

St. Clairsville, Ohio

May 27, 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.

Claim of	Purposes	Amount
A-BP	Gasoline-Coroner/General Fund	174.90
A-Electronic Protection Services	Install mag-lock, proximity reader-Adult Probation/General Fund	797.00
A-Joseph A. Gaudio	Reimburse travel-Treasurer/General Fund	544.13
A-Land's End	Uniforms-Adult Probation/General Fund	88.95
A-OAPJ Annual Conference	Annual conference-Probate Ct./General Fund	500.00
A-Reliable	Supplies-Magistrate/General Fund	122.02
B-Columbia Gas of Ohio	Service/Dog Kennel Fund	46.75
C-Hanlon, Estadt, McCormick & Schramm	Attorney Fees/Indigent Guardianship Fund	300.00
C-Pure Water Finance	Water/Mediation Fund/Probate Court	79.95
G-Belmont Co. Tourism Council	May operating expenses/Lodging Excise Tax Fund	20,000.000
K-Staples Credit Plan	Supplies/Engineer's MVGT Fund	374.76
N-Colaianni Construction, Inc.	Applic. #6/Eastern Court Construction Fund	151,180.80
N-Hammontree & Associates LTD	Contract Projects/Mt. Victory Waterline Ext. Construction Fund	2,747.50
N-Huntington National Bank	Note Payment/WWS#3 Capital Improvements	308,227.08
N-Lindsay Concrete Products	Box Culvert/Bridge & Retaining Wall Construction Improv. Fund	11,494.00
N-Matyskiela & Grant, Inc.	April contract/Eastern Court Construction Fund	1,660.76
N-Tri-Son Concrete	Concrete/Bridge & Retaining Wall Construction Improv. Fund	3,151.50
P-Sustainable Printing Solutions	Supplies/BCSSD Funds	121.94
P-Whiteside Chev Old Buick	Equipment/BCSSD Funds	35,774.16
S-AT&T	Telephone/Certificate of Title Admn. Fund	8.38
S-Beth A. Andes, MS, PCC	Contracted counselor/District Detention Home Fund	1,330.00
S-Cardmember Service	Travel & activity expenses/Oakview Juvenile Residential Center	1,148.73
S-Comcast	Internet/Northern Div. Ct. Computer Fund	83.17
S-Donna Cottage	Mileage & meals/Northern Ct. Gen. Special Projects Fund	150.25
S-Matthew Bender Co., Inc.	Jury Instructions/Northern Ct. General Special Projects	148.46
S-Rea & Associates	April contract services/In Home Care Levy-Comm on Aging Fund	1,500.00
S-Wal-Mart Community	Expenses, supplies & food/Oakview Juvenile Residential Center	465.76
S-WALZ Mailer	Supplies/Clerk of Courts Computer Fund	1,384.39
S-Wheeling Office Supply	Storage Boxes/Eastern Ct. General Special Projects Fund	405.95
T-Edgco, Inc.	Demolition/Neffs Buyouts/FEMA-Hazard Mitigation Neffs Fund	4,800.00
T-Tom's Construction	Demolitions & remove asbestos/FEMA-Hazard Mitigation Neffs Fund	12,875.00
W-Delinquent Collectors of Ohio, Inc.	Contract Services/DRETAC –Treasurer's Office	4,005.76
W-Matthew Bender & Co.	Books/Law Library Fund	988.05
W-Matthew Bender & Co.	Books/Law Library Fund	2,334.45
Y-Health Plan of the Upper Ohio Valley	June Premium/Employer's Share Holding Account	156,084.06
Y-Health Plan PPO	June Premium/Employer's Share Holding Account	165,879.17

**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 May 27, 2010 as follow:

FUND	AMOUNT
A-GENERAL	\$25,065.70
A-GENERAL/AUDITOR	\$3,172.16
A-GENERAL/EMA	\$2,043.26
A-GENERAL/JUVENILE	\$392.96
A-GENERAL/SHERIFF	\$2,326.40
A-GENERAL/911	\$4,570.21
E-911	\$13,602.99
H-Job & Family, CSEA	\$2,744.66; \$21,073.36
H-Job & Family, Public Assistance	\$37,438.98; \$863.31; \$10,324.80; \$859.69; \$2,356.05
H-Job & Family, WIA	\$230,998.18; \$7,270.47
K-Engineer MVGT	\$404.03; \$3,321.29
M-Juvenile Ct. – Care and Custody	\$2,034.88
M-Juvenile Ct. – Intake Coordinator	\$186.88
M-Juvenile Ct. – Placement Services	\$16,148.00
M-Juvenile Ct. – Title IV-E Reimb.	\$2,699.45
P-Sanitary Sewer District	\$21,483.59; \$187.75; \$873.32; \$2,116.97; \$11,225.50; \$8,665.42; \$394.65; \$201.13
S-District Detention Home	\$9,168.74
S-Juvenile Ct. Computer Fund	\$2,309.00
S-Sheriff CCW	\$9,522.85
S-Sheriff Commissary	\$2,781.01
S-Oakview Juvenile Residential Center	\$7,216.10
T-Sanitary Sewer District	\$536.58
U-Sheriff Reserve	\$3,360.00

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 GENERAL FUND/AUDITOR**

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

<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
E-0011-A001-B10.004 Workers Comp	E-0011-A001-B02.002 Salaries	\$ 8,088.31
E-0012-A001-B15.004 Workers Comp	E-0011-A001-B02.002 Salaries	2,190.62
E-0013-A001-B19.004 Workers Comp	E-0011-A001-B02.002 Salaries	1,721.00

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**

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

<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
E-0051-A001-A28.000 Other Expenses	E-0051-A001-A03.010 Supplies	\$10,000.00

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 ENGINEER'S MVGT FUND**

Motion made by Mr. Coffland, seconded by Mr. Probst to approve the following transfer within fund for the Engineer's MVGT Fund.

<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
E-2813-K000-K30.013 Contract Proj.	E-2813-K000-K12.000 Materials	\$ 40,000.00

Upon roll call the vote was as follows:

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

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

Motion made by Mr. Coffland, seconded by Mr. Probst 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#2</b> E-3701-P003-P32.074 Trans Out	<b>WWS#2</b> E-3701-P003-P19.012 Equipment	10,000.00
<b>WWS#3</b> E-3702-P005-P31.000 OE Oper	<b>WWS#3</b> E-3702-P005-P34.074 OE Trans Out	50,000.00

Upon roll call the vote was as follows:

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

**IN THE MATTER OF TRANSFER WITHIN FUND FOR THE PORT AUTHORITY FUND**

Motion made by Mr. Probst, seconded by Mrs. Favede to approve the following transfer within fund for the Port Authority Fund.

<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
E-9799-S012-S01.002 Salaries	E-9799-S012-S09.004 Workers Comp	\$ 1,210.17

Upon roll call the vote was as follows:

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

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

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

<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
E-8010-S030-S57.000 Travel	E-8010-S030-S71.000 Ed/Recreation	\$ 480.58

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

**IN THE MATTER OF TRANSFER WITHIN FUND FOR THE DISTRICT DETENTION HOME FUND S33**

Motion made by Mr. Probst, seconded by Mr. Coffland to approve the following transfer within fund for the District Detention Home Fund S33.

<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
E-0910-S033-S45.004 Workers Comp	E-0910-S033-S47.006 Hospitalization	\$ 3,886.93

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 EASTERN DIV. COURT COMPUTER FUND**

Motion made by Mr. Probst, seconded by Mrs. Favede to approve the following transfer within fund for the Eastern Div. Court Computer Fund.

<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
E-1570-S084-S08.012 Computer Fund Equip.	E-1570-S084.-S11.003 PERS	\$ 2,000.00

Upon roll call the vote was as follows:

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

**IN THE MATTER OF TRANSFER WITHIN FUND FOR THE PROSECUTOR'S VICTIM ASSISTANCE PROGRAM**

Motion made by Mr. Probst, seconded by Mr. Coffland to approve the following transfer within fund for the Prosecutor's Victim Assistance Program Fund.

<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
E-1511-W080-P01.002 Salaries-VOCA	E-1511-W080-P08.005 Medicare-VOCA	\$ 50.00

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADDITIONAL APPROPRIATION FOR THE 911 WIRELESS FUND**

Motion made by Mrs. Favede, seconded by Mr. Coffland to make the following additional appropriation, in accordance with the Amended Official Certificate of Estimated Resources as revised by the Budget Commission, under the date of May 27, 2010.

E-2301-E011-E01.011	Contract Services	\$ 5,339.71
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Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADDITIONAL APPROPRIATION FOR THE REAL ESTATE ASSESSMENT FUND**

Motion made by Mr. Probst, seconded by Mr. Coffland to make the following additional appropriation, in accordance with the Amended Official Certificate of Estimated Resources as revised by the Budget Commission, under the date of January 4, 2010.

E-1310-J000-J03.011	Contract Services	\$120,000.00
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Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADDITIONAL APPROPRIATION FOR THE JUVENILE COURT PLACEMENT SERVICES FUND**

Motion made by Mr. Coffland, seconded by Mrs. Favede to make the following additional appropriation, in accordance with the Amended Official Certificate of Estimated Resources as revised by the Budget Commission, under the date of May 27, 2010.

**M-64 PLACEMENT SERVICES**

E-0400-M064-M05.000	Placement Costs	\$ 16,148.00
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Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADDITIONAL APPROPRIATIONS FOR THE ALTERNATIVE SCHOOL FUND/JUVENILE COURT**

Motion made by Mr. Probst, seconded by Mr. Coffland to make the following additional appropriations, in accordance with the Amended Official Certificate of Estimated Resources as revised by the Budget Commission, under the date of May 27, 2010.

<b>Fund</b>	<b>Amount</b>
E-0400-M067-M01.002	\$ 1,356.54
Salaries	
E-0400-M067-M02.003	708.46
PERS	

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADDITIONAL APPROPRIATIONS FOR THE M79 TRUANT OFFICER FUND**

Motion made by Mr. Probst, seconded by Mr. Coffland to make the following additional appropriations in accordance with the Amended Official Certificate of Estimated Resources as revised by the Budget Commission, under the date of May 27, 2010.

<b>Fund</b>	<b>Title</b>	<b>Amount</b>
<b>TRUANT OFFICER</b>		
E-0400-M079-M01.002	Salary	10,275.20
E-0400-M079-M03.003	PERS	724.80
<b>TOTAL</b>		<b>11,000.00</b>

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADDITIONAL APPROPRIATIONS  
FOR OAKVIEW JUVENILE REHAB S030 FUND/  
N.S.L.A. OAKVIEW JUVENILE S031 FUND AND  
OAKVIEW YOUTH ACTIVITY FUND S032**

Motion made by Mrs. Favede, seconded by Mr. Coffland to make the following additional appropriation, in accordance with the Amended Official Certificate of Estimated Resources as revised by the Budget Commission, under the date of May 27, 2010.

E-8010-S030-S40.000	Grant Holding Account	<b>OAKVIEW JUVENILE REHAB S030</b>	1,381.60
E-8011-S031-S02.000	Food (Meal Tickets)	<b>N.S.L.A. OAKVIEW JUVENILE S031</b>	180.00
E-8011-S031-S02.000	Food (Apr NSLA)		2,015.22
<b>ACTIVITY FUND S032</b>			
E-8012-S032-S00.000	Activity Fund (Evercom)		132.29

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADDITIONAL APPROPRIATIONS  
FOR THE BEL-HARRISON JUVENILE DISTRICT  
DETENTION HOME-SARGUS FUND**

Motion made by Mrs. Favede, seconded by Mr. Coffland to make the following additional appropriations, in accordance with the Amended Official Certificate of Estimated Resources as revised by the Budget Commission, under the date of May 27, 2010.

<b>Bel-Harrison Juvenile District Detention Home-Sargus Fund S033</b>		
E-0910-S033-S33.002	Salaries	10,000.00
E-0910-S033-S44.003	OPERS/STRS	4,760.00
E-0910-S033-S50.005	Medicare	493.00
E-0910-S033-S34.010	Supplies	719.22
E-0910-S033-S38.011	Contract Services	5,000.00
E-0910-S033-S39.000	Food Service Expenses	6,000.00
E-0910-S033-S65.011	Contract Services/GS	7,000.00
E-0910-S033-S67.000	Travel & Training/GS	1,000.00
<b>TOTAL</b>		<b>34,972.22</b>

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADDITIONAL APPROPRIATION  
FOR THE BELMONT CO. COMMISSIONERS CDBG FUND**

Motion made by Mrs. Favede, seconded by Mr. Probst to make the following additional appropriation, in accordance with the Amended Official Certificate of Estimated Resources as revised by the Budget Commission, under the date of May 27, 2010.

E-9702-T011-T03.000	CDBG Escrow Account "CHIP"	\$ 19,896.00	Draw Number 408 – Grant #B-C-09-007-1 and #B-C-09-007-2
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Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADDITIONAL APPROPRIATION  
FOR THE BELMONT COUNTY PROSECUTOR'S OFFICE  
VICTIM-WITNESS ASSISTANCE PROGRAM FUND**

Motion made by Mr. Probst, seconded by Mr. Coffland to make the following additional appropriation in accordance with the Amended Official Certificate of Estimated Resources as revised by the Budget Commission, under the date of May 27, 2010.

E-1511-W080-P01.002	Salaries	\$ 255.00
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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. Probst to execute payment of Then and Now Certification dated May 27, 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. Probst	Yes
Mr. Coffland	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:

**AUDITOR** – Andrew L. Sutak and Lori Fannin to travel to Newark, OH, on June 15, 16 & 17, 2010, to attend 2010 CAAO Summer Conference. A county car will be used. Lori is only going on the 15<sup>th</sup> and will use her own vehicle. Estimated expenses: \$600.00

**SANITARY SEWER DISTRICT** – Kelly Porter to travel to Marietta, OH, on June 2, 2010, to attend an Ohio Public Works Commission training seminar. A county vehicle will be used.

Upon roll call the vote was as follows:

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

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

Motion made by Mrs. Favede, seconded by Mr. Coffland to approve the minutes of the Belmont County Board of Commissioners regular meeting of May 5, 2010.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF HOLDING JUNE 2, 2010, MEETING FOR THE PURPOSE OF PAYING BILLS ONLY**

Motion made by Mrs. Favede, seconded by Mr. Coffland to hold the meeting of June 2, 2010 at 10:00 a.m. for the purpose of paying bills only.

Upon roll call the vote was as follows:

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

**COMMISSIONER FAVEDE ANNOUNCED THE TOWN HALL MEETING TO BE HELD TONIGHT IN BETHESDA WILL START AT 5:30 P.M. AND NOT 6:00 P.M.**

**IN THE MATTER OF ADOPTING RESOLUTION GRANTING THE ANNEXATION OF 73.791 ACRES TO THE VILLAGE OF MORRISTOWN**

Motion made by Mrs. Favede, seconded by Mr. Coffland to adopt the following resolution granting the annexation of 73.791 acres to the Village of Morristown.

**RESOLUTION**

Pursuant to Ohio Revised Code 709.021 and 709.022, the Board considered a Petition for Expedited Type I Annexation of 73.791 acres in the Township of Union to the Village of Morristown submitted by the authorized agent of the owners of the property to be annexed and found as follows:

1. The Petition meets all the requirements as set forth in and was filed in the manner provided for in ORC 709.021 and 709.022-Expedited Type 1 Annexations. The parties stipulated that the annexation had met all procedural revised code requirements.
2. The persons who signed the petition are the authorized agents of the owner of real estate located in the territory to be annexed in the petition, and as of the time the petition was filed with the Board of County Commissioners, the signatures on the petition constituted all owners of real estate in that territory. ORC 709.02(D)
3. The municipal corporation to which the territory is proposed to be annexed has complied with ORC 709.021 and 709.022. The Board specifically finds the Resolutions No. 10-1 and 10-2 of the Village of Morristown, Resolution of the Union Township Trustees, and subsequent Annexation Agreement between the Board of Trustees of Union Township, Belmont County Ohio (Union Township) and the Village of Morristown, a Municipal Corporation (Morristown), substantially complies with the requirements of ORC 709.021 and 709.022.

It is therefore ordered that the prayer of the petition be and is hereby granted and that the territory described in the petition be annexed to the Village of Morristown, Ohio.

It is further ordered that the final transcript of this Board relating thereto, together with the accompanying plat and petition and all other papers pertaining thereto, be delivered forthwith to the Clerk of the Village of Morristown.

Motion made by Commissioner Favede, seconded by Commissioner Coffland to adopt the foregoing resolution and upon vote, the resolution was unanimously adopted.

Adopted May 27, 2010.

**BELMONT COUNTY COMMISSIONERS**

Ginny Favede /s/

Ginny Favede, President

Matt Coffland /s/

Matt Coffland, Vice-President

Charles R. Probst, Jr /s/

Charles R. Probst, Jr.

Approved as to form:

David K. Liberati /s/

Assistant Prosecutor

**IN THE MATTER OF** ]

**PETROZZI SUBDIVISION NO. 2** ]

**RICHLAND TOWNSHIP SEC 22, T-7, R-4** ]

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[Belmont Co. Commissioners

[Courthouse

[St. Clairsville, Ohio 43950

[Date May 27, 2010

Motion made by Mrs. Favede, seconded by Mr. Coffland to authorize the Clerk to establish a date and time for the Subdivision Hearing in regards to Petrozzi Subdivision No. 2, Richland Township, Section 22, T7, R4, pursuant to O.R.C. 711.05 and proceed with the required notifications.

***NOTICE OF NEW SUB-DIVISION***

*Revised Code Sec. 711.05*

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To: Cindi Henry, F.O., Richland Township Trustees, 118 Overbaugh Ave., St. Clairsville, OH 43950

You are hereby notified that the 9th day of June, 2010, at 11:00 o'clock A. M., has been fixed as the date, and the office of the Commissioners, in the Courthouse, St. Clairsville, Ohio, as the place where the Commissioners will act on the above stated matter.

By order of the Belmont County Commissioners.

Jayne Long /s/

Clerk of the Board

- Mail by certified return receipt requested
- cc: Richland Township Trustees  
Upon roll call the vote was as follows:

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

**IN THE MATTER OF ENTERING INTO CONTRACT WITH  
SHELLY & SANDS, INC./ENGINEER PROJECT 10-1 BEL-CR  
28A & B RESURFACING PROJECT**

Motion made by Mrs. Favede, seconded by Mr. Coffland to enter into contract with Shelly & Sands, Inc., on behalf of the Belmont County Engineer, in the amount of \$511,596.50, for Project 10-1 BEL-CR 28A & B Resurfacing Project, based upon the recommendation of Fred Bennett, County Engineer.

**CONTRACT WITH BELMONT COUNTY COMMISSIONERS  
PROJECT 10-1 BEL – CR 28A & B RESURFACING PROJECT  
MALL AND BANFIELD ROADS  
(PID 86992)**

Auditor’s Office, Belmont County, Ohio

This Contract made and entered into this 27th day of May, 2010 between **SHELLY & SANDS, INC.**, P.O. Box 66, Rayland, Oh 43943 and Charles Probst, Jr., Matt Coffland, and Ginny Favede, Commissioners of Belmont County, WITNESSETH that said **SHELLY & SANDS, INC.** hereby agrees to furnish all material and do all work requisite necessary for the resurfacing of County Highway 28A & B in accordance with plans and specification.

Methods of Construction, Composition and Preparation of Materials shall conform to the plans, bid documents, specification, including the ODOT 2008 LPA Template (attached) and the Construction and Materials Specification (CM & S) 2008 edition. All work shall be under the direction of the County Engineer.

APPROX. QUAN.	ITEM	DESCRIPTION	ITEMIZED PROPOSAL	
			UNIT PRICE BID	TOTAL AMOUNT BID
4444 FT	202	GUARDRAIL REMOVED	\$1.00	\$4,444.00
74 ST	209	LINEAR GRADING, AS PER PLAN	\$175.00	\$12,950.00
1 EA	604	MANHOLE ADJUSTED TO GRADE	\$800.00	\$800.00
4237.5 FT	606	GUARDRAIL, TYPE 5	\$12.00	\$50,850.00
4 EA	606	ANCHOR ASSEMBLY, TYPE E-98	\$1,850.00	\$7,400.00
5 EA	606	ANCHOR ASSEMBLY, TYPE T	\$575.00	\$2,875.00
4 EA	606	BRIDGE TERMINAL ASSEMBLY, TYPE 1	\$1,050.00	\$4,200.00
60 FT	609	COMBINATION CURB & GUTTER, TYPE 2, AS PER PLAN	\$31.00	\$1,860.00
1 EA	638	VALVE BOX ADJUSTED TO GRADE	\$400.00	\$400.00
2 EA	604	DRAINAGE STRUCTURES, MISC.; CATCH BASIN NO. 3A RECONSTRUCTED TO GRADE	\$2,000.00	\$4,000.00
3 EA	604	DRAINAGE STRUCTURES, MISC.; CATCH BASIN NO. 3 RECONSTRUCTED TO GRADE	\$2,750.00	\$8,250.00
1 EA	604	DRAINAGE STRUCTURES, MISC.; CATCH BASIN RECONSTRUCTED TO GRADE	\$3,500.00	\$3,500.00
21455 SY	254	PAVEMENT PLANING, ASPHALT CONCRETE	\$1.70	\$36,473.50
3305 GAL	407	TACK COAT	\$2.00	\$6,610.00
1688 GAL	407	TACK COAT FOR INTERMEDIATE COURSE	\$2.00	\$3,376.00
586 CY	448	ASHPHAT CONCRETE INTERMEDIATE COURSE, TYPE 1, PG 64-22 (SPOT)	\$135.00	\$79,110.00
1463 CY	448	ASPHALT CONCRETE SURFACE COURSE, TYPE 1, PG 64-22, AS PER PLAN	\$133.00	\$194,579.00
71 CY	448	ASPHALT CONCRETE SURFACE COURSE, TYPE 1, PG-64-22 (DRIVEWAYS), A.P.P.	\$133.00	\$9,443.00
177 CY	617	COMPACTED AGGREGATE, AS PER PLAN	\$58.00	\$10,266.00
30 EA	625	CABLE SPLICING KIT	\$75.00	\$2,250.00
15 EA	632	DETECTOR LOOP	\$950.00	\$14,250.00
150 FT	632	LOOP DETECOR WIRE	\$3.05	\$457.50
150 HOURS	614	LAW ENFORCEMENT OFFICER WITH PATROL CAR FOR ASSISTANCE	\$58.00	\$8,700.00
3.70 MILE	614	WORK ZONE LANE LINE, CLASS I	\$1,200.00	\$4,440.00
3.75 MILE	614	WORK ZONE CENTER LINE, CLASS I	\$1,800.00	\$6,750.00
6875 FT	614	WORK ZONE CHANNELIZING, CLASS I	\$0.30	\$2,062.50
1260 FT	614	WORK ZONE STOP LINE, CLASS I	\$5.00	\$6,300.00
LUMP	614	MAINTAINING TRAFFIC	\$20,000.00	\$20,000.00
LUMP	624	MOBILIZATION	\$5,000.00	\$5,000.00
		TOTAL		\$511,596.50

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

**BELMONT COUNTY COMMISSIONERS**

**SHELLY & SANDS, INC.**

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

BY: \_\_\_\_\_

Upon roll call the vote was as follows:

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

**IN THE MATTER OF AWARDING BID FOR ENGINEER'S PROJECT 10-2 BEL-CR 28A & B PAVEMENT MARKINGS – ARRA PROJECT TO A & A SAFETY, INC.**

Motion made by Mrs. Favede, seconded by Mr. Coffland to award the bid for the Belmont County Engineer's Project 10-2 BEL-CR 28A & B Pavement Markings- ARRA Project to the low bidder, A & A Safety, Inc., in the amount of \$ 28,236.02 based upon the recommendation of Fred Bennett, County Engineer.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF AWARDING BID FOR ENGINEER'S PROJECT 10-3 APPLYING LIQUID BITUMINOUS MATERIAL TO LASH PAVING, INC.**

Motion made by Mrs. Favede, seconded by Mr. Coffland to award the bid for the Belmont County Engineer's Project 10-3 Applying Liquid Bituminous Material to the only bidder, Lash Paving, Inc., in the amount of \$149,800.00, based upon the recommendation of Fred Bennett, County Engineer.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF APPROVING AND SIGNING THE FY 2011 ADDENDUM FOR COMMUNITY BASED CORRECTIONS PROGRAMS 408 SUBSIDY GRANT AGREEMENT**

Motion made by Mrs. Favede, seconded by Mr. Coffland to approve the signing and submittal of the ***FY 2011 Addendum for Community Based Corrections Programs 408 Subsidy Grant Agreement*** between the Ohio Department of Rehabilitation and Correction and Belmont County to extend the agreement to June 30, 2011; total expenditures for FY 2011 not to exceed \$94,280.00, to be paid in four equal installments of \$23,570.00.

<p><b>FY 2011 ADDENDUM FOR  COMMUNITY BASED CORRECTIONS  PROGRAMS  408 SUBSIDY GRANT AGREEMENT</b></p>
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Please be advised that pursuant to paragraph 1, under Terms and Conditions, the FY08 Community Based Corrections Program Subsidy Grant Agreement between the Ohio Department of Rehabilitation and Correction and **Belmont County** is being extended to June 30, 2011.

This Addendum is made and entered into this day \_\_\_\_\_ of \_\_\_\_\_, 2010, by and between the State of Ohio, Department of Rehabilitation and Correction (hereinafter referred to as Grantor) and the undersigned representatives of **Belmont County**, Ohio, (hereinafter referred to as Grantee), pursuant to authority in Section 5149.061 *et. seq.* of the Ohio Revised Code.

The Grantor awards to the Grantee the sum of **Ninety-four thousand, two hundred eighty dollars** to be paid in four equal installments of **\$23,570** for the period beginning with the effective date of this addendum and ending June 30, 2009. Total expenditures for Fiscal Year 2011 (July 1, 2010 to June 30, 2011) will not in any case exceed **\$94,280**.

The grant amount is subject to legislative appropriation of the Grantor's proposed Community Based Corrections nonresidential program subsidy budget amount for Fiscal Year 2011. The parties agree that the Grantor may modify the amount if such appropriation is less than the amount proposed to the General Assembly by Grantor. The modified amount shall be determined solely by Grantor officials within their discretion. The Grantee and the Grantor agree to an interim payment of grant funds if an interim budget is adopted pending the final approval of the State of Ohio Fiscal Year 2011 budget. Furthermore, the obligations of the state under this agreement are subject to the determination by the Grantor that sufficient funds have been appropriated by the General Assembly to the Grantor for the purposes of this grant agreement and to the certification of the availability of such funds by the Director of Budget and Management as required by Section 126.07 of the Ohio Revised Code.

**All other terms and conditions of the subsidy grant agreement shall remain the same.**

\_\_\_\_\_  
Alicia Handwerk, Chief                      Date

\_\_\_\_\_  
Sara Andrews, Deputy Director      Date  
Division of Parole and Community Services

\_\_\_\_\_  
Stephen Young, Legal Counsel      Date  
Department of Rehabilitation and Correction

\_\_\_\_\_  
Ernie L. Moore, Director                  Date  
Department of Rehabilitation and Correction

Matt Coffland /s/                                      7/27/10  
County Commissioner                              Date

Charles R. Probst, Jr. /s/                              7/27/10  
County Commissioner                              Date

Ginny Favede /s/                                      7/27/10  
County Commissioner                              Date

\_\_\_\_\_  
Mayor or City Manager                              Date

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 PLUMBING AND SHOWER REVISIONS AT THE SARGUS JUVENILE CENTER**

Motion made by Mrs. Favede, seconded by Mr. Coffland to advertise for bids for Plumbing and Shower Revisions at the Sargus Juvenile Center, based upon the recommendation of Jack Regis, Belmont County Facilities Manager and Marshall Piccin, Project Manager, and authorize the Clerk of the Board to proceed with the required Notice to Bidders.

**INVITATION FOR BIDS**

In compliance with pertinent sections of the Ohio Revised Code, sealed bids will be received for **Shower and Plumbing Revisions at the Sargus Juvenile Center**, St. Clairsville, Ohio until **11:00 AM Eastern Standard Time on June 23, 2010** at the Belmont County Commissioner’s Office, 101 West Main Street, St. Clairsville, Ohio. At that time, all bids will be publicly opened and read aloud. Copies of bidding documents may be obtained upon request at the Belmont County Commissioner’s Office, 101 West Main Street, St. Clairsville, Ohio between the hours of 9:00 AM and 4:00 PM and at the office of Marshall J. Piccin Associates, 105 Carroll Drive, Woodland Terrace, St. Clairsville, Ohio. A deposit in the amount of fifty dollars (\$50.00) made payable to the Marshall J. Piccin & Associates will be required for each set of documents requested. Upon return of the documents in good condition within ten (10) days after the bid opening, the full deposit will be returned.

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, cashier’s check or letter of credit in accordance with Section 153.54 © O.R.C. in an amount equal to 10% of the bid.

A pre-bid conference will be held at **9:00 am Eastern Standard Time on June 15, 2010 at the Sargus Juvenile Center, 210 Fox-Shannon Place, St. Clairsville, Ohio**. The scope and details of the proposed work will be covered at this time. **Attendance by prospective bidders is mandatory.**

No bid shall be withdrawn for a period of sixty (60) days subsequent to the opening of bids.

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 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 full discretion.

All questions pertaining to securing Contract Documents, bidder’s list, technical sections, legal documents and bid submission shall be directed to Marshall J. Piccin Associates,

105 Carroll Drive, St. Clairsville, Ohio 43950.

Telephone 740-695-3200;

Fax 740-695-3200;

e-mail mpiccin@sbcglobal.net.

**Advertisement Dates: June 3 and June 10, 2010**

Upon roll call the vote was as follows:

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

**IN THE MATTER OF APPROVING AND SIGNING THE OHIO DEPARTMENT OF YOUTH SERVICES SUBSIDY GRANT-JUVENILE COURT FUNDING APPLICATION UPDATE**

Motion made by Mrs. Favede, seconded by Mr. Coffland to approve the signing and submittal of the **Ohio Department of Youth Services Subsidy Grant-Juvenile Court Funding Application Update** on behalf of Belmont County Juvenile Court for Fiscal Year 2011.

*Note: This grant covers program costs for C-CAP, Drug Court, and Restitution and Community Service programs.*

Upon roll call the vote was as follows:

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

**IN THE MATTER OF RESOLUTION AUTHORIZING THE ISSUANCE OF \$1,800,000 OF NOTES TO PAY PART OF THE COST OF ACQUIRING AND CONSTRUCTING SANITARY SEWER IMPROVEMENTS IN BELMONT COUNTY SANITARY SEWER DISTRICT NO. 2, INCLUDING (A) THE EXIT 215 SEWER LINE PROJECT, (B) THE VILLAGE OF BELMONT PUMP STATION AND FORCED MAIN PROJECT, AND (C) THE VILLAGE OF MORRISTOWN PUMP STATION PROJECT.**

ENTERED IN COMMISSIONERS’ JOURNAL

NO. 91, PAGE NO. \_\_\_\_\_

**The Board of County Commissioners of the County of Belmont, Ohio, met in regular session at 10:00 o’clock a.m., on May 27, 2010, at the commissioners meeting room, located at the Courthouse, St. Clairsville, Ohio, with the following members present:**

**Ginny Favede, Matt Coffland and Charles R. Probst, Jr.**

**Mrs. Favede moved the adoption of the following resolution:**

COUNTY OF BELMONT, OHIO

RESOLUTION NO. \_\_\_\_\_

RESOLUTION AUTHORIZING THE ISSUANCE OF \$1,800,000 OF NOTES TO PAY PART OF THE COST OF ACQUIRING AND CONSTRUCTING SANITARY SEWER IMPROVEMENTS IN BELMONT COUNTY SANITARY SEWER DISTRICT NO. 2, INCLUDING (A) THE EXIT 215 SEWER LINE PROJECT, (B) THE VILLAGE OF BELMONT PUMP STATION AND FORCED MAIN PROJECT, AND (C) THE VILLAGE OF MORRISTOWN PUMP STATION PROJECT.

WHEREAS, this Board of County Commissioners has heretofore determined the necessity of acquiring and constructing sanitary sewer improvements in Belmont County Sanitary Sewer District No. 2, including (a) the Exit 215 sewer line project, (b) the Village of Belmont pump station and forced main project, and (c) the Village of Morristown pump station project (collectively, the “Project”); and

WHEREAS, the County Auditor has heretofore estimated that the life of the improvements and assets to be acquired with the proceeds of the notes and bonds hereinafter referred to is at least five (5) years, and certified that the maximum maturity of the bonds issued therefor is forty (40) years, and of notes to be issued in anticipation thereof is twenty (20) years; and

WHEREAS, this Board of County Commissioners anticipates that debt service on such bonds will be paid from the net revenues of the County’s sanitary sewer system in Belmont County Sanitary Sewer District No. 2 and on such notes from such net revenues and proceeds of such bonds or renewal notes (collectively, the “Revenues”); and



WHEREAS, notes heretofore issued in anticipation of such bonds in the amount of \$1,800,000 are about to mature and should be renewed in the principal amount of \$1,800,000;

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

SECTION 1. That it is necessary to issue bonds of this County in the principal amount of \$1,800,000 for the purpose of paying part of the cost of the Project, including "financing costs" as defined in Section 133.01 of the Ohio Revised Code.

SECTION 2. That bonds of this County shall be issued in said principal amount for the purpose aforesaid under authority of the general laws of the State of Ohio, particularly Chapter 133 of the Ohio Revised Code. Said bonds shall be dated approximately June 1, 2011, shall bear interest at the rate of approximately nine per cent (9%) per annum, payable semiannually, and shall mature in substantially equal annual installments over a period not exceeding thirty (30) years.

SECTION 3. That it is hereby determined that notes (hereinafter called the "Notes") in the principal amount of \$1,800,000 shall be issued in anticipation of the issuance of said bonds. The Notes shall (i) be dated the date of their issuance, (ii) mature not more than one (1) year from such date of issuance; (iii) bear interest at a rate per annum not exceeding six percent (6%) per annum, which interest shall be payable at maturity, (iv) be issued in such numbers and denominations of \$100,000 or more as may be requested by the purchaser, and (v) be payable as to both principal and interest in federal funds of the United States of America at the office of a bank or trust company designated to serve as the paying agent, registrar and transfer agent (the "Paying Agent and Registrar") for the Notes, all as determined by the County Auditor without further action of this Board of County Commissioners in a certificate of award (the "Certificate of Award"), which determinations shall be conclusive.

The Notes shall not be subject to call for redemption at any time prior to maturity.

The Notes shall be issued in fully-registered form, without coupons, and shall be payable without deduction for exchange, collection or service charges to the person whose name appears on the Note registration records to be maintained by the Paying Agent and Registrar as the registered holder thereof.

The Notes shall be transferable by the registered holder thereof in person or by his attorney duly authorized in writing at the office of the Paying Agent and Registrar upon presentation and surrender thereof to the Paying Agent and Registrar. No transfer of any Note shall be effective until entered upon the registration records maintained by the Paying Agent and Registrar. Upon such transfer, a new Note or Notes of authorized denominations of the same maturity and for the same aggregate principal amount shall be issued to the transferee in exchange therefor.

This County and the Paying Agent and Registrar may deem and treat the registered holders of the Notes as the absolute owners thereof for all purposes, and neither this County nor the Paying Agent and Registrar shall be affected by any notice to the contrary.

The Notes shall be designated "Sanitary Sewer Improvement Bond Anticipation Notes, Seventh Series, Fourth (2010) Renewal".

SECTION 4. That the Notes shall bear the signatures of at least two members of this Board of County Commissioners and the County Auditor, and may bear the County Auditor's seal, provided that all but one of such signatures, and such seal, may be facsimiles. The Notes shall express on their faces the purpose for which they are issued and that they are issued pursuant to this resolution. The Notes shall bear the manual authenticating signature of an authorized representative of the Paying Agent and Registrar.

SECTION 5. That the Notes shall be sold to Fifth Third Securities, Inc. (the "Purchaser") at not less than 100% of the principal amount thereof, plus accrued interest to the date of delivery, as determined by the County Auditor in the Certificate of Award without further action of this Board pursuant to the Purchaser's offer to purchase which such officer is hereby authorized to accept. The proceeds from such sale, except any premium or accrued interest thereon, shall be used for the purpose aforesaid and for no other purpose, and for which purpose said proceeds are hereby appropriated. Any premium and accrued interest shall be transferred to the bond retirement fund to be applied to the payment of principal and interest of the Notes in the manner provided by law.

SECTION 6. That the Notes shall be the full general obligations of this County, and the full faith, credit and revenue of this County are hereby pledged for the prompt payment of the same. The principal amount received from the sale of the bonds anticipated by the Notes and any excess fund resulting from the issuance of the Notes shall, to the extent necessary, be used only for the retirement of the Notes at maturity, together with interest thereon and is hereby pledged for such purpose.

SECTION 7. That during the year or years while the Notes run there shall be levied upon all of the taxable property in this County in addition to all other taxes, a direct tax annually not less than that which would have been levied if bonds had been issued without the prior issue of the Notes; provided, however, that in each year to the extent the Revenues and other moneys are available for the payment of the Notes and bonds and are appropriated for such purpose, the amount of such tax shall be reduced by the amount of such Revenues and other moneys so available and appropriated.

SECTION 8. That said tax shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers in the same manner and at the same time that taxes for general purposes for each of said years are certified, extended and collected. Said tax shall be placed before and in preference to all other items and for the full amount thereof. The funds derived from said tax levy hereby required, or from the other described sources, shall be placed in a separate and distinct fund, which together with all interest collected on the same, shall be pledged irrevocably for the payment of the principal and interest of the Notes or the bonds in anticipation of which they are issued when and as the same fall due.

SECTION 9. That this Board of County Commissioners hereby covenants that it will restrict the use of the proceeds of the Notes hereby authorized in such manner and to such extent, if any, as may be necessary, after taking into account reasonable expectations at the time the debt is incurred, so that they will not constitute "arbitrage bonds" under Sections 103(b)(2) and 148 of the Internal Revenue Code of 1986, as amended (the "Code") and the regulations prescribed thereunder and will, to the extent possible, comply with all other applicable provisions of the Code and the regulations thereunder in order to retain the Federal income tax exemption for interest on the Notes, including any expenditure requirements, investment limitations, rebate requirements or use restrictions. The County Auditor or any other officer having responsibility with respect to the issuance of the Notes is authorized and directed to give an appropriate certificate on behalf of the County on the date of delivery of the Notes for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances and reasonable expectations pertaining to the use of the proceeds thereof and the provisions of the Code and the regulations thereunder.

The County Auditor is hereby authorized to designate the Notes as "qualified tax-exempt obligations" to the extent permitted by Section 265(b) of the Code and not already deemed so designated, if the County Auditor finds and determines that the reasonably anticipated amount of tax-exempt obligations (whether or not designated as qualified) issued and to be issued by the County during 2010 including the Notes does not exceed \$30,000,000. The County Auditor and other appropriate officers, and any of them, are authorized to take such additional actions and give such certifications on behalf of the County with respect to the reasonably anticipated amount of tax-exempt obligations to be issued by the County during 2010 and with respect to such other matters as appropriate under the Code, including representing and covenanting on behalf of the County that the amount of tax-exempt obligations issued by the County and designated as "qualified tax-exempt obligations" for such purpose during 2010 will not exceed \$30,000,000.

SECTION 10. That the law firm of Peck, Shaffer & Williams LLP be and is hereby retained as bond counsel to the County to prepare the necessary authorization and related closing documents for the issuance, sale and delivery of the Notes and, if appropriate, rendering its approving legal opinion in connection therewith in accordance with the written agreement presently on file with the County which at least two members of this Board of County Commissioners and the County Auditor are each hereby separately authorized to execute and deliver on behalf of the County, with such changes thereto not substantially adverse to the County as may be approved by such officers. The approval of such changes by such officers, and that the same are not substantially adverse to the County, shall be conclusively evidenced by the execution of such agreement by such officers. Such law firm shall be compensated by the County for the above services in accordance with such written agreement.

SECTION 11. That at least two members of this Board and the County Auditor are separately hereby authorized, alone or with others, to execute and deliver an agreement with the Paying Agent and Registrar for its services as paying agent, registrar and transfer agent for the

Bonds in such form as such officer may approve, the execution thereof by such officer to be conclusive evidence of such authorization and approval.

SECTION 12. That the Clerk of this Board of County Commissioners, acting as the Clerk of this Board of County Commissioners, is hereby directed to forward a certified copy of this resolution to the County Auditor.

SECTION 13. That it is found and determined that all formal actions of this Board of County Commissioners concerning and relating to the adoption of this resolution were adopted in an open meeting of this Board of County Commissioners, and that all deliberations of this Board of County Commissioners and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law, including Section 121.22 of the Revised Code of Ohio.

**SECTION 14. That this resolution shall take effect immediately upon its adoption.**

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

AYES: Mrs. Favede, Mr. Coffland, Mr. Probst

NAYS:

**ADOPTED, this 27th day of May, 2010.**

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

**IN THE MATTER OF APPROVING ALLOCATION TO THE BELMONT COUNTY DOD/CIC FOR 2<sup>ND</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 2nd quarter of 2010.

Upon roll call the vote was as follows:

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

**OPEN PUBLIC FORUM – Re: Update on consolidation of the county courts**-Commissioner Coffland confirmed the consolidation of the county courts is “in the works” with an expected savings of \$200,000.00. He said the former Bellaire court wasn’t fit with outdoor restroom facilities.

Commissioner Favede said a press release will be forthcoming regarding the trip to the International Council of Shopping Centers Conference in Las Vegas, Nevada, attended by Commissioners Favede and Coffland. She said it was a very positive and worthwhile meeting.

**IN THE MATTER OF FINAL PLAT APPROVAL FOR ROSS ESTATES, FIRST ADDITION RICHLAND TOWNSHIP SEC 29, T-7, R-4**

**“Hearing Had-10:45A.M.”**

Present for the hearing were Ruth Graham, Engineer’s Drafting Technician and all Richland Township Trustees. Ruth explained the property is off of Hammond Road and across from Country Lake Estates. Mr. Ross is putting in a private roadway and Lot #5, which is a little over an acre. There are already 4 lots. Maps were reviewed by all.

**“FINAL PLAT APPROVAL”  
O.R.C. 711.05**

Motion made by Mr. Probst to grant the final plat for the following:

**RESOLUTION**

**WHEREAS**, this day there was presented to the Board for approval the Final Plat for Ross Estates, First Addition, Richland Township, Sec. 29, T-7, R-4, which appears to be regular in form and approved by the proper parties;

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

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

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

*Note: Commissioner Favede briefly stepped out of the meeting during the subdivision hearing.*

**IN THE MATTER OF VACATION OF A PORTION OF ASH ALLEY LOCATED IN WEST BELLAIRE, PULTNEY TWP. SEC. 36, T-2, R-2/RD IMP 1106**

**REPORT OF COUNTY ENGINEER  
OHIO REV. CODE, SEC. 5553.06**

Date: 5/27/10

To the Board of County Commissioners of Belmont County, Ohio:

The undersigned, in obedience to your order, dated May 19, 2010, proceeded on May 19, 2010 to make an accurate survey and plat of the Public Road proposed to be improved and respectfully submits the following report:

In the opinion of the undersigned the proposed improvement should \_\_\_\_\_ be granted.

An accurate survey and plat, and an accurate and detailed description of each tract of land which the undersigned County Engineer believe will be necessary to be taken in the event the proposed improvement be made, together with the name of each owner accompany this report and are made apart hereof.

An accurate and detailed description of the proposed improvement describing therein the center line and right of way lines follow:  
“see attached plat”

The undersigned recommends the following changes in the proposed improvement which in his judgment should be made in the event the proposed improvement is granted. to-wit:

Fred F. Bennett/s/  
County Engineer of Belmont County, Ohio

**IN THE MATTER OF THE VACATION OF  
A PORTION OF ASH ALLEY LOCATED IN  
WEST BELLAIRE, PULTNEY TWP.  
SEC. 36, T-2, R-2/RD IMP 1106**

Office of County Commissioners  
Belmont County, Ohio

**RESOLUTION-GRANTING PROPOSED IMPROVEMENT  
ORDERING RECORD, ETC.**

***Rd. Imp. #1106***

The Board of County Commissioners of Belmont County, Ohio, met in regular session on the 27th day of May, 2010 in the office of the Commissioners with the following members present:

Mr. Coffland

Mr. Probst

Mrs. Favede

Mrs. Favede moved the adoption of the following Resolution:

WHEREAS, This day this matter came on to be heard on the report, survey, plat, and detailed and accurate descriptions as filed by the County Engineer, and said report having been read in open session, the Board proceeded with the hearing of testimony bearing upon the necessity of the said improvement for the public convenience or welfare and offered either for or against going forward with the proposed improvement by interested persons; and

WHEREAS, Said Board has considered said report and all the testimony offered, and all the facts and conditions pertaining to said matter; therefore, be it

RESOLVED, That said Board of County Commissioners do find said improvement will serve the public convenience and welfare; and be it further

RESOLVED, That said improvement as set forth and defined in said report, survey, plat and detailed and accurate descriptions as filed by the County Engineer be and the same is hereby granted and said road is hereby ordered vacated.

RESOLVED, That the County Engineer be and he is hereby directed to cause and record the proceeding, including the survey and plat and accurate and detailed description of said proposed improvement, to be forthwith entered in the proper road records of said County; and be it further

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

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

Adopted the 27th day of May, 2010

Jayne Long /s/

Clerk, Board of County Commissioners,  
Belmont County, Ohio

*Note: Commissioner Probst left the meeting.*

**IN THE MATTER OF MONTHLY UPDATE  
BY LARRY MERRY, PORT AUTHORITY DIRECTOR**

Mr. Merry reported they are working on getting the road back into shape at the Eastern Ohio Regional Industrial Park in Barnesville. He dropped off the soils report to the board and the engineer addressed how to fix the road. The engineer for the Project, Hammontree & Associates, wrote a summary letter based on their visit to the site. The issue wasn't the road, but 25 feet below any of the area that the road was worked on. It was an area they were unaware of. After digging, two drains were uncovered that were put in there probably during mining operations. Both were plugged which had allowed the build-up of underground water that is 25 feet below the road surface. The area that broke away and was damaged just dropped. A tremendous amount of bad soil was removed from underneath old stumps were found that had been buried there. You can drive up the road today. The base is back down on the area that was disturbed. They are working today channeling the water that is actually coming out above the road and dealing now with water that is in the ditch line that runs between the hill and the road. There wasn't any of that last year. Mr. Merry further noted there are probably 3 to 5 gallons per minute coming out of that and they have five (5) drains that have been put into place underneath at a depth of about 20-25 feet that are running water as we speak. They run 24 hours a day. He noted it is unbelievable the amount of surface water that is down under several feet.

Regarding economic development, Mr. Merry continues to meet with the State dealing with one of the projects he has been working on. He stated it is hoped that in the very near future Belmont County will have a very nice announcement to make. He had the State in Tuesday and met with a business in the Barnesville area that is in manufacturing that is a start up company and Mr. Merry feels they will have a very neat future for the Belmont County area.

Yesterday Mr. Merry went through the interview process on the waterline grant dealing with the Industrial Park. He feels this community has a real chance of receiving the waterline grant. It is a very competitive process, but he thought the interview went very well with the representative of the Austin Company. They are a private company doing the evaluations, traveling all over the state, and visiting all the sites. They are now going to be very familiar with Belmont County's site should there be a project down the road. Mr. Merry has an interview with the Department of Development and presentation to make in the final process of this toward the end of June.

Mr. Merry also is working on two projects that have to do with cleaning the environment and making technology. These projects have come from individuals and ideas of Belmont County people. He concluded by saying he continues to be very busy and there are a lot things happening in Belmont County.

**IN THE MATTER OF MONTHLY UPDATE  
BY SUE DOUGLASS, EXECUTIVE DIRECTOR, BELMONT COUNTY CIC/DOD**

Mrs. Douglass started out by saying they are in a situation of "hurry up to wait." They projects are moving, but moving so slowly. She said they never make an announcement until they have all the proper signatures and documentation. The last quarter has been a busy time with annual meetings and professional meetings. All of their organizations have been trying to recoup, reorganize and figure out what they are going to do in the next quarter. One of the prime frustrations they are facing is the legislative process. There are so many rules and regulations coming down through government that on the outside appear to be helpful to business, but they are not trickling down with any kind of success. They look at trying to get investors to step up. They try to get private investors and angel investors, but now there is a proposal to over tax the angel investors a different rate. SBA is out of money. Federal stimulus is gone. The process is difficult for banks to use. When the White House issues money, there is just too much between the release of the funds and the trickle down to them. Her office is basically facilitating liaison type work between funders and the people who need the money. They have been encouraging businesses to call their legislatures and stay in contact with the political people making these decisions and to ask them about the regulations. She met with USDA last week and they are totally out of grant money. They are still offering some loans to small municipalities and community groups. She concluded by stating its

challenging and this really slows down their process. But she also noted that they have more one to one contact with small businesses than they have had in a long time. They are trying to be as helpful with their resources as they can.

Mr. Coffland remarked about the trickle down effect and how through every layer administrative costs are taken out. He feels the money should come directly to the counties and townships let them divide it up.

Mr. Coffland also asked Mr. Merry and Mrs. Douglass how many jobs could be forthcoming from each of them. Larry replied from the 3 projects he is working on, it would probably be 150-200 jobs, which he thought was a conservative number. Mrs. Douglass stated the CIC's position is they have their business people announce their numbers. She did say in the Revolving Loan Fund they have 10 new jobs created. She too noted their office has asked for direct funding.

**IN THE MATTER OF MONTHLY FISCAL UPDATE  
BY AUDITOR ANDY SUTAK**

Mr. Sutak reported January thru May, 2010, compared to the same time in 2009, the county is still up in sales tax collection \$218,677.84. But the month of May's collection was actually down compared to this time last year \$14,603.50. He noted the county is always two (2) months behind when they get these allocations. He said he thinks people may have started purchasing things late for the months of March and April, due to the weather and some other things. He is hopeful that interest rates will stay at a positive manner. He will return the second week of June for another comparison.

**IN THE MATTER OF ADJOURNING  
COMMISSIONERS MEETING**

Motion made by Mrs. Favede, seconded by Mr. Coffland to adjourn the meeting.

Upon roll call the vote was as follows:

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

Read, approved and signed this 9th day of June, 2010.

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

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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