

St. Clairsville, Ohio

June 30, 2010

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 Mrs. Favede, 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-G.F.O.A.	2009 CAFR Review Fees/General Fund	505.00
A-Ohio AFSCME Care Plan	Dental & Drug Coverage/General Fund	552.00
B-Forms Plus	Envelopes/Dog and Kennel	807.00
K-Staples Credit Plan	Supplies/Equipment/Engineer MVGT Fund	371.26
N-Triple A Construction LLC	Culverts/Bridge & Retaining Wall Construction Fund	24,489.00
P-Betty Coulter	Mock commissaries reimb./Special Emergency Planning Fund-LEPC	88.76
P-Eric Taylor	Exam Fees/BCSSD Funds	110.00
P-Verizon Wireless	Services/BCSSD Funds	166.57
S-AT&T	Service/Certificate of Title Admn. Fund	63.44
S-MOS	Supplies/Eastern Div. Court Computer Fund	2,188.50
S-Randy L. Marple	Travel exp. Reimbursement/Certificate of Title Admn. Fund	178.93
S-Staples	Supplies/Eastern Ct. General Special Projects Fund	31.95
S-TSG	Moving of computers/Eastern Div. Ct. Computer Fund	61.00
T-Chase Bank	CBDG Funds	72,578.00
T-Chase Bank	CDBG Funds	27,731.50
Y-Bridgeport, Village of	Patching various streets/County Motor Vehicle License Tax	120.00
Y-Health Plan of the Upper Ohio Valley	July Premium/Employer's Share Holding Account	155,388.80
Y-Health Plan PPO	July Premium/Employer's Share Holding Account	162,077.77

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

Motion made by Mrs. Favede, seconded by Mr. Coffland to approve the Recapitulation of Vouchers dated for June 30, 2010 as follow:

<u>FUND</u>	<u>AMOUNT</u>
A-GENERAL	\$35,322.63; \$5,889.02
A-GENERAL/COMMON PLEAS	\$253.61
A-GENERAL/AUDITOR	\$34,642.27
A-GENERAL/EMA	\$674.68
A-GENERAL/JUVENILE COURT	\$302.79
A-GENERAL/SHERIFF	\$3,385.82
H-Job & Family, Public Assistance	\$42,473.92; \$2,099.79; \$875.00
H-Job & Family, WIA	\$104,027.67
K-Engineer MVGT	\$24,185.80; \$241.84
M-Juvenile Ct. – Intake Coordinator	\$843.94
M-Juvenile Ct. – Placement Services	\$27,619.00
M-Juvenile Ct. – Title IV-E Reimb.	\$102.50
M-Truant Officer Grant – Juv. Ct.	\$200.00
N-Eastern Court Construction	\$80,951.25
S-Certificate of Title Admn. Fund	\$554.05
S-Clerk of Courts Computer	\$1,337.18
S-District Detention Home	\$106.66
S-Juvenile Ct. – Gen. Special Projects	\$125.00
S-Oakview Juvenile Residential Center	\$7,104.46
S-Port Authority	\$246.83
S-Probate Court Computer	\$1,257.18
S-Sheriff Commissary	\$3,281.77
S-Sheriff CCW	\$7,994.04
W-Law Library	\$602.18

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 GENERAL FUND/BOARD OF ELECTIONS**

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

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
E-0181-A003-A11.000 Other Expenses	E-0181-A003-A12.007 Unemployment	\$ 10.32

Upon roll call the vote was as follows:

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

**IN THE MATTER OF TRANSFERS WITHIN FUND  
FOR THE BELMONT COUNTY SANITARY SEWER DISTRICT**

Motion made by Mr. Probst, seconded by Mr. Coffland to approve the following transfers within fund for the Belmont County Sanitary Sewer District.

<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
<b>WWS#3</b>	<b>WWS#3</b>	
E-3702-P005-P19.012 Equipment	E-3702-P005-P34.074 Trans Out	20,000.00
E-3702-P005-P17.002 Salary	E-3702-P005-P34.074 Trans Out	50,000.00
<b>SSD#2</b>	<b>SSD#2</b>	
E-3705-P053-P15.000 OP Oper	E-3705-P053-P16.074 Trans Out	40,000.00

Upon roll call the vote was as follows:

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

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

Motion made by Mrs. Favede, seconded by Mr. Coffland to execute payment of Then and Now Certification dated June 30, 2010, 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:

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

**IN THE MATTER OF AUTHORIZING  
AUDITOR ANDREW SUTAK TO ESTABLISH  
A NEW FUND FOR DISTRICT DETENTION HOME - SARGUS**

Motion made by Mr. Probst, seconded by Mr. Coffland authorizing Belmont County Auditor Andrew Sutak to establish new funds for the following:

Sargus Remodeling Fund

Upon roll call the vote was as follows:

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

**IN THE MATTER OF HOLDING A "TOWN HALL"  
MEETING AT THE FLUSHING MUNICIPAL BUILDING**

Motion made by Mrs. Favede, seconded by Mr. Coffland to hold a "Town Hall" meeting on Thursday, July 8, 2010 at 5:30 p.m. in the Council Chambers of the Flushing Municipal Building, 212 High St., Flushing, 43977 and to notify the media of the same. Public input is welcome and citizens are encouraged to attend.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF HOLDING COMMISSIONERS  
REGULAR MEETING OF JULY 14, 2010, IN THE PAVILION  
AT JAMBOREE IN THE HILLS**

Motion made by Mrs. Favede, seconded by Mr. Coffland to hold the regular meeting of the Board of Commissioners at 10:00 a.m. Wednesday, July 14, 2010, in the Pavilion at Jamboree in the Hills, 43510 National Rd., Morristown and to reconvene at the Courthouse at 1:00 p.m. for the FY 2011 Budget Hearing.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADVERTISING FOR BIDS FOR  
ENGINEER'S PROJECT 10-4 BRIDGE REPLACEMENT  
PROJECT ON CO. HIGHWAY 48 (WEGEE ROAD)**

Motion made by Mrs. Favede, seconded by Mr. Coffland to advertise for bids for the Belmont County Engineer's Project 10-4 Bridge Replacement project to replace two bridges on County Highway 48 (Wegee Road), based upon the recommendation of Fred Bennett, County Engineer, and authorize the Clerk of the Board to proceed with the required Notice to Bidders.

*Note: Funding source is OPWC \$399,999.60 and MVGT \$140,540.40-Total \$540,540.00*

**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 **11:00 A.M. (Local Time) Wednesday, July 28, 2010** for furnishing all labor, materials and equipment to complete for the Belmont County Engineer, the following project known as **PROJECT 10-4, BEL-48-5.21 & BEL 48-7.10 BRIDGE REPLACEMENT PROJECT**, 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.

A Bid guaranty shall be provided with the bid in accordance with Section 153.54 of the Ohio Revised Code as follows:

A bid guaranty shall be provided with the bid in accordance with the Section 153.54 (B) O.R.C. for the full amount of the bid, or certified check, cashiers check or letter of credit in accordance with Section 153.54 (C) 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 proposal must contain the full name of the party or parties submitting the proposal and all persons interested therein. Each bidder shall be pre-qualified by the Ohio Department of Transportation at the time of the bid opening and shall submit certification of said approval and pre-qualifications with bid. Each bidder must submit evidence of its experiences on projects of similar size and complexity. The owner intends and requires that this project must be completed by June 30, 2011.

All contractors and subcontractors involved with the project will, to the extent practicable use Ohio products, materials, services and labor in the implementation of their project. Additionally, contractor compliance with the equal employment opportunity requirements of Ohio Administrative Code chapter 123, the Governor's Executive Order of 1972 and Governor's Executive Order 84-9 shall be required.

**DOMESTIC STEEL USE REQUIREMENTS AS SPECIFIED IN SECTION 153.001 OF THE REVISED CODE APPLY TO THIS PROJECT. COPIES OF SECTION 153.001 OF THE REVISED CODE CAN BE OBTAINED FROM ANY OF THE OFFICES OF THE DEPARTMENT OF ADMINISTRATIVE SERVICES.**

Bidders must comply with the prevailing wage rates on Public Improvements in Belmont County, Ohio, as determined by the Ohio Bureau of Employment Services, Wage and Hour Division, (614) 644-2239.

Each bid must contain the full name of the party or parties submitting the proposal and all persons interested therein. "The Belmont County Commissioners reserve the right to reject any or all bids, to waive any informalities in the bids received, and to accept any bid or combination of bids which is deemed most favorable to the County at the time and under the conditions stipulated.

The Commissioners further declare that they will award the contract for this project to the lowest and best bid, which may not necessarily be the lowest bid. The Specifications contain a Bidder's Profile designed to gather certain information that may be considered in this regard. No single factor will control the Board's decision to award, and the Board reserves the right to exercise its full discretion,"

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

Times Leader Advertisement: Two (2) Mondays: July 12, 2010 and July 19, 2010

Upon roll call the vote was as follows:

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

**IN THE MATTER OF RESOLUTION TO SUBMIT AN APPLICATION FOR FINANCIAL ASSISTANCE FROM THE OPWC/ BELMONT COUNTY ENGINEER'S EMERGENCY FLOOD REPAIR PROJECT**

Motion made by Mrs. Favede, seconded by Mr. Coffland to adopt the following:

**RESOLUTION**

Resolution authorizing Commissioner Probst to sign and submit an application for financial assistance from the Ohio Public Works Commission and to execute the necessary contracts for the following project:

**BEL-54-4.75**

**Emergency Flood Repair Project**

Motion made by Mrs. Favede, seconded by Mr. Coffland.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF AUTHORIZING THE SIGNING AND ACCEPTANCE OF EMERGENCY FUNDING FROM THE OPWC FOR THE PIPE CREED REPAIR PROJECT**

Motion made by Mr. Coffland, seconded by Mr. Probst to authorize Commission President Ginny Favede to sign on behalf of the Board of Commissioners to accept emergency funding in the amount of \$218,900.00 from the Ohio Public Works Commission for the Pipe Creek Road Repair project; OPWC Control Number CU48M.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF APPROVING THE SIGNING AND SUBMITTAL OF THE AGREEMENT GRANTING PERMISSION FOR ODOT'S PROPOSED DETOUR USING COUNTY ROAD 7 IN SHADYSIDE**

Motion made by Mrs. Favede, seconded by Mr. Coffland to approve the signing and submittal of the agreement granting permission for the Ohio Department of Transportation's proposed detour using County Road 7 in Shadyside during the repainting of the steel bridge beams on Bridge BEL-7-13.59.

*Note: This is the State Route 7 bridge over Entrance Ramp B at the north end of Shadyside. Project is scheduled for spring/summer 2011 and the ramp will be closed for 14 days.*

**Ohio Department of Transportation  
AGREEMENT COVERING USE OF COUNTY OR TOWNSHIP  
ROADS OR VILLAGE STREETS FOR DETOUR PURPOSES**

Whereas, the state of Ohio contemplates the improvements of State Route 7 Section 13.59 in Pultney Township, Belmont County. And whereas, the Director of Transportation has determined that it is necessary to detour traffic during construction of this improvement and Whereas, the most practicable and direct route includes roads or streets not under the jurisdiction of the Director of Transportation, as shown and described on attached detour report and map, and Whereas, the Director of Transportation wishes to obtain concurrence of affected authorities prior to establishment of detour, Now, therefore, the Director of Transportation agrees to maintain this detour in passable condition and return it to Belmont County in as good condition as it was prior to its use as a detour by the method shown on attached detour report.

Signed Richard A. Bible, P.E. /s/  
District Deputy Director  
Date 6/8/10

We, the Commissioners of Belmont County have inspected the road to be used as a detour route and have reviewed the above agreement, detour report and map, and concur in detour use and proposed work.

Signed <u>Ginny Favede /s/</u>	Date <u>6/30/10</u>
Signed <u>Charles R. Probst, Jr. /s/</u>	Date <u>6/30/10</u>
Signed <u>Matt Coffland /s/</u>	Date <u>6/30/10</u>

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADOPTING A RESOLUTION AUTHORIZING MRS. GINNY FAVEDE / BELMONT COUNTY COMMISSIONER TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) AND TO EXECUTE CONTRACTS AS REQUIRED/NEFFS SANITARY SEWER PROJECT**

Motion made by Mr. Coffland, seconded by Mr. Probst to adopt the following:

**“AUTHORIZATION LEGISLATION DESIGNATING OFFICIAL”**

A RESOLUTION AUTHORIZING Mrs. Ginny Favede / Belmont County Commissioner TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) AND TO EXECUTE CONTRACTS AS REQUIRED

WHEREAS, the State Capital Improvement Program and the Local Transportation Improvement Program both provide financial assistance to political subdivisions for capital improvements to public infrastructure, and

WHEREAS, Belmont County is planning to make capital improvements to the Neffs Sanitary Sewer Project, and

WHEREAS, the infrastructure improvements herein above described is considered to be a priority need for the community and is a qualified project under the OPWC programs,

NOW THEREFORE, BE IT RESOLVED by the Belmont County Commissioners:

Section 1: That Mrs. Ginny Favede / Belmont County Commissioner is hereby authorized to apply to the OPWC for funds as described above.

Section 2: That Mrs. Ginny Favede / Belmont County Commissioner is further authorized to enter into any agreements as may be necessary and appropriate for obtaining this financial assistance.

Date Passed: 6/30/10

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

Upon roll call the vote was as follows:

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

**IN THE MATTER OF AUTHORIZING THE SIGNING OF THE APPLICATION FOR FEDERAL ASSISTANCE FOR THE NEFFS SANITARY SEWER PROJECT**

Motion made by Mr. Coffland, seconded by Mr. Probst to authorize Commission President Ginny Favede to sign the Application for Federal Assistance, on behalf of the Board of Commissioners, for the Neffs Sanitary Sewer Project; this is the next step for receiving the \$400,000.00 appropriation (STAG) funding.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF APPROVING AND SIGNING PAY REQUEST #9 FOR THE MT. VICTORY ROAD WATERLINE EXTENSION PROJECT PHASE I/BCSSD**

Motion made by Mrs. Favede, seconded by Mr. Coffland to approve and sign the necessary documents for Pay Request #9 in the amount of \$98,896.17 for the Mt. Victory Road Waterline Extension Project Phase I, based upon the recommendation of Hammontree & Associates, Ltd., Project Engineer and Mark Esposito, Director, Belmont County Sanitary Sewer District, as follows:

**Ohio Water Supply Revolving Loan Account Fund Payment Request**

Loan #FS390488-01

**Technical Services:**

Construction Management	\$ 256.00
Inspection	9,393.00

**Construction:**

Ohio West Virginia Excavating	\$ 89,247.17
This Request Total	\$ 98,896.17

Upon roll call the vote was as follows:

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

**IN THE MATTER OF APPROVING THE ALLOCATION TO THE BELMONT COUNTY DOD/CIC FOR 3<sup>RD</sup> QUARTER 2010**

Motion made by Mrs. Favede, seconded by Mr. Coffland to approve the allocation of \$ 18,750.00 to the Belmont County Department of Development/Community Improvement Corporation for program operations for the 3rd quarter of 2010.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF APPOINTING LT. JEFF LaROCHE AND JOHN R. GREEN TO THE BELMONT COUNTY LOCAL EMERGENCY PLANNING COMMITTEE (L.E.P.C.)**

Motion made by Mrs. Favede, seconded by Mr. Coffland to approve unanimous recommendation of the Belmont County Local Emergency Planning Commission (L.E.P.C.) to appoint the following individuals to the Belmont County L.E.P.C. for a term commencing June 15, 2010 to August 15, 2011 per, and hereby authorize the submittal of the applications for their appointments to the Ohio State Emergency Response Commission for approval per O.R.C. 3750.03:.

- State Patrol Representative-Lt. Jeff LaRoche ( replaces former Post Commander, Roger Norris)
- Amateur Radio Representative-John R. Green (replaces Norman Russell, deceased)

Upon roll call the vote was as follows:

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

**IN THE MATTER OF RESOLUTION AUTHORIZING THE TRADE-IN OF UNFIT VEHICLES PER ORC 307.12**

Motion made by Commissioner Favede to adopt the following resolution:

**Whereas**, the county is in possession of a 1997 Jeep Cherokee, VIN #1J4F2853VL513350 and a 1999 Chevrolet Suburban, VIN #GNFK16R1XJ491271 that are unfit and not required for operations by the departments of the county; and

**Whereas**, this Board wishes to approve the trade-in of said vehicles and the purchase of replacements per Section 307.12 (G) of the Ohio Revised Code; and

**Now, therefore be it resolved** by the Board of Belmont County Commissioners:

**THAT**, a 1997 Jeep Cherokee, VIN #1J4F2853VL513350 and 1999 Chevrolet Suburban #GNFK16R1XJ491271 are hereby declared unfit and not needed; and

**THAT**, the request of the Belmont County Sheriff's Department for the trade-in and purchase of vehicles is approved as follows:

Purchase 2004 Chevrolet Impala VIN #G1WF52E449382973	\$10015.00
Trade-in 1997 Jeep Cherokee VIN #1J4F2853VL513350	- 2500.00
Total	\$ 7515.00

Purchase 2003 Chevrolet Impala VIN #2G1WF52E639114649	\$ 8015.00
Trade-In 1999 Chevrolet Suburban VIN #GNFK16R1XJ491271	- 4030.00
Total	\$ 3985.00

**THAT**, the total purchase amount of \$11,500.00 is to be paid from the Belmont County Sheriff Law Enforcement Trust Fund Account.

**Commissioner Coffland** seconded the motion for the adoption of said resolution and upon roll call the vote was as follows:

Commissioner Favede	<u>Yes</u>
Commissioner Coffland	<u>Yes</u>
Commissioner Probst	<u>Yes</u>

Adopted June 30, 2010

**IN THE MATTER OF ADOPTING PROCLAMATION IN HONOR OF BETHESDA CENTENNIAL 1910-2010**

Motion made by Mrs. Favede, seconded by Mr. Coffland to adopt the proclamation in honor of the Village of Bethesda's Centennial celebration.

"PROCLAMATION IN HONOR OF  
BETHESDA CENTENNIAL 1910-2010"

**WHEREAS**, The Village of Bethesda is celebrating its 100<sup>th</sup> Birthday with Centennial celebrations being planned throughout the Village during July 9, 10, and 11, 2010, and;

**WHEREAS**, The Board of Commissioners is proud to honor this hardworking community that formed in 1910 in, Belmont County, Ohio, and;

**WHEREAS**, the Village residents and their leaders have worked as a team to honor the Village's past history while remaining progressive in its future thoughts and growth, and;

**WHEREAS**, The Village of Bethesda is a vital part of Belmont County's history and its future.

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Belmont County Commissioners does hereby honor the Village of Bethesda on its Centennial, marking this historical event in dedication of present and past community members and recognizing their efforts in establishing a community with a rich past, a progressive present and a promising future.

Adopted this 30th day of June, 2010.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF REJECTING ALL BIDS RECEIVED FOR THE SARGUS JUVENILE CENTER SHOWER/PLUMBING RENOVATIONS PROJECT AND TO RE-BID THE SAME**

Motion made by Mrs. Favede, seconded by Mr. Coffland to reject all bids received for the Sargus Juvenile Center Shower/Plumbing Renovations project and to re-bid the project, based upon the recommendation of Marshall J. Piccin, Project Engineer.

*Note: The lone bid submitted by H.E. Neumann in the amount of \$69,220.00 exceeded the Project Engineer's estimate of \$50,000.00 by more than 10%.*

Upon roll call the vote was as follows:

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

**IN THE MATTER OF APPOINTMENT OF PAMELA BENEDETTA TO THE BELMONT COUNTY MENTAL HEALTH AND RECOVERY BOARD**

Motion made by Mrs. Favede, seconded by Mr. Coffland to approve the appointment of Pamela Benedetta to the Belmont County Mental Health and Recovery Board, to fill the unexpired term of Matt Rak, effective immediately through June 30, 2011, based upon the recommendation of the Mental Health and Recovery Board Personnel Committee.

Upon roll call the vote was as follows:

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

**BREAK**

**IN THE MATTER OF ENTERING INTO A 60 MONTH LEASE AGREEMENT UNDER THE MASTER LEASING AGREEMENT BETWEEN XEROX CORP. AND THE STATE OF OHIO BY THE DEPT. OF ADMINISTRATIVE SERVICES FOR COPIERS**

Motion made by Mrs. Favede, seconded by Mr. Coffland to enter into a 60 month lease agreement under the Master Leasing Agreement between dated 4/1/07, State Term Schedule Number 7709600507, between Xerox Corporation, (Lessor), and the State of Ohio, by the Department of Administrative Services for copiers, effective June 17, 2010 as follows:

DEPARTMENT	MACHINE TYPE	PRICE PER MONTH
Auditor's Front	W5638PT	\$ 271.20
Probate Rear	W5638PT	\$ 271.20
Common Pleas	W5638PT	\$ 271.20
Recorder	W5638PT	\$ 271.20
Clerk of Courts	W5638PT	\$ 271.20

These machines are larger replacement machines to the originals approved in March 2010

Upon roll call the vote was as follows:

Mrs. Favede	Yes
Mr. Coffland	Yes
Mr. Probst	No

*Note: Commissioner Favede left meeting at 10:44 a.m.*

**IN THE MATTER OF BID OPENING FOR FURNISHING AND DELIVERING BLUE PVC WATERLINE FOR UPCOMING DEVELOPMENT FUND PROJECTS FOR THE BELMONT CO. SANITARY SEWER DISTRICT**

This being the day and 10:45 a.m. being the hour that bids were to be on file in the Commissioners' Office for furnishing and delivering Blue PVC Waterline for upcoming Development Fund projects for the Belmont County Sanitary Sewer District, they proceeded to open the following bids:

NAME	BID BOND	BID AMOUNT
<b>National Road Utility Supply, Inc.</b> PO Box A, 3413 National Rd. Valley Grove, WV 26060	X	\$ 61,680.00
<b>Ferguson Waterworks</b> 173 Enterprise Drive Marietta, OH 45750	X	\$ 59,700.00
<b>Victory White</b> 1330 Seaborn Street Mineral Ridge, OH 44440	X	\$ 60,720.00
<b>HD Supply</b> 311 Water Street Stonewood, WV 26301	X	\$ 60,600.00
<b>Dreier &amp; Maller, Inc.</b> 6508 Taylor Road SW Reynoldsburg, OH 43068	X	\$ 62,400.00
<b>Pipelines, Inc.</b> PO Box 2027, 16363 Saint Clair Avenue East Liverpool, OH 43920	X	\$ 59,160.00
<b>James M. Cox Co., Inc.</b> 3125 Lento Blvd., PO Box 723 Bethel Park, PA 15102-0723	X	\$ 61,500.00
<b>ISCO Industries</b> PO Box 4545, 926 Baxter Avenue Louisville, KY 40204	X	\$ 62,100.00

Present for the bid opening were Mark Esposito and Kelly Porter of the BCSSD, Eric Ayres 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 furnishing and delivering Blue PVC Waterline for upcoming Development Fund projects for the Belmont County Sanitary Sewer District to Mark Esposito, Director, for review and recommendation.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF GRANTING VARIANCE REQUEST FOR SETBACK LIMITS FOR CONDO AREA/RIDGES OF OLDE CUMBERLAND-THE FLATS RICHLAND TOWNSHIP SEC. 15, T7, R4**

**Hearing Had 11:00 a.m.**

Present for the hearing were Ruth Graham, Engineer's Drafting Technician and Don Stephens, Richland Township Trustee. No problems or safety issues were noted at the view or during today's hearing. Ruth reported representatives from Hamilton & Associates, Ohio/WV Excavating, township trustees and Commissioner Coffland were present at the view. No problems or safety issues were found. The 10 foot variance gives more room to put condos in. Roads may be turned over to the Township Trustees in the future.

Motion made by Mr. Probst, seconded by Mr. Coffland to approve the variance request of John Dutton, property developer, for a 10 foot building setback for the condo area of the Ridges of Olde Cumberland-The Flats subdivision located in Richland Township, section 15, T7, R4 off of County Road 56 (Country Club Rd.)

Upon roll call the vote was as follows:

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

**IN THE MATTER OF THE VACATION AND REDEDICATION OF GOSHEN TOWNSHIP ROAD #198 (CAT HOLLOW ROAD), GOSHEN SECS. 9 & 15, T-7, R-5/RD IMP 1107**

**Office of County Commissioners  
Belmont County, Ohio**

**Journal Entry--Order Upon view of Proposed Improvement  
ORDER TO COUNTY ENGINEER**

**Rev. Code. Sec. 5553.06**

Petitioned for by freeholders and others

The Board of County Commissioners of Belmont County, Ohio met in regular session on the 30th day of June, 2010, at the office of the Commissioners with the following members present:

Mrs. Favede  
Mr. Coffland  
Mr. Probst

Mrs. Favede moved the adoption of the following:

**RESOLUTION**

WHEREAS, On the 30th day of June, 2010, the time heretofore fixed for view of the proposed improvement, we the Board of County Commissioners having jurisdiction in said matter, went upon the line of said proposed improvement and made personal view of the proposed route and termini thereof, and after full investigation and due consideration of all the facts and conditions pertaining thereto; therefore be it

RESOLVED, That we do find and consider said improvement of sufficient public importance to instruct the County Engineer to make an accurate survey and plat of the same, and furnish an accurate and detailed description of the proposed improvement describing the center line and right of way lines thereof.

Said County Engineer shall also furnish an accurate and detailed description of each tract of land which he believes will be necessary to be taken in the event the proposed improvement be made, together with the name of each owner.

Said County Engineer shall also, at the time of making such survey, set stakes at the termini of each right of way line and at all angles between such termini, and at sufficient other points on the right of way lines so that the bounds of the proposed improvement may be discernible to property owners and other interested persons; and be it further

RESOLVED, That the said County Engineer be and he is hereby directed to make a report in writing to this Board, on or before the 7th day of July, 2010, the date fixed for the final hearing, setting forth the opinion of said County Engineer either for or against said proposed improvement, <sup>2</sup> and the width to which said improvement shall be opened, which shall not be less than thirty feet; said report shall be accompanied by said plat and detailed and accurate descriptions, and filed with the County Commissioners, and this case is continued unto said date.

Mr. Coffland seconded the Resolution and the roll being called upon its adoption, the vote resulted as follows:

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

Adopted June 30, 2010

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

**IN THE MATTER OF THE VACATION OF A PORTION OF WATER STREET IN UNIONTOWN WHEELING TOWNSHIP SEC. 31, T-8, R-4/RD IMP 1108**

**Office of County Commissioners  
Belmont County, Ohio**

**Journal Entry--Order Upon view of Proposed Improvement  
ORDER TO COUNTY ENGINEER**

**Rev. Code. Sec. 5553.06**

Petitioned for by freeholders and others

The Board of County Commissioners of Belmont County, Ohio met in regular session on the 30th day of June, 2010, at the office of the Commissioners with the following members present:

Mrs. Favede  
Mr. Coffland  
Mr. Probst

Mrs. Favede moved the adoption of the following:

**RESOLUTION**

WHEREAS, On the 30th day of June, 2010, the time heretofore fixed for view of the proposed improvement, we the Board of County Commissioners having jurisdiction in said matter, went upon the line of said proposed improvement and made personal view of the proposed route and termini thereof, and after full investigation and due consideration of all the facts and conditions pertaining thereto; therefore be it

RESOLVED, That we do find and consider said improvement of sufficient public importance to instruct the County Engineer to make an accurate survey and plat of the same, and furnish an accurate and detailed description of the proposed improvement describing the center line and right of way lines thereof.

Said County Engineer shall also furnish an accurate and detailed description of each tract of land which he believes will be necessary to be taken in the event the proposed improvement be made, together with the name of each owner.

Said County Engineer shall also, at the time of making such survey, set stakes at the termini of each right of way line and at all angles between such termini, and at sufficient other points on the right of way lines so that the bounds of the proposed improvement may be discernible to property owners and other interested persons; and be it further

RESOLVED, That the said County Engineer be and he is hereby directed to make a report in writing to this Board, on or before the 7th day of July, 2010, the date fixed for the final hearing, setting forth the opinion of said County Engineer either for or against said proposed improvement, <sup>2</sup> and the width to which said improvement shall be opened, which shall not be less than thirty feet; said report shall be accompanied by said plat and detailed and accurate descriptions, and filed with the County Commissioners, and this case is continued unto said date.

Mr. Coffland seconded the Resolution and the roll being called upon its adoption, the vote resulted as follows:

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

Adopted June 30, 2010

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

**MEETING WILL BE LEFT OPEN FOR AUCTION OF BETHESDA BUILDING AT 5:00 P.M. TODAY**

RECONVENED TUESDAY, JULY 6, 2010, AT 10:34 A.M. PRESENT: COMMISSIONERS GINNY FAVEDE AND MATT COFFLAND ABSENT: COMMISSIONER CHARLES R. PROBST, JR., who was on vacation.

**IN THE MATTER OF SIGNING AND ACCEPTING THE PURCHASE AGREEMENT FROM ROBERT L. SHEPHERD FOR THE FORMER BETHESDA SCHOOL BUILDING**

Motion made by Mrs. Favede, seconded by Mr. Coffland to sign and accept the Purchase Agreement in the amount of \$33,000.00 from Robert L. Shepherd, Bethesda, Ohio, for the Belmont County Western Satellite Building property (former Bethesda School Building), located on Maple Avenue in Bethesda, outlot 20, 6.022 acres, Parcel #11-60001.000; a public auction was held on June 30, 2010 for this property that is no longer needed for public purposes and Mr. Shepherd was the successful bidder.

**HomeLand Realty, Inc. and Auction Company  
111. E. Mkt. St. \* PO Box 287 \* Cadiz, Ohio 43907  
PURCHASE AGREEMENT**

This AGREEMENT for the purchase and sale of REAL ESTATE, made at Bethesda, Ohio, this 30 day of June 2010 and effected by HomeLand Realty who is duly licensed to engage in the Real Estate Business in the State of Ohio, as provided for by law.

WITNESSETH:

The undersigned (hereinafter called PURCHASER), hereby offers and agrees to buy the following described property, situated in the Village of Bethesda County of Belmont and State of Ohio. Location Outlot 20 – New survey 6.022 acres PARCEL # 11-60001.000 together with all buildings and appurtenances now thereon and appurtenant hereto and hereon in their present condition.

1. For which PURCHASER agrees to pay the SELLER or owners (hereinafter called SELLER), for said property the sum of \_\_\_\_\_ Dollars \$ \_\_\_\_\_ upon the following terms and conditions.

- Earnest money, in hand to apply on the purchase price, the receipt of which is hereby acknowledged, and is to be held in trust by the Real Estate Broker or deposited with the Escrow agent until the transaction is complete. Cash \_\_\_\_\_ Check 828 \$ 5,000.00
- Buyers Premium \$ 3,000.00
- Cash on delivery of deed \$ 28,000.00

2. All window shades, curtain rods, window and door screens, storm doors, awnings, storm windows, all electric heating, plumbing and bathroom fixtures, t.v. antenna, linoleum, w. to w. carpet, landscaping, garage door openers, and scoreboard, mats, hoops, generator now in said property and belonging to the SELLER shall pass with the title to the above mentioned property.

3. Taxes and assessments, interest on any mortgage to be assumed and rents, if any, shall be prorated to the date of delivery of the deed for the subject premises or NA. In prorating taxes and assessments the latest available rates and valuations shall be used. Seller shall pay all accrued utility bills to the date of delivery of the deed or date of vacating, whichever is later.

4. Possession and occupancy of the premises shall be delivered to the Purchaser on \_\_\_\_\_.

5. Seller shall deliver to Purchaser a good and sufficient general warranty deed with appropriate release of dower conveying a good and marketable title to the subject premises to the Purchaser free and clear of all liens and encumbrances whatsoever except taxes and assessments, both general and special from the date of closing and thereafter, restrictions and conditions of record, easements of record and zoning ordinances.

6. If this offer is NOT ACCEPTED the earnest money above mentioned shall be RETURNED to the PURCHASER without liability upon the part of any party connected with this transaction. When this offer is accepted by the SELLER, it shall constitute a contract for the purchase and sale of said property as herein provided. This contract shall be performed within \_\_\_\_\_ days from date of final acceptance, and if within said time PURCHASER defaults in the performance of any of the obligations imposed by the terms hereof, SELLER may at his option treat this contract as null and void and earnest money is to be forfeited toward liquidated damages. If SELLER does not perform his obligation under this contract within said time PURCHASER may at his option treat this contract as null and void and receive the return of earnest money; on which case SELLER agrees to pay the commission as though the sale and transfer has been fully consummated.

7. This offer shall be open for acceptance until midnight \_\_\_\_\_ 20 \_\_\_\_\_.

8. This property is being purchased in its present condition after examination by the undersigned Purchaser.

9. The parties hereto agree to save HomeLand Realty, Inc. (Broker) his or its agents or employees harmless from any liability resulting from any misrepresentation made by the parties hereto.

10. \_\_\_\_\_

This contract is made for the benefit of each party hereto, their heirs, personal representatives, successors or assigns.

11. All parties hereby acknowledge receipt of a full and complete copy of this agreement and declare that no promises, representations or agreements other than those herein contained, have been made or relied upon.

PURCHASER: \_\_\_\_\_ DATE: \_\_\_\_\_  
Robert L. Shepherd /s/ 6-30-10  
Signature

The undersigned, as Seller of the property herein described, accepts the above offer and agrees to the terms thereof. We also agree to pay a fee of 10%

SELLER: \_\_\_\_\_ DATE: \_\_\_\_\_  
Charles R. Probst, Jr. /s/ 6-30-10  
Matt Coffland /s/ 6-30-10

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADJOURNING COMMISSIONERS MEETING AT 10:35 A.M.**

Motion made by Mrs. Favede, seconded by Mr. Coffland to adjourn the meeting at 10:35 a.m.

Upon roll call the vote was as follows:

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

Read, approved and signed this 7th day of July, 2010.

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

We, Ginny Favede 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