

St. Clairsville, Ohio

February 25, 2004

The Board of Commissioners of Belmont County, Ohio, met this day in regular session. Present: Mark A. Thomas, Charles R. Probst, and Ryan E. Olexo Commissioners and Darlene Pempek, Clerk of the Board. Minutes of the meeting of February 18, 2004, were read, approved and signed.

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

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

"BILLS ALLOWED"

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

<u>Claim of</u>	<u>Purposes</u>	<u>Amount</u>
L3 Communications Security	Courthouse Security-General	255.00
Judy Jenewein	Reimburse expenses/Auditor's Office-General	185.10
CDW-G Inc.	Printer-General	716.40
Bel. Co. Dept. of Job & Family Services	March mandated share/Grants PA-General	28,219.91
Belmont Soil & Water	Registration fees/Kelich & Pollock/Common Pleas Crt General	30.00
Paul B. Jefferis	Misc. attorney fees-General	1,013.02
Tobias Stidd, Probation Officer	Mileage for Dec, Jan and 1wk of Feb-General	286.11
Mark H. Fry	March mileage-General	304.00
Kimmel Painting Company	Painting at Jail-General	900.00
B-St. Clair Animal Hospital	January veterinary expenses-Dog Kennel	1,874.60
Crossroads Counseling	Indigent Drivers Alcohol Trmt-Northern Court	517.22
J-Beres Company	Carryover retainage for 2001/Maint Contract/Aud Real Est Assess	1,440.00
P-Bridgeport Water Dept.	January service/WW#1 Sanitary Sewer District	24,138.94
James M. Cox Co., Inc.	Materials-Sanitary Sewer	669.31
Columbia Gas	Service-Oakview Admin Bldg.	5,149.35
S-Sargus Juvenile Center	Salaries-BHJD Who I AM Program	17,631.36
Carmike Cinemas, Inc.	Supplies-BHJD Who I Am Program	510.00
Beth Andes, MS, LPCC	BHJD Who I Am Program	700.00
SBC	January service-Clerk of Courts	110.89
ComCast	January service-Clerk of Courts Computer	200.00
Maximus, Inc.	Technical services rendered/January-Clerk of Courts Computer	1,116.75
West Group	January 2004 Westlaw-Western Court Computer	334.10
Youngstown Hearing & Speech	Interpreter for V. Matthews-Northern Division Court	42.00
Susan Sommer LeCron	Court Reporter Fee 2/17/04-Western Crt Gen Special Projects	75.00
Belmont Senior Services	Jan '04/8 th billing-In Home Care Levy	48,020.14
Belmont Senior Services	Feb '04/2 nd billing-In Home Care Levy	2,147.61
T-Bank One Account	CDBG Funds	23,674.00

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

Motion made by Mr. Thomas, seconded by Mr. Olexo to approve the Recapitulation of Vouchers for the various funds dated for February 25, 2004 as follow:

<u>FUND</u>	<u>AMOUNT</u>
GENERAL	\$6,297.06; \$3,096.14
GENERAL/BETHESDA BUILDING	\$7,221.47
GENERAL/MARTINS FERRY BUILDING	\$677.78
GENERAL/ATTORNEY FEES	\$4,059.21
GENERAL/SHERIFF'S	\$1,388.02, \$2,996.67, \$552.65, \$351.06, \$4,345.32
GENERAL/9-1-1	\$12,123.43, \$4,262.52
B-DOG KENNEL	\$894.85, \$1,047.85
H-BCDJFS/PA	\$1,064.63, \$8,266.94, \$5,418.98, \$76,354.17, \$13,596.19
COUNTY HOME	\$41,442.66
K-ENGINEER'S MVGT	\$114,193.02, \$1,795.58
P-SANITARY SEWER	\$70,086.49, \$96,669.50, \$6,912.15, \$83,099.77
EASTERN SATELLITE BUILDING	\$813.73
S-OAKVIEW JUVENILE REHAB DISTRICT	\$5,054.79
OAKVIEW JUVENILE REHAB/AFTERCARE	\$140.00
DISTRICT DETENTION HOME	\$4,789.37
SHERIFF'S COMMISSARY	\$836.71, \$871.67, \$411.68
WESTERN DIVISION COURT	\$151.42
T-BCDJFS JOB TRAINING	\$747.70

Upon roll call the vote was as follows:

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

IN THE MATTER OF APPROVING TRANSFERS OF FUNDS FOR THE VARIOUS COUNTY DEPARTMENTS

Motion made by Mr. Thomas, seconded by Mr. Olexo to approve the transfer of funds for the various county departments as follows:

TRANSFER WITHIN THE BELMONT COUNTY GENERAL FUND

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
A401-A11Other Expenses	A006-A06 Sheriff's/Contract Services	\$3,500.00

GENERAL FUND CONTRIBUTION TO OJIN PROJECT

TRANSFER WITHIN THE BELMONT COUNTY GENERAL FUND

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
A401-A11Other Expenses	A202-A09 Appellate Court District	\$3,361.00

TRANSFER WITHIN THE BELMONT COUNTY GENERAL FUND

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
A401-A11Other Expenses	A206-A03 Housing of Prisoners	\$25,675.00

TRANSFER WITHIN THE BELMONT COUNTY GENERAL FUND

FROM	TO	AMOUNT
A401-A11 Other Expenses	A015-A15 Transfer Out	\$5,000.00

***VICTIM ASSISTANCE
2004 GENERAL FUND ALLOCATION***

TRANSFER BETWEEN FUNDS/GENERAL FUND TO PROSECUTOR'S VICTIM ASSISTANCE

FROM	TO	AMOUNT
A015-A15 Transfers Out	W080-P07 Transfers In	\$5,000.00

***VICTIM ASSISTANCE
2004 GENERAL FUND ALLOCATION***

TRANSFER WITHIN FUND FOR THE JUVENILE COURT ALTERNATIVE SCHOOL FUND M67

FROM	TO	AMOUNT
M067-M10 Other Expenses	M067-M05 Insurances	\$10,000.00

MONTHLY TRANSFER OF FUNDS DATED FOR MONTH OF FEBRUARY FOR BELMONT COUNTY SANITARY SEWER

FROM	TO	AMOUNT
P003-P18 SUPPLIES	Y090-Y02 SUPPLIES	196.98
P003-P19 EQUIPMENT	Y090-Y03 EQUIPMENT	19903.33
P003-P20 LABOR	Y090-Y04 LABOR	0.00
P003-P21 MATERIALS	Y090-Y05 MATERIALS	6843.21
P003-P22 CONTRACT REP.	Y090-Y06 CONTRACT REP.	74.41
P003-P23 CONTRACT SERV.	Y090-Y07 CONTRACT SERV.	769.20
P003-P24 CONTRACT PROJ.	Y090-Y08 CONTRACT PROJ.	.00
P003-P25 PURCHASED H2O	Y090-Y09 PURCHASED H2O	49413.62
P003-P27 ADV & PRINTING	Y090-Y04 ADV & PRINTING	0.00
P003-P28 TRAVEL & EXP.	Y090-Y11 TRAVEL & EXP.	31.13
P003-P29 PERS	Y090-Y12 PERS	2008.54
P003-P30 WORKERS' COMP	Y090-Y13 WORKERS' COMP	0.00
P003-P31 OTHER EXPENSES	Y090-Y14 OTHER EXPENSES	4103.82
P003-P32 TRANSFERS-OUT	Y090-Y17 TRANSFERS-OUT	2486.25
P003-P35 MEDICARE	Y090-Y18 MEDICARE	0.00
TOTAL		85830.49
P005-P18 SUPPLIES	Y090-Y02 SUPPLIES	373.31
P005-P19 EQUIPMENT	Y090-Y03 EQUIPMENT	38604.82
P005-P21 MATERIALS	Y090-Y05 MATERIALS	23325.40
P005-P22 CONTRACT REP.	Y090-Y06 CONTRACT REP.	141.76
P005-P23 CONTRACT SERV.	Y090-Y07 CONTRACT SERV.	30174.47
P005-P24 CONTRACT PROJ.	Y090-Y08 CONTRACT PROJ.	0.00
P005-P25 PURCHASED H2O	Y090-Y09 PURCHASED H2O	786.89
P005-P27 ADV & PRINTING	Y090-Y10 ADV & PRINTING	0.00
P005-P28 TRAVEL & EXP.	Y090-Y11 TRAVEL & EXP.	59.31
P005-P29 PERS	Y090-Y12 PERS	6315.16
P005-P30 WORKERS' COMP	Y090-Y13 WORKERS'COMP	0.00
P005-P31 OTHER EXP.	Y090-Y14 OTHER EXP.	11879.99
P005-P34 TRANSFERS-OUT	Y090-Y17 TRANSFERS-OUT	9736.00
P005-P35 MEDICARE	Y090-Y18 MEDICARE	0.00
TOTAL		121397.11
P051-P02 SUPPLIES	Y090-Y02 SUPPLIES	82.94
P051-P03 EQUIPMENT	Y090-Y03 EQUIPMENT	750.51
P051-P05 MATERIALS	Y090-Y05 MATERIALS	2337.49
P051-P06 CONTRACT REP.	Y090-Y06 CONTRACT REP.	58.97
P051-P07 CONTRACT SERV.	Y090-Y07 CONTRACT SERV.	375.59
P051-P08 CONTRACT PROJ	Y090-Y08 CONTRACT PROJ	0.00
P051-P09 SEWAGE DIS.	Y090-Y08 SEWAGE DIS.	27744.14
P051-P11 ADV & PRINTING	Y090-Y10 ADV & PRINTING	0.00
P051-P12 TRAVEL & EXP	Y090-Y11 TRAVEL & EXP	13.13
P051-P13 PERS	Y090-Y12 PERS	698.46
P051-P14 WORKERS' COMP	Y090-Y13 WORKERS' COMP	0.00
P051-P15 OTHER EXP.	Y090-Y14 OTHER EXP.	2659.69
P051-P16 TRANSFERS OUT	Y090-Y17 TRANSFERS OUT	0.00
P051-P35 MEDICARE	Y090-Y18 MEDICARE	0.00
TOTAL		34720.92
P053-P02 SUPPLIES	Y090-Y02 SUPPLIES	43.90
P053-P03 EQUIPMENT	Y090-Y03 EQUIPMENT	1097.41
PO53-P05 MATERIALS	Y090-Y05 MATERIALS	3693.97
P053-P06 CONTRACT REP.	Y090-Y06 CONTRACT REPAIRS	0.00
P053-P07 CONTRACT SERV.	Y090-Y07 CONTRACT SERV.	5920.70
P053-P08 CONTRACT PROJ	Y090-Y08 CONTRACT PROJ	0.00
P053-P09 SEWAGE DIS.	Y090-Y09 SEWAGE DIS.	37215.22
P053-P11 ADVER.&PRINTING	Y090-Y10 ADVER.&PRINTING	0.00
P053-P12 TRAVEL & EXP.	Y090-Y11 TRAVEL & EXP	7.06
P053-P13 PERS	Y090-Y12 PERS	1901.95
P053-P14 WORKERS' COMP	Y090-Y13 WORKERS' COMP	0.00
P053-P15 OTHER EXP.	Y090-Y14 OTHER EXP.	3018.02
P053-P16 TRANSFERS OUT	Y090-Y17 TRANSFERS OUT	11598.19
P053-P35 MEDICARE	Y090-Y18 MEDICARE	0.00
TOTAL		64496.42

P055-P02 SUPPLIES	Y090-Y02 SUPPLIES	0.00
P055-P03 EQUIPMENT	Y090-Y03 EQUIPMENT	0.00
P055-P05 MATERIALS	Y090-Y05 MATERIALS	185.38
P055-P06 CONTRACT REPAIRS	Y090-Y06 CONTRACT REPAIRS	0.00
P055-P07 CONTRACT SERV.	Y090-Y07 CONTRACT SERV.	981.14
P055-P11 ADVER & PRINTING	Y090-Y07 ADVER & PRINTING	0.00
P055-P12 TRAVEL & EXP.	Y090-Y11 TRAVEL & EXP.	190.05
P055-P13 PERS	Y090-Y12 PERS	0.00
P055-P14 WORKERS' COMP	Y090-Y13 WORKERS' COMP	0.00
P055-P15 OTHER EXP.	Y090-Y14 OTHER EXP.	357.69
P055-P35 MEDICARE	Y090-Y18 MEDICARE	0.00
TOTAL		1714.26
P056-P02 SUPPLIES	Y090-Y02 SUPPLIES	0.00
P056-P07 CONTRACT SERV.	Y090-Y07 CONTRACT SERV.	0.00
P056-P09 SEWAGE DISP.	Y190-Y08 SEWAGE DISP.	0.00
P056-P13 PERS	Y090-Y12 PERS	36.31
P056-P14 WORKERS' COMP	Y090-Y13 WORKERS' COMP	0.00
P056-P15 OTHER EXP.	Y090-Y14 OTHER EXP.	141.90
P056-P16 TRANSFERS OUT	Y090-Y14 TRANSFERS OUT	0.00
P056-P35 MEDICARE	Y090-Y18 MEDICARE	0.00
TOTAL		178.21

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADDITIONAL APPROPRIATIONS
FOR THE BELMONT HARRISON JUVENILE DISTRICT S35 PRC GRANT FUND**

Motion made by Mr. Probst, seconded by Mr. Olexo 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 February 25, 2004.

S035- BHJD PRC Grant Fund

S035-S06 Contract Services \$2.23

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADDITIONAL APPROPRIATIONS
FOR THE BELMONT COUNTY SHERIFF OFFICE U10 RESERVE FUND**

Motion made by Mr. Probst, seconded by Mr. Olexo 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 February 25, 2004.

U010 Sheriff Office Reserve Fund

U010-U06 Other Expense \$211.00

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADDITIONAL APPROPRIATIONS FOR THE OAKVIEW JUVENILE REHABILITATION DISTRICT S28
AFTERCARE AND; S29 AMERICORP AND; S30 OJRD FUNDS**

Motion made by Mr. Probst, seconded by Mr. Olexo 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 February 25, 2004.

S028 OJRD Aftercare Fund

S028-S04 Workers Comp \$1.86

S029 OJRD Americorp Fund

S029—S04 Workers Comp \$1.70

S030 OJRD Fund

S030-S54 Food \$609.20

S030-S58 Communications 80.00

Total this appropriation \$689.20

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADDITIONAL APPROPRIATIONS
FOR THE BELMONT COUNTY COMMON PLEAS COURT S74 MEDIATION PROGRAM FUND**

Motion made by Mr. Probst, seconded by Mr. Olexo 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 February 25, 2004.

S074 Common Pleas Court Mediation Program Fund

S074-S01 Salaries \$7,000.77

S074-S02 PERS 3,000.00

S074-S05 Insurances 3,000.00

S074-S06 Travel 415.00

Total this appropriation \$13,415.77

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADDITIONAL APPROPRIATIONS
FOR THE BELMONT COUNTY SHERIFF OFFICE S00 JAIL COMMISSARY FUND**

Motion made by Mr. Probst, seconded by Mr. Olexo 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 February 25, 2004.

S000- Sheriff Office / Jail Commissary Fund

S000-S01 Supplies \$4,244.40

Upon roll call the vote was as follows:

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

IN THE MATTER OF ADDITIONAL APPROPRIATIONS FOR THE CDBG FUND

Motion made by Mr. Thomas, seconded by Mr. Olexo 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 February 4, 2004.

T-11 CDBG FUND

T011-T03 CDBG Grant \$23,674.00 (Drawdown # 291 Grant # B-C-03-007-1 and B-C-03-007-2)

Upon roll call the vote was as follows:

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

IN THE MATTER OF GRANTING PERMISSION FOR VETERANS OFFICE EMPLOYEES TO TRAVEL

Motion made by Mr. Olexo, seconded by Mr. Probst granting permission for CVSO Lucinda J. Maupin nad CVSO Christy J. Tylor to travel to Columbus, Ohio to attend the OSACVSO Quarter Service Officers' Meeting on March 2 & 3, 2004. Estimated expenses are: \$350.00.

Upon roll call the vote was as follows:

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

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

Motion made by Mr. Thomas, seconded by Mr. Olexo to execute payment of Then and Now Certification dated February 11, 18 and 24, 2004 as presented by the County Auditor pursuant to O.R.C. 5705.41(d) 1, and authorizing the drawing of warrant(s) in payment of amounts due upon contract or order.

Upon roll call the vote was as follows:

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

OPEN PUBLIC FORUM

Mr. Art Thompson stated the litter in Belmont County was still an issue and asked if the Commissioners had any suggestions or plans regarding this matter. Commissioner Olexo stated, "There are some cleanups ongoing. ODOT has been working with Samantha Carroll (Program Coordinator for Recycling and Litter Department) on the Adopt-a-Highway program... a percentage of the new \$6.25 assessment tax will be utilized for roadside pick up." Mr. Thompson asked if prisoners from the local prison could be utilized for road cleanup, or if there were some other idea that could be incorporated. Commissioner Thomas stated the new \$6.25 tax had a list of items that must be completed according to Ohio EPA, and that litter cleanup was near the bottom of the list. He continued, "The top of the list is recycling. The only way to add a program is to gain more funding for pickup. Samantha has the right idea with education. All we can do is someday, find additional funding." Mr. Thompson suggested stiffer fines and punishment for those caught littering. Commissioner Thomas stated, "There is not enough money, it would take an additional employee for pickup either through Samantha or the Sheriff's Department." Freeman Holmes, resident of the County, stated he agreed with the conversation that the fines are not tough enough. He relayed a recent event where a person caught littering was fined a small amount and made to do community service work, while others were not fined at all. Commissioner Probst stated, "The same thing happened last year a few times. Then ultimately the homeowner is responsible for cleanup." Commissioner Olexo stated, "We all have a lot more respect for ourselves than these people do, we would not leave garbage laying about in our homes or yards."

**IN THE MATTER OF OCJS SUBGRANT AWARD AGREEMENT
FOR BELMONT COUNTY SHERIFF'S G.R.E.A.T PROGRAM**

Motion made by Mr. Thomas, seconded by Mr. Probst authorizing Commission President Ryan E. Olexo to sign and submit the Subgrant Award Agreement for Subgrant No. 2003-PS-PSN-302, Subgrant Title: G.R.E.A.T Program, Implementing Agency: Belmont County Sheriff's Office, Award Period: 12/1/03 to 11/30/05, Project Total: \$41,113.20 to the State of Ohio Office of Criminal Justice Services.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF CERTIFYING ODYS SUBGRANT AWARD AND
FINANCIAL REPORT FORM FOR BELMONT COUNTY JUVENILE DRUG COURT GRANT**

Motion made by Mr. Probst, seconded by Mr. Thomas authorizing Commission President Ryan E. Olexo to certify the Subgrant Award and Fianancial Report Form for the Belmont County Juvenile Drug Court, Subgrant No.: 2003-JJ-DA1-0095, Award Date: 1/12/04, Project Period: 1/1/04 to 12/31/04, Project Total: \$27,922.00.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF INCREASING THE HOURLY WAGE
OF BOARD OF COMMISSIONERS HOUSEKEEPING DEPARTMENT PART TIME EMPLOYEE**

Motion made by Mr. Olexo, seconded by Mr. Probst to increase the current hourly rate for Pamela Cramer, Belmont County Commissioner, Housekeeping Department part-time employee based upon the recommendation of William Eddy, Superintendent. Ms. Cramer has satisfactorily completed the required 120 day probationary period effective December 25, 2003 and will receive a fifty cent (.50) per hour increase retroactive to pay period ending January 10, 2004. Ms. Cramer's current rate of pay is \$7.50 per hour.

Upon roll call the vote was as follows:

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

IN THE MATTER OF AUTHORIZATION TO SIGN

BELMONT COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES DOCUMENTS

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

RESOLUTION

WHEREAS, the Belmont County Board of County Commissioners and the Director of Belmont County Department of Job and Family Services (BCDJFS) serve as co-appointing authority for the Belmont County Department of Job and Family Services, and;

WHEREAS, the Director, BCDJFS, may wish to delegate the authorization to sign various department documents, and;

WHEREAS, the Belmont County Board of Commissioners desire to authorize as co-appointing authority,

NOW, THEREFORE BE IT RESOLVED, the Board of Belmont County Commissioners do hereby authorize Charlotte McLaughlin to sign expense reports, time sheet documents and various correspondence as the Director of BCDJFS designee.

Upon roll call the vote was as follows:

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

IN THE MATTER OF RE-APPOINTMENTS TO

THE OHIO MID-EASTERN GOVERNMENTS

ASSOCIATION MEMBERSHIP AND EXECUTIVE BOARD

Motion made by Mr. Probst, seconded by Mr. Thomas to re-appoint the following individuals to the OMEGA Membership and the OMEGA Executive Board for 2004:

OMEGA MEMBERSHIP

Charles R. Probst, Jr., Commissioner
Ryan E. Olexo, Commissioner
Mark A. Thomas, Commissioner

OMEGA EXECUTIVE BOARD

Ryan E. Olexo, Commissioner

Upon roll call the votes was as follows:

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

IN THE MATTER OF ENTERING EXECUTIVE SESSION

WITH DIRECTOR AND HUMAN RESOURCE ADMINISTRATOR OF BCDJFS

AND CLERK AT 10:00 A.M.

Motion made by Mr. Olexo, seconded by Mr. Probst to enter executive session at 10:00 A.M. with Dwayne Pielech, BCDJFS Director, Mike Kinter, BCDJFS Human Resource Administrator and Clerk Darlene Pempek to discuss the hiring of a county employee upon adoption of the following:

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

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

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

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

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

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

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

IN THE MATTER OF ADJOURNING EXECUTIVE SESSION

WITH DIRECTOR AND HUMAN RESOURCE ADMINISTRATOR OF BCDJFS

AND CLERK AT 10:20 A.M.

Motion made by Mr. Olexo, seconded by Mr. Thomas to adjourn executive session at 10:20 A.M. with Dwayne Pielech, BCDJFS Director, Mike Kinter, BCDJFS Human Resource Administrator and Clerk Darlene Pempek to discuss the hiring of a county employee.

Upon roll call the vote was as follows:

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

NO ACTION TAKEN

IN THE MATTER OF APPROVING MINUTES

OF BOARD OF COMMISSIONERS REGULAR MEETING

Motion made by Mr. Probst, seconded by Mr. Thomas to approve the minutes of the Belmont County Commissioners regular meeting of February 18, 2004.

Upon roll call the vote was as follows:

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

UNDER DISCUSSION

Commissioner Probst questioned an item given to the Board pertaining to a proposal submitted by McCall/Sharp Architects. Commissioner Thomas explained, "That pertains to a meeting I had with Ed McCall regarding a feasibility study for renovating the Thoburn Church. At some point, beyond that building, we need to take a look at sending out RFP's for this type of study, coming in and studying each office in the courthouse. This would be an extension to the master plan that we have that McCall /Sharp completed. This proposal would be for them to come in and do surveys, evaluate the sight, evaluate the courthouse block regarding future buildings, parking etc. Then go into each office and talk to the elected official about space needs currently and for a five-year term and then project it out twenty or thirty years.

UNDER DISCUSSION (Cont'd)

Take that information and develop a conceptual sight plan for physical facilities that would hopefully last us the next hundred years. That is what we need to do. There is no action needed today on it. I think what we need to do is send that out and let other people offer their proposals also. We have to take a look at physical facilities in this domain I would like to think sooner rather than later. As we take possession of the church and try to formulate a plan that will not only serve our needs for today, but also serve the needs of our residents who will be sitting here one hundred years from now. This is really a big decision for the county because of the buildings that we now own on this block, and we have an opportunity to really set the table, make good useable space for us now and later." Commissioner Probst said, "For as big as the plan is going to be, I didn't think that three months would be long enough." Commissioner Thomas stated, "The reason they can do that is that they did the master plan. A lot of their groundwork as to the size of the Commissioner's office, the size of the courtrooms is already done. He has an advantage that I think will definitely save time and may save us money. We may want to dovetail off from this. Do an RFP, send it out there and see what we get. I quite frankly think we need to look at it in the year 2004." Commissioner Olexo stated, "As we all know, when we walked into office, we inherited a lot of physical facilities problems. We had the foresight to buy the church to be able to have the opportunity to correct some of these problems. I agree with Commissioner Thomas and I know Commissioner Probst agrees as well, we need to have that, we were doing that plan on our own, but with the properties recently purchased, an architect is going to be the best person to tell us how it can best be used." Commissioner Thomas said, "We received a proposal from an architectural firm that did our physical facilities master plan in the last year and a half. We will take possession of the Thoburn Church through a deed transfer on or about July 1 (2004) at the latest. The resulting discussion we had is taking the initiative to begin planning physical facilities needs for all of the offices here in the courthouse, to try to centralize everything. The short and long-term goal is to provide facilities that will best serve the taxpayers, reduce our monthly rentals that are scattered throughout St. Clairsville and other areas of the County. The bottom line is the best use of taxpayers dollars as it relates to physical facilities and the service we provide." He continued, "What this proposal does is they or any other firm we may hire, would come in and do surveys of each office in this building. They would also do surveys in each of the offices across the street, down the street at the title office. We are going to leave it up to each elected official to initially give us some idea of where they think their space needs are. We want to be able to do this so it is a long-term venture. We want to do it right the first time, have space for growth because government continues to grow because of different mandates from Columbus. They would do surveys then and based on those surveys they would create a conceptual plan /design that would show us where we may need to be in the next five, fifty, one hundred years. From that we need to make some financial decisions. Everybody is bursting at the seams. There is a huge storage space issue, there is a parking issue, and all those need to be resolved. This would also include the old jail." Commissioner Thomas explained, "They were here about a year or year and a half ago. They came into every building that we own or rent and did a physical facilities layout of the square footage, the design etc., for every building including this building. We have all of that information at our fingertips. This would be an extension of that to the degree of planning future office space." Commissioner Olexo said, "The first plan that was done was done by the Department of Job and Family Services. It was done more specifically for what their needs are. Looking at the 310 Fox Shannon building, looking at the annex building on SR 331, the Oakview Building, and it included all the space for courthouse offices, square footage and also any other buildings that we do own. This proposal would be more specific to how could we provide parking and utilize the space that we now have through the church property, be it through renovation or through demolition and rebuilding. Parking facilities, everyone knows that is the biggest issue you have here in downtown St. Clairsville... This is more specific now to concentrate on this block that we are currently sitting on. How can we best utilize the property that we now have to offer services for the people." Commissioner Thomas said, "The study would also include the logistics on time frame, if we did it in phases, which I think we would have to do because of financial concerns, and we would have to do a timeline. It would also, at the very end based upon the study and the physical facilities issues that would result from it, develop a potential cost so we could then look to financing whatever renovation and or new construction may need to take place to set this corridor in place for the next one hundred years. One of the biggest issues is parking for existing facilities. Once we determine what we are going to do with the church, renovation or razing it and building a new building, parking goes right along with that. We are obviously going to be centralizing a lot of our offices and parking. Apparently this is a plan that has been in the works for thirty years, of a design of a parking garage back in the back. Today that looks as if that is the situation that would be developed, a two-tier parking garage, possibly three depending on the layout. We need to get it out to the public and let other firms come in and give us a price. We don't need to bid that out because it is an RFP. We just want to give everybody the opportunity to come in and give us a proposal. Not only to try to save some money, but be fair with everyone as far as opportunity for employment." Commissioner Olexo said, "The last thing we want to do as a Board, and the last thing taxpayers want us to do, is to spend taxpayers' money on physical facilities.... but at this point in time we really don't have a choice. Some of our buildings are in such shape that we can't sit here idly by and do nothing. We have to do something to improve the facilities." Commissioner Probst stated, "We not only need additional space, but the long term benefits of owning instead of leasing. That is costing the taxpayers money also. We have to look at the long term here. We were fortunate to be able to buy Thoburn Church area. We need to get a master plan together and work towards that goal." Commissioner Olexo stated the annex building and the Oakview building on SR 331 are the buildings that are in the worst shape currently. Commissioner Thomas said, "That is a corollary issue to what we are specifically talking about. The physical facilities issues in totality that this Board has to address are voluminous. It is a matter of buildings that have been used for hundreds of years. They have outlived their usefulness. That goes beyond government growing on a daily and yearly basis. That is providing a safe workplace for our employees. Providing a safe facility for the residents to come in and obtain the services they need. The fact of the matter is, you have to have the physical facilities to provide the services. As much as we don't want to have to address it in the numbers that we are going to, whether we are sitting in these seats or not, whoever is sitting here will have to take a long, hard look at the physical facilities issues sooner than later, and they are all coming together now." Commissioner Olexo said, "This proposal that is in front of us, and those of you who attend these meetings often know, this Board does a lot of research before we get into anything. We try to be as thorough as we can because we need to be, above and beyond everything, accountable to the taxpayers. This is one of those things that we feel is necessary."

Joselyn King, Reporter, Wheeling Intelligencer, questioned the status of the relocation of Eastern Court. Commissioner Thomas stated, "I am going to meet with Maroon Enterprises next week. They have a proposal to present us. The judge made the modifications to his satisfaction and Maroon Enterprises has finalized the revised plan. They are finishing various proposals for the Board to address in relation to Eastern Court and or the Board of Elections. That is the purpose of next week's meeting."

IN THE MATTER OF ADVERTISING FOR BIDS FOR EXIT 215 WASTEWATER COLLECTION SYSTEM CONTRACT NO. BELCO-04-1/SANITARY SEWER DISTRICT

Motion made by Mr. Thomas, seconded by Mr. Probst to approve the request of Mark Esposito, Director, Belmont County Sanitary Sewer District, and David Grum, Project Consultant, to advertise for bids for the project to be known as: BELCO-04-1: Exit 215 Wastewater Collection System, and direct the Clerk of the Board to establish the date and time for the bid opening and proceed with the required notices.

ADVERTISE FOR BIDS

It appearing to the Board that it would be to the best interest of the Public to ask and receive bids for the Interstate 70, Exit 215 Wastewater Collection System for the Sanitary Sewer District, the Clerk is hereby directed to have published in the Martins Ferry Times Leader, a newspaper having general circulation in the County, an "Advertisement for Bids" as follows:

ADVERTISEMENT FOR BIDS

**BELMONT COUNTY COMMISSION
BELMONT COUNTY SANITARY SEWER DISTRICT
EXIT 215 WASTEWATER COLLECTION SYSTEM**

Separate sealed bids for construction of **Contract No. BELCO-04-1** will be received by the **BELMONT COUNTY COMMISSION** at the Commissioners' office, Belmont County Courthouse, 101 W. Main St., St. Clairsville, Ohio 43950 until **March 24, 2004**, at **10:00 a.m.**, local prevailing time, and then at said office publicly opened by the Board of Commissioners and read aloud.

The Instructions to Bidders, Form of Bid, Form of Contract, Specifications and Forms of Bid Bond, may be examined at the following:

1. F. W. Dodge Co.
3707 Market St.
Youngstown, OH 44507
2. OVCEC
21 Armory Drive
Wheeling, WV 26003
3. Vaughn, Coast & Vaughn, Inc.
154 S. Marietta St.
St. Clairsville, OH 43950
740-695-7256
4. Belmont County Commission
Belmont County Courthouse
101 W. Main St.
St. Clairsville, OH 43950

Method of Bidding will be as follows:

Contract BELCO-04-1 Exit 215 Wastewater Collection System: Unit price contract to construct a wastewater collection system including approximately 1,856 feet of 8-inch gravity sewer pipe, 9 manholes, and related appurtenances.

Bidding Documents may be obtained from the office of Vaughn, Coast & Vaughn, Inc., 154 S. Marietta St, St. Clairsville, OH, 43950, phone: (740) 695-7256, fax: (740) 695-2203.

A deposit will be required for the Bidding Documents for each contract as follows:

Specifications & Drawings \$ 100.00

Note: Document must be returned in good condition within 20 days of bid opening to receive refund.

The above stated deposit is required before the documents can be made available.

Bidders must comply with the following:

- A. Domestic steel use requirements as specified in Section 153.011 of the Ohio Revised Code apply to this project. Copies of Section 153.011 of the Revised Code can be obtained from any of the offices of the Department of Administrative Services.
- B. A Resolution passed by the Belmont County Board of Commissioners on March 16, 2001, entitled, "Protecting our workers and to take all necessary measures to halt the injurious dumping of Foreign Steel in Belmont County, Ohio." Copies of this resolution may be obtained from the Clerk of the Board of Commissioners.
- C. Said Contract will be let to the lowest and best responsible Bidder in accordance with the Resolution adopted by the Belmont County Board of Commissioners listing bidding factors. The Owner reserves the right to award a contract to that Bidder which is in the best interest of the County.

The Owner reserves the right to waive any informalities or to reject any or all bids.

Each Bidder must submit with his bid, security in the amount, form and subject to the conditions provided in the Information for Bidders. This project requires a 100% security amount.

All work done under this contract shall be subject to all State requirements concerning the payment of the prevailing wage rates.

No Bidder may withdraw his bid within **60 days** after the actual date of the opening thereof.

By order of: BELMONT COUNTY COMMISSION
Darlene Pempek, Clerk
Address for Bids: Belmont County Commission
Belmont County Courthouse
101 W. Main Street
St. Clairsville, OH 43950

Signed: Darlene Pempek /s/ Date: February 25, 2004

Darlene Pempek

Times Leader: Advertise: Three (3) Wednesdays: March 3, 10 and 17, 2004

Upon roll call the vote was as follows:

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

UNDER DISCUSSION

It was clarified that this project is located off Exit 215 of Interstate 70 onto Route 40 by Hidden Valley Outdoors. Commissioner Olexo stated he would take this opportunity to update the public on the pending water/sewer lines for the county:

- Colerain Whitney Road Waterline Project– Pending
- Neffs Sewage Collection System
 - Engineering phase is the next step
 - Designing of the lines
 - Currently looking for outside funding
- Morristown Pump Station for sewage line
 - The Village has their funding
 - Project should begin July or August
 - Belmont County's portion of this project is to create a pump station that will pump to Fox Shannon Treatment plant.
- Flushing
 - Currently buys water from Belmont County
 - Poor water flow in the higher areas.
 - Project is for a pump station design
- Mt. Victory Road
 - Engineer moving into area to design entire project
 - Design and cost estimate
 - Possibly a two stage project

UNDER DISCUSSION (Cont'd)

Commissioner Thomas stated, "The Mt. Victory Road is in Mead and York Townships, in the southeastern corridor of the county. This will be the largest most expensive project the Belmont County Commissioners will undertake in 2004. We intended to have a design of the entire line. This is a ten-mile waterline that will affect 72 homes. The price tag may be too great to do all at one time. What we hope is to have the engineer give us a break at somewhere in the five mile mark, and do part of this project this year and part in 2005. All of these projects, including the Exit 215 sewer collection which has been an ongoing project, plus the Glencoe Whitney Road project, total at this time approximately 1.7 million dollars. At least for the water project this is an extension of the 2001 master plan. These are not projects that we are picking out of thin air; this is the result of a master plan that the Commissioners developed in 2001. It gives us great pleasure to announce continued infrastructure development in Belmont County."

Commissioner Probst said, "It is very exciting. We are pleased to do this and continue our commitment to the citizens of Belmont County, to ensure that the residents have decent water quality and also a sanitary sewer system. It will benefit the residents and promote growth in Belmont County. The people of Neffs have been very cooperative and very patient. We were pushing that direction to help everyone in that community. I think they will be very pleased to realize that we have taken a giant step toward sewaging that area and the surrounding area. The same for Morristown, their committees have been working for the past three, three and a half years putting the project together for a gravity system within the village. It was our commitment back then, when Commissioner Thomas and Commissioner Olexo came into office to do something to help them also, for them to tap into the force main in that area. Providing that pump station is a major step for that also. Mt. Victory Road, thank you for being so patient also. We have been putting the funding together. Timing it so to speak. We don't want to jeopardize the budget... stay within our means. We have seen that come to fruition also. Flushing is a major step too; with the water there we will be able to fill those tanks. This is very important for Belmont County, and I think we will see a major spin off effect." Commissioner Olexo stated, "The master plan was a five year plan. We are starting our fourth year in office. There are basically two projects left in that master plan: Mr. Victory Road area and Hendrysburg area. The Hendrysburg waterline is obviously going to be a major project... It does give us great pleasure to be able to try to help the residents of the county. There are still some residents, and quite frankly some residents sitting in this meeting today, who still don't have safe drinking water. It gives this Board great pleasure to try to help those residents with safe drinking water in some instances and sanitary sewer in other instances. Quite frankly, as we help our residents and make Belmont County a better place to live, a safer place to live, it also promotes economic development...we see it everywhere not only with retail and fast food, but also residential structures. It gives this Board great pleasure to be apart of building this county and to make the future of this county continue to look brighter." Commissioner Probst stated the water projects are funded through the quarter percent infrastructure money which is the sales tax, "...which is another important thing to remember - that 70-80% of the people who shop in Belmont County live outside of Belmont County and are helping to fund these different infrastructure projects." Commissioner Thomas said, "Residents who are not mentioned, other than Hendrysburg, which is in the northwest quadrant of the county toward Piedmont. There may be other pockets in Belmont County which are not mentioned, some areas have been petitioning for water over thirty years. What we intend to do is to continue to do projects every year. We are going to reach a point, it may not be in this Board's tenure here, this seated Board, to where we achieve at least in the water vein, water for almost every resident in this county We are making great progress. We want all residents to know, regardless of the master plan we have on the radar screen, other pockets, other areas of the county where there are water lines needed, those areas will be given every bit the attention they deserve over the next few years." Commissioner Olexo stated the master plan was put into place for one primary reason. When you look at the Mt. Victory Road project, that project could not happen until Loomis/ Lamira project happened although it seems like a totally different area of the county. We can now get water to the Mt. Victory Road to perform the expansion. That is why some of these other little projects, that may not be a part of the master plan, still these projects will give us the ability to do other projects. Quite frankly, we would love to have every resident in the county have the availability of county water. It doesn't mean that they have to necessarily use it if they don't want it." Commissioner Probst said, "Establishing that foundation, collecting revenue from the residents, and the businesses, by looking ahead for development that may come to those certain areas. We are trying to paint a picture of the whole thing."

Frank Shaffer, thanked the Board for working together as a Board to be able to bring water to the Mt. Victory Road area. Mr. Freeman Holmes reiterated the remarks of Mr. Shaffer.

**IN THE MATTER OF APPROVING LOAN AGREEMENT
BETWEEN BELMONT COUNTY AND EAST OHIO REGIONAL HOSPITAL
AS PARTICIPATING PARTIES IN STATE OF OHIO ECONOMIC DEVELOPMENT REVOLVING LOAN FUND (RLF)**

Motion made by Mr. Thomas, seconded by Mr. Probst to approve and sign the Loan Agreement between Belmont County and East Ohio Regional Hospital, as participating parties in the State of Ohio Economic Development Revolving Loan Fund.

The loan is in the amount of five hundred thousand dollars (\$500,000.00) and will be used for the payment of a portion of the cost of the acquisition of new medical equipment. Payments in the amount of \$4,828.04 per month will commence on April 30th, 2004 through March 31, 2014.

LOAN AGREEMENT

This agreement dated February 16, 2004, is entered into by and between the community of BELMONT COUNTY, OHIO (hereinafter called "Recipient") and EAST OHIO REGIONAL HOSPITAL (hereinafter called "Business"), as Participating Parties in the State of Ohio Economic Development Revolving Loan Fund (RLF), and as evidence of the commitment of Business to comply with all requirements embodied in the Loan Agreement between the Belmont County, Ohio, as Recipient and the Ohio Department of Development (hereinafter called ("ODOD")). The community of Belmont County, Ohio is the recipient of an Economic Development Revolving Loan Fund in the amount of Five Hundred Thousand and No/100 Dollars (\$500,000.00). The Loan Agreement was accepted by the community of Belmont County, Ohio, on July 9, 2003.

I.

Business, as a Participating Party in the Project, as defined and described in this Loan Agreement, and in consideration of Recipient making the loan specified in the Loan Agreement covenants and agrees to the following commitments to be performed by the Participating Parties and that such commitment is materially relied upon by all parties.

II.

Business, as a Participating Party shall acquire new medical equipment to improve the property situated at 90 North Fourth Street, Martins Ferry, Ohio 43935. Said acquisitions shall include:

<u>ACTIVITY NAME</u>	<u>TOTAL COST</u>
Equipment Purchase	\$1,500,000.00

The improvements shall be completed at the specified minimum total project cost of \$1,500,000.00.

III.

Part A. Loan to Company by the Recipient

The Recipient shall loan to Business the sum of Five Hundred Thousand and No/100 Dollars (\$500,000.00) out of the funds provided to the Recipient under the ED/RLF Loan Agreement, which shall be used by Business for the payment of a portion of the cost of the acquisition of new medical equipment, on the terms hereinafter set forth. Such loan shall be evidenced by a Promissory Note dated as of February 16, 2004. The terms and conditions of the loan shall be consistent with the following:

- (A) Disbursement-Proceeds of the Loan shall be disbursed in several draw requests based upon evidence of purchase of the equipment by the Business submitted by Business, verified and approved by the Recipient, based upon costs incurred by the Business.
- (B) Interest Rate- The Promissory Note shall provide for interest at the rate of three percent (3%) per annum, simple interest, on the amount disbursed, beginning no later than March 31, 2004.
- (C) Payments- Payments on the Loan amount of \$500,000.00 will commence on the 30th day of April, 2004, through March 31, 2014. Business shall pay Four Thousand Eight Hundred Twenty-eight and 04/100 Dollars (\$4,828.04) in principal and interest per

month, in accordance with an amortization schedule calculated to fully amortize the principal balance of the loan within ten (10) years. All payments shall be made to Belmont County.

(D) Prepayment- Prepayment of the Loan may occur in whole, or in part, at any time, or times, without penalty.

Part B. Security for Funds

The collateral for the Loan shall be a first lien on the equipment acquired with loan proceeds. Anything in this Agreement or Security Agreement notwithstanding, in the event of default amounts due are payable only from proceeds of sale of equipment acquired with loan proceeds.

IV.

Business will maintain, with financially sound and reputable insurers, insurance which covers the risk in the amounts usually carried by companies engaged in manufacturing, and will deliver to the Recipient, upon request, a statement of its insurance coverage.

V.

Business materially represents and warrants that Business, as a Participating Party has obtained, or has reasonable assurance that there will be obtained, all Federal, State, and local governmental approvals and reviews required by law to be obtained by Business for the Project, and that Business will comply with all applicable Federal and State regulations.

VI.

Business materially acknowledges that the State of Ohio, in selecting the Recipient for the award of this RLF Loan relied in material part upon the assured completion of the activities to be undertaken by Business, as a Participating Party, in connection with this Project; and that Business assures the Recipient that such activities shall be completed by Business. Recipient represents and warrants that it is in full compliance with all the requirements of the Loan Agreement and will use its best efforts to remain in compliance with such requirement during the term of this agreement.

VII.

Business shall use reasonable efforts to create or cause to be created, within a specified time not exceeding twelve (12) months after completion of the Project as described in Section II, 20 new, full-time job opportunities, including 11 new job opportunities that will be available to persons of low and moderate income (LMI) households. To assist the Recipient in reports to ODOD, Business shall report to the Recipient, when so requested, on the numbers and kinds of such jobs created or caused to be created and filled. Business understands that these job assurances are materially relied upon by the ODOD and Recipient; and Business shall comply with and abide by said assurances. Business shall permit the use of job creation statistics as part of the Economic Development Program general information.

Business may utilize the Jobs and Family Services to obtain a certification from that agency that a minimum of twenty (20) jobs created were for persons of low and moderate income (LMI) households. If Job and Family Services or an appropriate substitute is not utilized, the business must maintain the following data on each employee hired and each individual interviewed for a job:

1. Name of person, social security number, address;
2. Household size of the person; and
3. Household income of the person (this should be done as an over/below answer relating to the median family income for each family size).

VIII.

Business, as a Participating Party, agrees that any duly authorized representative of ODOD shall, at all reasonable times, have access to any portion of the Project, in which Business is involved; and the period of such right to access shall be until the Recipient closes out the Loan.

IX.

Business, as a Participating Party, and the Recipient shall not amend this Agreement in any material respect without the prior written approval of ODOD. An amendment to this Agreement shall be deemed "material," within the meaning of its provision, if it cancels or reduces any developmental, construction, job creating, or financial obligation or any Participating Party by more than ten (10%); provided, that an increase at any time for performance which does not exceed thirty (30) days, shall not be deemed material (unless it extends beyond the grant period).

X.

Business, as a Participating Party acknowledges and agrees that nothing contained in the Loan Agreement, between the Recipient and ODOD, or in this contractual agreement, nor any act of the ODOD or the Recipient, or of any of the parties involved in the Loan Project, shall be deemed or construed by Business, or any of the parties or by the third person, to create any relationship of the third-party beneficiary, or of principal and agent, or of a joint venture, or of any association or relationship involving ODOD.

XI.

Business, as a Participating Party, shall be bound by the time frame for performance specified in the Loan Agreement, between the Recipient and ODOD of all obligations due and owing by Business, for acquisition of equipment specified in Paragraph II above. The timetable shall be as follows:

Commence on or before: February 1, 2004
Complete not later than: December 31, 2006

XII.

This Loan Agreement constitutes the entire Agreement between the Recipient and Business as a Participating Party and supersedes all prior oral and written agreements between the parties hereto with respect to the subject matter hereof.

XIII.

Conflict of Interest – No member, official, or employee of Belmont County, Ohio, shall have any personal interest, direct or indirect, in this Agreement, nor shall any such member, official or employee participate in any decision relating to this Agreement which affects his personal interests or the interests of any corporation, partnership or association in which he is, directly or indirectly, interested.

XIV.

Any required notice shall be sent by Fax or Certified Mail to Business at the following address: Attention: Mr. David Baranik, East Ohio Regional Hospital, 90 North Fourth Street, Martins Ferry, Ohio 43935, Fax number (304) 234-1830 and phone number (304) 234-8180.

WITNESS the signature of the parties hereto and the seals of East Ohio Regional Hospital by its President and CEO, David Baranik, and the Commissioners of Belmont County, Ohio, this 25 day of February, 2004.

WITNESS OR ATTEST:

Connie White /s/

Rae Ann Marling /s/

Mae Whiteley /s/

Carol Blankenship /s/

EAST OHIO REGIONAL HOSPITAL

By: David Baranik /s/

David Baranik

President and CEO

BELMONT COUNTY, OHIO

By: Ryan E. Olexo /s/

Belmont County Commissioners

Rick Olexo, President

aka Ryan E. Olexo, President

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Robert W. Quirk /s/

Belmont County Prosecutor

2/25/04

Upon roll call the vote was as follows:

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

IN THE MATTER OF SUBDIVISION HEARING]
FOR BALSEI'S 1ST ADDITION]
PULTNEY TOWNSHIP]

[Belmont Co. Commissioners
[Courthouse
[St. Clairsville, Ohio 43950
[Date February 25, 2004

Motion made by Mr. Olexo, seconded by Mr. Thomas to authorize the Clerk of the Board to establish a date and time for the Subdivision Hearing in regards to Balsei's 1st Addition, Pultney Township, pursuant to Ohio Revised Code Section 711.05 and to proceed with the required notifications.

NOTICE OF NEW SUB-DIVISION
Revised Code Sec. 711.05

To: Nick Rocchio, Clerk of Pultney Township Trustees, P.O. Box 225, Bellaire, OH 43906

You are hereby notified that the 5th day of March, 2004, at 10:00 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.

Darlene Pempek /s/
Clerk of the Board

* Mail by certified return receipt requested

cc: Pultney Township Trustees

Upon roll call the vote was as follows:

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

IN THE MATTER OF OPTION TO PURCHASE
REAL ESTATE IN GOSHEN TOWNSHIP FOR BCSSD WATER TOWER PROJECT

Motion made by Mr. Thomas, seconded by Mr. Olexo to exercise the following Option to Purchase Real Estate for the Belmont County Sanitary Sewer District Water Tower Project located in Goshen Township.

OPTION TO PURCHASE REAL ESTATE

Dan McKeever and Constance McKeever, husband and wife, for valuable consideration, give to the Belmont County Commissioners the exclusive right by the exercise of this option by written notice given to us prior to 4:30 P.M. on February 26, 2004, to purchase the following real property:

See attached Exhibit A

The price of the property shall be \$50,000.00 payable as follows:

It is further agreed that said exclusive right to purchase shall remain in effect until 90 days, at which time it is anticipated by the Commissioners that soil samples and drillings will have been completed.

Upon exercise of the option in writing by the Commissioners, it is agreed that Dan and Constance McKeever will transfer the subject property by Warranty Deed to the Commissioners. The Commissioners further agree, that, upon completion of the water tower project, they will re-convey to Dan and Constance McKeever any of the subject property not necessary for the water tower project, within a reasonable time.

Dan McKeever /s/
Dan McKeever
Constance McKeever /s/
Constance McKeever
BELMONT COUNTY COMMISSIONERS
Mark A. Thomas /s/
Ryan E. Olexo /s/
Charles R. Probst, Jr. /s/

Upon roll call the vote was as follows:

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

IN THE MATTER OF ADJOURNING COMMISSIONERS
MEETING AT 10:45 A.M.

Motion made by Mr. Thomas, seconded by Mr. Probst to adjourn the meeting at 10:45 A.M.

Upon roll call the vote was as follows:

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

Read, approved and signed this 5th day of March A.D., 2004.

COUNTY COMMISSIONERS

We, Ryan E. Olexo and Darlene Pempek, President and Clerk respectively of the Board of Commissioners of Belmont County, Ohio, do hereby certify the foregoing minutes of the proceedings of said Board have been read, approved and signed as provided for by Sec. 305.11 of the Revised Code of Ohio.

_____ PRESIDENT

_____ CLERK