NOTICE OF AWARD is hereby acknowledged by _____ on this _____ day of _____, 20__.
By:
Name and Title:
cc: CONTRACTOR'S Surety
Surety's Agent

CONTRACT

THIS AGREEMENT made this 4th day of April, 2012, by and between James White Construction Company 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, materials, and perform and complete all work required for the construction of the improvements embraced in the project; namely, Village of Yorkville Street Improvement², and required supplemental work for the project all in strict accordance with the Contract Documents including all addenda thereto, numbered 1, dated 3/14/12, and 2 dated 3/16/12 all as prepared by Vaughn, Coast & Vaughn, Inc. 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 Sixty Eight Thousand Eight Hundred and Seventy Three and 00/100***** (Dollars) subject to additions and deductions as provided in Section 109 hereof.

¹Choose term most applicable: a corporation organized and existing under the laws of the State of WV; a partnership consisting of _____; an individual trading as _____.

²Supply principal items of Contract such as Grading, Paving, Water Mains, Sewers, etc.

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, Parts 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: James White Construction Company

Signature

Typed/printed name

Title

OWNER: Belmont County Commissioners
Charles R. Probst, Jr. /s/

Signature
Charles R. Probst, Jr.

Typed/printed name
President

Title

NOTICE TO PROCEED

To: James White Construction Company
4156 Freedom Way
Weirton, WV 26062

PROJECT Description: furnish all service, labor, material and equipment necessary to perform Street Improvement work in Village of Yorkville, Belmont County, Ohio

You are hereby notified to commence WORK in accordance with the Agreement dated April 4, 2012 on or before April 14, 2012. The date of completion of all WORK is June 30, 2012.

Belmont County Commissioners
Owner
By: Charles R. Probst, Jr. /s/
Name: Charles R. Probst, Jr
Title: President

ACCEPTANCE OF NOTICE

Receipt of the above NOTICE TO PROCEED is hereby acknowledged by _____ on this _____ day of _____, 20__.
By: _____
Name: _____
Title: _____

Upon roll call the vote was as follows:

Mrs. Favede	Yes
Mr. Coffland	Yes
Mr. Probst	Yes

**IN THE MATTER OF ENTERING
EXECUTIVE SESSION AT 10:30 A.M.**

Motion made by Mr. Probst, seconded by Mr. Coffland to enter executive session pursuant to ORC 121.22(G)(1) Personnel Exception to consider the employment of a public employee.

Upon roll call the vote was as follows:

Mr. Probst	Yes
Mr. Coffland	Yes
Mrs. Favede	Yes

**IN THE MATTER OF ADJOURNING
EXECUTIVE SESSION AT 10:50 A.M.**

Motion made by Mr. Probst, seconded by Mr. Coffland to adjourn executive session at 10:50 a.m.

Upon roll call the vote was as follows:

Mr. Probst	Yes
Mr. Coffland	Yes
Mrs. Favede	Yes

AS A RESULT OF EXECUTIVE SESSION, NO ACTION TAKEN AT THIS TIME. THE BOARD WILL RESUME THIS EXECUTIVE SESSION LATER THIS AFTERNOON IN ORDER TO CONTINUE WITH THE SCHEDULED AGENDA ITEMS.

**10:45 Nikki Stewart, Belmont County Fair Housing Coordinator
Re: Proclamation-Fair Housing Month**

Nikki reported four (4) billboards have been purchased and placed at the following locations: two (2) on St. Rt. 7 in Bridgeport and Martins Ferry, on Rt. 9 at the Bill's Towing parking lot, and on Mall Road in St. Clairsville. Fair Housing promotional posters have been sent out to the local libraries, senior centers and some county agencies along with Fair Housing brochures regarding tenant/landlord issues, and practices and policies. Presentations will be given at two high schools for their senior class, Barnesville and Union Local, by the Southeastern Ohio Legal Services.

**IN THE MATTER OF ADOPTING PROCLAMATION
DESIGNATING APRIL AS FAIR HOUSING MONTH**

Motion made by Mr. Probst, seconded by Mr. Coffland to adopt the proclamation designating April as Fair Housing Month.

**PROCLAMATION
"FAIR HOUSING MONTH"**

WHEREAS, The Belmont County Board of Commissioners annually designates April as "Fair Housing Month"; and
WHEREAS, the mission of fair housing in Ohio is to improve the quality of life for all residents and celebrate Ohio's fair housing law which is substantially equivalent to the Federal Fair Housing Act; and

WHEREAS, Belmont County ensures all citizens their right to equal housing opportunities, regardless of race, color, religion, gender, national origin, disability, family status and military status; and

WHEREAS, Belmont County continues to promote fair housing by informing the citizens of Belmont County of their legal rights under Ohio law.

NOW, THEREFORE, BE IT RESOLVED, The Belmont County Commissioners do hereby proclaim April as Fair Housing Month.

Adopted this 4th day of April, 2012

BELMONT COUNTY COMMISSIONERS

Charles R. Probst, Jr. /s/ _____
Ginny Favede /s/ _____
Matt Coffland /s/ _____

Upon roll call the vote was as follows:

Mr. Probst	Yes
Mr. Coffland	Yes
Mrs. Favede	Yes

BREAK – Commissioner Favede stepped out of the meeting.

**IN THE MATTER OF BID OPENING FOR ENGINEER'S
PROJECT 12-2 RAMSAY RIDGE ROAD REPAIR (COUNTY ROAD 5)**

This being the day and 11:00 a.m. being the hour that bids were to be on file in the Commissioners' Office for Belmont County Engineer's Project 12-2 Ramsay Ridge Road Repair (County Road 5), they proceeded to open the following bids:

NAME	BID BOND	BID AMOUNT
BBR Drilling Co., Inc. 41462 Palmer Road Belmont, OH 43718	X	\$ 267,845.00
Shelly & Sands, Inc. P O Box 66 Rayland, OH 43943	X	\$ 349,906.25
Ohio-West Virginia Excavating Co. P O Box 128 Powhatan Point, OH 43942	X	\$ 269,239.00

Present for the bid opening were: Ed Leonard of Shelly & Sands, Robert DeFrank of The Times-Leader and Al Molnar of The Intelligencer.

Motion made by Mr. Probst, seconded by Mr. Coffland to turn over all bids received for the Belmont County Engineer's Project 12-2 Ramsay Ridge Road Repair (County Road 5) to Fred Bennett, County Engineer, for review and recommendation.

Note: This is a FEMA funded project to construct a retaining wall and and repair an embankment failure as a result of last year's heavy rainfall in April and May.

Upon roll call the vote was as follows:

Mr. Probst	Yes
Mr. Coffland	Yes
Mrs. Favede	Absent

11:15 Agenda Item: Belmont County Department of Job & Family Services

Re: Proclamation-Child Abuse Prevention Month

Mr. Pielech stated his agency makes an effort annually to bring awareness to the public of the problems of child abuse. Unfortunately they need to remind people that it does happen in their neighborhoods and backyards. The proclamation is a kickoff for several events in the county. Also present today on behalf of some of their staff and partners were Children Services Administrator Christine Parker, her supervisor John LaRoche, and Harmony House Forensic Interview Mike Kuhn. Last year unfortunately in Belmont County they took in over 1,200 complaint calls of child abuse. Of those calls they initiated actual investigations of 663 cases. He noted in 2010 they had 800 complaint calls of abuse. Of the 663 cases in 2011, forty percent (40%) were for families in need of services for reasons such as lack of food, poor living conditions and no utilities. Along with adults abusing drugs, alcohol and mental illness there is the added problem of the economy contributing to the abuse of children. "Wear Blue to Work Day" buttons are being distributed to bring attention to child abuse. April 11 is the date set aside for this means of showing support. The Board thanked Dwayne and his staff for all they do. Commissioner Favede noted that Harmony House provides counseling in sexual abuse cases to all family members

IN THE MATTER OF ADOPTING PROCLAMATION DESIGNATING APRIL AS "CHILD ABUSE PREVENTION MONTH"

Motion made by Mrs. Favede, seconded by Mr. Probst to adopt the proclamation designating April as Child Abuse Prevention Month.

PROCLAMATION

"CHILD ABUSE PREVENTION MONTH"

WHEREAS, child abuse and neglect are recognized as one of our most pressing social problems, affecting many Belmont County children each year; and
WHEREAS, each child has the right to live and grow in a safe, secure, and supportive environment; and is entitled to be loved, cared for, nurtured, and to be free from verbal abuse, sexual abuse, emotional and physical abuse and neglect; and
WHEREAS, over 1,200 children were served in Belmont County in 2011 as a result of reports from concerned community members who play a positive role in supporting our young people and their families; and
WHEREAS, every child needs a caring adult in their lives for guidance and support. This nurturing love and attention helps them prepare for the future and keeps them safe from abuse and neglect; and
WHEREAS, it takes a community to protect a child and community action is needed to break the cycle of abuse and neglect to improve family life and Belmont County is stronger when all citizens become aware of child abuse and neglect prevention and become involved in supporting parents to raise their children in a safe, nurturing environment; and
WHEREAS, the Belmont County Board of Commissioners and the Belmont County Department of Job and Family Services support and promote the partnership between the State of Ohio, county and local public and private agencies and our community to prevent child abuse and neglect; and
WHEREAS, our nation recognizes each April as Child Abuse Prevention Month, and Belmont County agencies and organizations work together to heighten awareness and draw attention to the need for preventing child abuse in our communities; and
WHEREAS, *Wear Blue to Work Day* is being celebrated statewide on April 11 and is designed as a visual way to demonstrate the real fact that abuse is prevalent in every community and that we each need to do our part to assist in breaking the vicious cycle; and
WHEREAS, Belmont County residents celebrate children, this county's GREATEST resource and the community leaders of tomorrow;
NOW, THEREFORE, BE IT RESOLVED, the Board of Belmont County Commissioners does hereby designate April 2012 as "CHILD ABUSE PREVENTION MONTH" throughout the County of Belmont.
Adopted this 4th day of April, 2012.

BELMONT COUNTY COMMISSIONERS

Charles R. Probst, Jr. /s/

Ginny Favede /s/

Matt Coffland /s/

Upon roll call the vote was as follows:

Mrs. Favede	Yes
Mr. Probst	Yes
Mr. Coffland	Yes

IN THE MATTER OF ENTERING EXECUTIVE SESSION AT 11:40 A.M.

Motion made by Mr. Probst, seconded by Mrs. Favede to enter executive session with Attorney Michael Shaheen. Port Authority Director Larry Merry, and Assistant Prosecutor David Liberati pursuant to ORC 121.22(G)(2) Property Exception to consider the sale of public property.

Upon roll call the vote was as follows:

Mr. Probst	Yes
Mrs. Favede	Yes
Mr. Coffland	Yes

IN THE MATTER OF ADJOURNING EXECUTIVE SESSION AT 12:10 P.M.

Motion made by Mr. Probst, seconded by Mr. Coffland to adjourn executive session at 12:10 p.m.

Upon roll call the vote was as follows:

Mr. Probst	Yes
Mr. Coffland	Yes
Mrs. Favede	Yes

AS A RESULT OF EXECUTIVE SESSION – NO ACTION TAKEN.

IN THE MATTER OF DISCUSSION HELD WITH ODOT REPRESENTATIVES RE: BID DOCUMENTS FOR THE OUE BRICK TAVERN HOUSE REHABILITATION PROJECT

Present for the discussion were Roxanne Kane and Greg Gurney of ODOT, Michael McTeague of Ohio University Eastern, Scott Mazzuli of Sheet Metal Workers Union #33, Randy Miller, IBEW Local 141 and Mike Bianconi.

Roxanne Kane of ODOT and Michael McTeague of OUE were present at the request of Commissioner Matt Coffland. Matt stated there were e-mails back and forth regarding bid documents that the board had asked to be included and ODOT had said no. He said the board wants clarification when they bid a project as a commission what bid documents can go in the bid packet according to the State of Ohio and the federal government. Many prior Commissioners have worked to put in documents (steel resolution, bid criteria, etc.) and this commission continues to insert those when they bid a project. It has been past practice for a long time and before Mr. Coffland became a Commissioner. He said the board is now under the understanding that some of those documents could not, should not or will not be put in a project moving forward. Clarification and explanation would help the board in the future so as to not have to re-bid a project. Mr. Coffland stated he believes every project bid by the commission should be the same as it is all tax dollars. Mr. Coffland stressed he truly believes in supporting local labor.

Roxanne stated ODOT is very consistent when they are using federal transportation money. When they are doing a federal project, they must follow the federal codes. She advised there are two particular U S Codes, 23USC112 and 23CFR635.117 that say "for any federal aid highway construction project, the states or locals may not include a provision that requires a contractor to give any preference in hiring on a federal aid

project. Furthermore, when a state or a local public agency has a policy that requires or creates a preference for local hiring, the contracting agency may not require or encourage a contractor to comply with this policy on federal aid projects.” Mr. Probst stated, “We are not looking for preference; that has nothing to do with this. Well, I am not.” Mr. Probst advised he was the one who started the Bid Criteria back in 1999 and it got the passage of the Commissioners at that time. When Mr. Probst first came on board, the roof of the courthouse was done by a contractor and the county had to re-do the roof. He further explained that one of the first things he did coming into office was establish a bid criteria to actually rate the contractors that we had to choose from. There are 15 points to this bid criteria. Not one of those points is a determining factor on who is chosen. Roxanne asked if one of the points was local hiring preferences. Reference in the bid criteria is made to “regional” hiring. Roxanne stated that specifically is not allowed. She also said the federal government already has wording in their documents about using domestic steel. They are saying do not put your local resolution in as that is already covered and to keep things from being conflicting. “Buy American” provisions are already in place. As it stands now, only domestic steel is to be used in all federal projects. Mr. Probst asked if we strike the language about “the bidder’s workforce mainly drawn from area residents historically looking to Belmont County for employment” the rest is pretty much standard language as far as it would comply with the federal highway money that will pass through. Roxanne said she sent the whole thing to Columbus and without the two items commented on, she thinks the rest of the bid criteria would be OK. She said what she is told is when you are reviewing these bids, if you are proposing after your review to give that contract to anyone other than the lowest bid, then we need to get federal highway’s concurrence on that award. You can keep it in there, you can look at it, you can use it, but if you are proposing to give it to anyone other than the lowest bidder, talk to ODOT so they can concur with the justification on why you say the other bid is better. Mrs. Favede made reference to Presidential Document Executive Order #13502 dated Feb. 6, 2009 where it allows for use of project labor agreements for federal construction projects. Roxanne advised that Section 4F of that executive order says that the proposed PLA must fully conform to all statutes, regulations and other executive orders. Basically that’s conflicting with the codes that Roxanne just referred to and that is one of the reasons the executive order does not apply to this. Also the executive order refers to projects of \$25 million or more. This project is \$179,000.00. Roxanne said ODOT is here to try to help the locals understand the federal regulations because it is so complicated. There is no exception regarding the use of local labor if using federal highway dollars. Mike Bianconi said he disagrees with ODOT spending money on this type of project and thinks it should go to roads and bridges. Roxanne explained that this Highway Bill expired and the new law will give legislators the option to use funds differently and not on this type of project. Mr. Gurney said he also believes the recent senate transportation bill limited this type of project. Mr. Miller asked if the contractor who is awarded the project uses apprentices without a federally recognized program, can the Board of Commissioners say they don’t follow the guidelines? Roxanne replied there are lots of federal regulations and thinks it is in there that they have to have a federally approved apprenticeship program or they can’t be used. Greg Gurney of ODOT said everything is covered in the ODOT bid documents. Everyone is to be compensated the prevailing wage. If you are not getting good performance from your contractor, that is a project manager issue during the construction. He suggested if you are not happy, then don’t pay them. Mr. Probst asked if that would happen and we don’t pay and get sued over it, would the state pay for an attorney. Mr. Gurney replied, “No.” Mr. Probst stated that is why we want it done right the first time. Mr. Gurney said if it is found the contractor is not paying prevailing wage it will become an issue and a federal offense.

Regarding the Brick Tavern, Mr. Probst asked if we bid it one more time and leave out the first point in the bid criteria and the domestic steel resolution, are we OK? Roxanne said, “Yes.”

IN THE MATTER OF CHANGE ORDER NO. 1 FOR OHIO-WEST VIRGINIA EXCAVATING CO./ENGINEER PROJECT 11-5 BRIDGE REPLACEMENT AT CO. HIGHWAY 10

Motion made by Mr. Probst, seconded by Mr. Coffland to approve Change Order No. 1 in the amount of \$21,175.00 for Ohio-West Virginia Excavating Company for the Engineer Project 11-5 BEL-10-19.13 Bridge Replacement Project located at Co. Highway 10, based upon the recommendation of County Engineer Fred Bennett.

**CHANGE ORDER NO. #1
SUPPLEMENTAL CONTRACT WITH BELMONT COUNTY COMMISSIONERS
PROJECT 11-5 BEL-10-19.13 BRIDGE REPLACEMENT PROJECT**

Auditor's Office, Belmont County, Ohio

THIS AGREEMENT made and entered into this 4th day of April , 20 12 between OHIO-WEST VIRGINIA EXCAVATING COMPANY and Charles Probst, Jr., Matt Coffland and Ginny Favede, Commissioners of Belmont County, WITNESSETH that said OHIO-WEST VIRGINIA EXCAVATING COMPANY hereby agrees to furnish all material and do all work requisite necessary for PROJECT 11-5 BEL-10-19.13 BRIDGE REPLACEMENT Project, located at BELMONT COUNTY HIGHWAY 10 , in accordance with plans and specifications.

All work, materials and equipment shall meet said specifications.

**CHANGE ORDER
* ADDITIONAL QUANTITIES ***

APPROX. QUAN.	ITEM	UNIT PRICE	TOTAL AMOUNT
121 CY	READY MIX CONCRETE IN PLACE	\$175.00	\$21,175.00
	TOTAL ADDITIONS		\$21,175.00

Reason for Contract - The existing rock under the west abutment and the center pier was found to be lower than shown on the construction plans (excavated during construction of the original bridge). This area will be filled with ready-mix concrete to give lateral support to the drilled shafts.

SUMMARY

ORIGINAL CONTRACT		\$647,135.00
ADDITIONS		\$21,175.00
DEDUCTIONS		\$0.00
NET CHANGE		+ \$21,175.00
TOTAL WORK TO BE PERFORMED		\$668,310.00
TOTAL AMOUNT OF SUPPLEMENTAL CONTRACT PERFORMED		\$21,175.00

BELMONT COUNTY COMMISSIONERS
 Matt Coffland /s/
 Charles R. Probst, Jr. /s/
 Ginny Favede /s/

OHIO-WV EXCAVATING COMPANY
NAME: W. Roger Lewis
BY: W. Roger Lewis /s/
TITLE President

Upon roll call the vote was as follows:

Mr. Probst Yes
Mr. Coffland Yes
Mrs. Favede Yes

IN THE MATTER OF ENTERING EXECUTIVE SESSION AT 1:45 P.M.

Motion made by Mr. Probst, seconded by Mr. Coffland to enter executive session pursuant to ORC 121.22(G)(1) Personnel Exception to consider the employment of a public employee.

Upon roll call the vote was as follows:

Mr. Probst	Yes
Mr. Coffland	Yes
Mrs. Favede	Yes

IN THE MATTER OF ADJOURNING EXECUTIVE SESSION AT 3:02 P.M.

Motion made by Mr. Probst, seconded by Mr. Coffland to adjourn executive session at 3:02 p.m.

Upon roll call the vote was as follows:

Mr. Probst	Yes
Mr. Coffland	Yes
Mrs. Favede	Yes

AS A RESULT OF EXECUTIVE SESSION THE FOLLOWING ACTIONS WERE TAKEN:

IN THE MATTER OF ACCEPTING THE RESIGNATION OF CINDI HENRY, COMMISSIONERS' FISCAL MANAGER

Motion made by Mr. Probst, seconded by Mrs. Favede to accept the resignation of Cindi Henry, Commissioners' Fiscal Manager, with regret, effective April 13, 2012.

Upon roll call the vote was as follows:

Mr. Probst	Yes
Mrs. Favede	Yes
Mr. Coffland	Yes

DISCUSSION HELD RE: CINDI HENRY RESIGNATION – Mr. Probst thanked Cindi for almost six (6) years of everyday going above and beyond anything she was asked to do. He said it is going to be really hard to replace her and is sincere in saying that. He knows they won't find a person of her caliber to replace her. He said she has been a great benefit to the commissioners and the county. Mrs. Favede echoed the comments of Mr. Probst and noted her hard work. Mr. Coffland thanked Cindi and said he hated to see her leave and wished we could keep her.

IN THE MATTER OF ADVERTISING FOR A FISCAL MANAGER FOR THE BOARD OF COMMISSIONERS

Motion made by Mr. Probst, seconded by Mr. Coffland to advertise for a fiscal manager for the Belmont County Board of Commissioners.

FISCAL MANAGER

The Belmont County Board of Commissioners is accepting job applications/resumes for the position of Fiscal Manager. This is a full time exempt position with retirement benefits and health insurance benefits including vision, dental and prescriptions.

(Belmont County is in eastern Ohio and has a population of approximately 70,500. The county seat is St. Clairsville, Ohio)

Major job duties are as follows:

- * Prepares the annual county budget and appropriations.
- * Develops and/or oversees bid specifications for county purchases.
- * Prepares and monitors county leases.
- * Monitors general fund revenue and expenditures including the certification of monies.
- * Prepares and tracks grant applications.
- * Coordinates interdepartmental communications systems including telephone and IT systems.
- * Monitors Workers Compensation claims and serves as point person for the third party claims administrator.

Qualifications:

- Minimum of Associate Degree in Accounting, Business, or related field.
- Minimum of five years of experience in government accounting/budgeting.
- Computer skills are a must along with some experience with Excel.
- Ability to multi-task

Salary commensurate with experience (range \$30,000/yr to \$40, 000/yr)

Interested applicants should send a resume with cover letter to the following address by April 20, 2012.

Belmont County Connections Office
302 Walnut Street
Martins Ferry, OH 43935

Upon roll call the vote was as follows:

Mr. Probst	Yes
Mr. Coffland	Yes
Mrs. Favede	Yes

IN THE MATTER OF RE-ADVERTISING FOR BIDS FOR THE OHIO UNIVERSITY EASTERN'S BRICK TAVERN HOUSE

ROOF AND ROOF DRAINAGE SYSTEM REHABILITATION PROJECT

Motion made by Mr. Probst, seconded by Mr. Coffland to re-advertise for bids for the Ohio University Eastern's **Brick Tavern House Roof and Roof Drainage System Rehabilitation Project** and authorize the Clerk to proceed with the required Notice To Bidders.

Note: This building is listed on the National Historic Register and OUE has obtained an ODOT grant for this project. The county is acting as the Local Project Administrator on their behalf.

DOCUMENT 00030

INVITATION FOR BIDS
Brick Tavern House
Roof and Roof Drainage System Rehabilitation
45045 National Road West
St. Clairsville, Ohio 43950

The Belmont County Commission is inviting you to submit a bid for the above referenced project. A Stipulated Sum Base Bid is required for the complete work, and is due at **10:45 A.M.** local time on **Wednesday, May 2, 2012** at the offices of the County Commission at 101 West Main Street, St. Clairsville, Ohio.

The Drawings and Project Manual were prepared by Heritage Architectural Associates. Prime Bidders may obtain electronic copies of plans, specifications and bid forms from Heritage Architectural Associates, at 2307 Chapline Street, Wheeling, WV 26003, ph.304-233-7577, fax 304-233-1892.

In general, the project consists of the installation of a new standing seam metal roof and roof drainage system for the National Register-listed Brick Tavern House that was constructed in 1828. Additional work includes pointing and reconstruction of brick chimneys above the roof line. Any bidder who retained a copy of the Drawings and Project Manual from any previous bidding does not need to obtain another copy. However, all interested bidders *must* contact Heritage Architectural Associates at 304.233.7577 by April 25, 2012 to be placed on the Registered Bidder's list. Only those on the list will receive addenda to the Construction Documents. Any prospective bidder that did not attend the previous pre-bid meeting on October 5, 2010 must contact Heritage Architectural Associates to arrange a *mandatory site visit* prior to the bid date.

Project Requirements:

Federal funds will be utilized, and the Contractor must comply with all applicable Federal, State, and local laws, rules and regulations. The Contractor must include in price of bid all applicable taxes, permits, and fees. Wage rates must comply with Federal "Davis-Bacon Wage Rates" (Prevailing Wages). The Contractor must carry out the described work in accordance with The Secretary of the Interior's Standards for Rehabilitation.

This project is financed in part by a grant from the Housing and Urban Development (CDBG) Program in the amount of \$25,000.

Attention of Bidders is particularly called to the Requirements as to conditions of Employment to be observed, Section 3, Segregated Facility, Section 109, Federal Labor Standards provisions HUD 4010 and E.O. 11246.

Qualifications:

The Contractor must have the ability to complete the work in a timely manner. The Contractor must possess all applicable licenses. The Contractor must demonstrate experience in successfully completing work on National Register-listed historic structures.

Selection Process:

All sealed bids will be publicly opened and compared as to quality, thoroughness and cost by the Belmont County Commission and the Architect. The Belmont County Commission will select a Contractor. Selection will be based upon (1) costs, (2) demonstrated experience with historic rehabilitation projects, and (3) the proven ability to complete a project. A decision will be rendered within a week of the opening.

No bidder may withdraw his bid for a period of 60 days after the actual bid date opening. The project is to commence immediately and to be substantially completed **90 calendar days from the issue of a Notice to Proceed**. The owner reserves the right to waive any informalities in or reject any and all bids. Bids from any person, firm, or corporation in default upon any agreement with the Owner will be rejected.

By Order of the Belmont County Board of Commissioners

Jayne Long /s/

Jayne Long, Clerk

Times Leader Ad (3) Wednesdays-April 11, 18 and 25, 2012

Upon roll call the vote was as follows:

Mr. Probst	Yes
Mr. Coffland	Yes
Mrs. Favede	Yes

IN THE MATTER OF ENTERING INTO CONTRACT WITH
WALLER CORP./ODOT PID #78794 BELMONT TOURISM ADAPTIVE
REUSE OF THE BELMONT CO. SHERIFF'S RESIDENCE

Motion made by Mr. Probst, seconded by Mr. Coffland to enter into a contract with Waller Corp., 2051 W. Chestnut St., Washington, PA 15301, in the amount of \$720,200.00 for the ODOT PID #78794 Belmont Tourism Adaptive Reuse of the Belmont County Sheriff's Residence, based upon the recommendation of Chambers, Murphy & Burge, Project Architect.

Document 00 52 00 – Contract Form
State of Ohio Standard Requirements
for Public Facility Construction

This Contract, as evidenced by this Contract Form, made by and between:

Waller Corporation
2051 W. Chestnut Street
PO Box 757
Washington PA 15301
P: 724-223-9680
F: 724-223-9704

(the "Contractor") and the Local Project Authority (LPA), Belmont County Commissioners (the "Contracting Authority"), serving as the authorized contracting agent for the **Belmont County Commissioners, 101 West Main Street, St. Clairsville, Ohio 43950** (the "Owner"), under local administration authority granted pursuant to Section 253.10 of House Bill 562 (127th General Assembly) by the Ohio Department of Administrative Services.

In consideration of the mutual promises herein contained, the Contracting Authority and the Contractor agree as set forth below:

ARTICLE 1 – NATURE OF CONTRACT

1.1 The Contractor shall perform the entire Work described in the Contract Documents and reasonably inferable as necessary to produce the results intended by the Contract Documents for:

ODOT PID#78794 BEL TOURISM
Contract for
Adaptive Reuse of the Historic Belmont County Sheriff's Residence
St. Clairsville, OH
ARTICLE 2 – COMPENSATION

2.1 The Owner shall pay for the performance of this Contract, subject to additions and deductions as provided in the Contract Documents, the Contract Sum of \$720,200.00, comprised of the following:

Base Bid	\$640,500.00
Alternate A (DEDUCT)	(\$16,900.00)
Alternate B (ADD)	<u>\$96,600.00</u>
TOTAL CONTRACT AMOUNT	\$720,200.00

2.2 The Owner shall pay the Contractor upon receiving Contractor Payment Requests certified by the Architect/Engineer and recommended by the Contracting Authority as provided in the Contract Documents.

ARTICLE 3 – TIME OF PERFORMANCE

3.1 The Contractor shall diligently prosecute and complete all Work such that Final Acceptance occurs in 215 consecutive days, following the date of the Notice to Proceed, unless an extension of time is granted by the Contracting Authority in accordance with the Contract Documents. The period established in this paragraph is referred to as the Contract Time.

3.2 The Contractor must perform and complete all Work under the Contract within the established Contract Time, and each applicable portion of the Work must be completed upon its respective Milestone date, unless the Contractor timely requests, and the Contracting Authority grants, an extension of time in accordance with the Contract Documents.

ODOT PID #78794 Bel Tourism

The Construction Duration shall be Substantially Complete by 215 days from the date of the Owner’s Notice to Proceed, per Specification Section 01 11 13, “Work Covered by the Contract Documents”

3.3 The Contractor’s failure to complete all Work within the period of time specified, or failure to have the applicable portion of the Work completed upon any Milestone date, shall entitle the Contracting Authority to retain or recover from the Contractor, as Statutory Delay Forfeiture, the applicable amount set forth in the following table for each and every calendar day thereafter until Contract Completion or the date of completion of the applicable portion of the Work, unless the Contractor timely requests, and the Contracting Authority grants, an extension of time in accordance with these Contract Documents. The Statutory Delay Forfeiture amount is applicable to Milestone dates only when so stated in this Contract Form.

STATUTORY DELAY FORFEITURE SCHEDULE

<u>Contract Sum</u>	<u>Amount per day</u>
From \$500,000.01 to \$2,000,000.....	\$500

3.4 The Contracting Authority’s right to recover the Statutory Delay Forfeiture amount does not preclude any right of recovery for actual damages.

ARTICLE 4 – CONTRACT DOCUMENTS

4.1 The Contract Documents embody the entire understanding of the parties and form the basis of the Contract between the Contracting Authority and the Contractor.

4.2 The Contract and any modifications, amendments, or alterations thereto shall be governed, construed, and enforced by and under the laws of the State of Ohio.

4.3 If any term or provision of the Contract, or the application thereof to any Person or circumstance, is finally determined, to be invalid or unenforceable by a court of competent jurisdiction, the remainder of the Contract or the application of such term or provision to other Persons or circumstances, shall not be affected thereby, and each term and provision of the Contract shall be valid and enforced to the fullest extent permitted by law.

4.4 The Contract shall be binding on the Contractor and Contracting Authority, their successors and assigns, in respect to all respective covenants and obligations contained in the Contract Documents, but the Contractor may not assign the Contract without the prior written consent of the Contracting Authority.

ARTICLE 5 – EFFECTIVENESS

5.1 It is expressly understood by the Contractor that none of the rights, duties, and obligations described in the Contract Documents shall be valid and enforceable unless the Director of the Office of Budget and Management first certifies that there is a balance in the Owner’s appropriation not already encumbered to pay existing obligations.

5.2 The Contract shall become binding and effective upon execution by the Contracting Authority and approval by the Attorney General.

5.3 This Contract Form has been executed in several counterparts, each of which shall constitute a complete original Contract Form, which may be introduced in evidence or used for any other purpose without production of any other counterparts.

Adaptive Reuse of Belmont County Sheriff’s Residence

ARTICLE 6 – REPRESENTATIONS

6.1 The Contractor represents and warrants that it is not subject to an unresolved finding for recovery under Ohio Revised Code (“O.R.C.”) Section 9.24. If this representation and warranty is found to be false, the Contract is void, and the Contractor shall immediately repay to the Owner any funds paid under this Contract.

6.2 The Contractor hereby certifies that neither the Contractor nor any of the Contractor’s partners, officers, directors, shareholders, nor the spouses of any such person have made contributions in excess of the limitations specified in O.R.C. Section 3517.13.

6.3 The Contractor, by signature on this Contract Form, certifies that it is currently in compliance with, and will continue to adhere to, the requirements of Ohio ethics laws and conflict of interest laws and will take no action inconsistent with those laws.

6.4 In accordance with Executive Order 2010-09S, the Contractor hereby certifies, by its signature on this Contract Form, that it: (1) has reviewed and understands Executive Order 2010-09S, (2) shall abide by those requirements in the performance of this Contract, (3) shall perform no services required under this Contract outside of the United States, (4) shall immediately notify the State of any change or shift in the location of services performed by the Contractor or its Subcontractors under this Contract, and (5) no services shall be changed or shifted to one or more locations that are outside of the United States. Further requirements related to offshore services are stipulated in paragraph 1.12 of the General Conditions.

6.5 The Contractor represents and warrants that it has not provided any material assistance, as that term is defined in O.R.C. Section 2909.33(C), to an organization that is identified by, and included on, the United States Department of State Terrorist Exclusion List and that it has truthfully answered “no” to every question on the “Declaration Regarding Material Assistance/Non-assistance to a Terrorist Organization (“DMA”).” The Contractor further represents and warrants that it has either (1) registered with the Ohio Business Gateway (“OBG”) to file for DMA pre-certification or (2) has provided or shall provide its DMA to the Contracting Authority prior to execution of this Contract Form. If these representations and warranties are found to be false, the Contract is void and the Contractor shall immediately repay to the Owner any funds paid under this Contract.

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SIGNATURE PAGE

Contract ODOT #78794 BEL TOURISM

Contract

Adaptive Reuse of the Historic Belmont Sheriff’s Residence

St. Clairsville, OH

IN WITNESS WHEREOF, the parties hereto have executed this Contract Form.

Waller Corporation
2051 W. Chestnut Street
PO Box 757
Washington PA 15301
P: 724-223-9680
F: 724-223-9704

By: James E. Waller /s/

(Authorized Signature)

(Print Name)

(Print or type Signatory Title)

Belmont County Commissioners
101 West Main Street
St. Clairsville, Ohio 43950

By: Matt Coffland /s/, Charles R. Probst, Jr. /s/, Ginny Favede /s/

(Authorized Signature for Belmont County Commissioners)

Matt Coffland, Charles R. Probst, Jr. – President, Ginny Favede – Vice President

Belmont County Board of Commissioners

(Print or type Signatory Title)

Upon roll call the vote was as follows:

Mr. Probst	Yes
Mr. Coffland	Yes
Mrs. Favede	Yes

**IN THE MATTER OF ADJOURNING
COMMISSIONERS MEETING AT 3:20 P.M.**

Motion made by Mr. Probst, seconded by Mr. Coffland to adjourn the meeting at 3:20 p.m.

Upon roll call the vote was as follows:

Mr. Probst	Yes
Mr. Coffland	Yes
Mrs. Favede	Yes

Read, approved and signed this 11th day of April, 2012.

_____ COUNTY COMMISSIONERS

We, Charles R. Probst, Jr. and Jayne Long, 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