

The Board of Commissioners of Belmont County, Ohio, met this day in regular session. Present: Charles R. Probst and Gordie W. Longshaw, Commissioners and Darlene Pempek, Clerk of the Board. Absent: Mark A. Thomas, Commissioner. Minutes of the meeting of September 9, 2005, 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 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. Longshaw, 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
Peck, Shaffer & Williams, Attorneys	Service/Common Pleas Computer-General	205.97
Michael L. Wallace	Services rendered/Floodplain Coordinator-General	3,440.00
U.S. Bank	Trust Fee/Common Pleas-General	35.00
B-Crossroads Counseling Services	Indigent Drivers Alcohol Trmt-Northern Court	478.82
Crossroads Counseling Services	Indigent Drivers Alcohol Trmt-Northern Court	94.20
Crossroads Counseling Services	August counseling-Indigent Driver Alcohol Northern Court	1,545.05
P-American Electric Power	Service-Eastern Court	467.52
S-AT&T	Service/Ed Gorence-Common Pleas Corrections Act Grant	109.20
Alltel	Service/Ed Gorence-Common Pleas Corrections Act Grant	127.31
Lexis Nexis	Ohio Criminal Practice Book-Western Division Court	252.30

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

Motion made by Mr. Probst, seconded by Mr. Longshaw to approve the Recapitulation of Vouchers dated for September 14, 2005 as follow:

FUND	AMOUNT
A-GENERAL	\$11,031.89, \$4,419.29
GENERAL/CHEST CLINIC	\$124.10
GENERAL/911	\$4,720.72
GENERAL/EMA	\$1,069.52
GENERAL/SHERIFF	\$10,636.86
B-DOG KENNEL	\$2,268.11
C-INDIGENT GUARDIANSHIP PROBATE	\$529.02
E-911	\$3,580.44
H-BCDJFS/PA	\$26,999.70, \$91,058.71, \$1,183.97, \$165.00, \$1,500.00
BCDJFS/CSEA	\$7,995.99
BCDJFS/CHILDREN SERVICES	\$11,108.04, \$2,504.50
COUNTY HOME/PARK HEALTH	\$32,347.63
K-ENGINEER'S MVGT	\$126.31, \$32,406.49
N-EMA CAPITAL PROJECT RESERVE	\$3,757.33
S-WESTERN DIVISION COURT	\$225.00, \$235.00
SHERIFF'S CCW	\$896.81
SHERIFF'S COMMISSARY	\$2,608.73

IN THE MATTER OF TRANSFER WITHIN FUND FOR THE
BELMONT COUNTY GENERAL FUND

Motion made by Mr. Probst seconded by Mr. Longshaw to approve the following transfer for the General Fund.

FROM	TO	AMOUNT
A106-E05 Equipment	A006-E06 Travel	\$1,500.00
FROM	TO	AMOUNT
A001-A13 Xerox Supplies	A001-A14 Xerox Leases	\$ 18,000.00
A001-A13 Xerox Supplies	A001-A10 Professional Serv.	\$ 1,500.00
A001-A13 Xerox Supplies	A015-A14 Attorney Fees	\$ 5,000.00
A001-A13 Xerox Supplies	A101-A09 Indigent Burial	\$750.00

Upon roll call the vote was as follows:

Mr. Probst Yes
 Mr. Longshaw Yes
 Mr. Thomas Absent

IN THE MATTER OF TRANSFER WITHIN FUND FOR THE
RESERVE ACCOUNT MENTAL RETARDATION S067

Motion made by Mr. Longshaw, seconded by Mr. Probst to approve the following transfer within fund for the Reserve Account Mental Retardation Fund S067.

FROM	TO	AMOUNT
S067-S20 Other Expenses	S067-S25 Transfers Out	\$700,000.00

Upon roll call the vote was as follows:

Mr. Longshaw Yes
 Mr. Probst Yes
 Mr. Thomas Absent

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

Motion made by Mr. Probst, seconded by Mr. Longshaw to approve the following transfer within fund for the Belmont County

Sanitary Sewer District.

FROM	TO	AMOUNT
WWS#2	WWS#2	
P003-P17 Salaries	P003-P19 Equipment	20,000.00
P003-P25 Purchased Water	P003-P31 Other Exp.	10,000.00
P003-P24 Projects	P003P21 Materials	8,360.00
P003-P17 Salaries	P003P21 Materials	6,640.00
WWS#3	WWS#3	
P005-P34 Transfers	P005-P23 Services	140,000.00
SSD#2	SSD#2	
P053-P09 Sewage Disp.	P053-P07 Services	8,000.00
P053-P09 Sewage Disp.	P053-P11 Adv. & Print	1,000.00
SSD#1	SSD#1	
P051-P15 Other Expense	P051-P05 Materials	5,000.00

Upon roll call the vote was as follows:

Mr. Thomas	Absent
Mr. Probst	Yes
Mr. Longshaw	Yes

**IN THE MATTER OF MEDICARE\SOCIAL SECURITY
CHARGEBACKS FOR MAY AND JUNE 2005**

Motion made by Mr. Probst, seconded by Mr. Longshaw to make the following transfer of funds for Medicare and Social Security

Chargebacks for July and August 2005.

From M055-M11 99 CCap	to Y091-Y02	78.71
From M060-M27 Care & Custody CCap	to Y091-Y02	156.80
From M060-M63 Care & Custody CCap	to Y091-Y02	72.71
From M060-M73 Care & Custody CCap	to Y091-Y02	9.35
From M064-M04 99 Placement Services	to Y091-Y02	0.00
From M067-M04 Alternative School	to Y091-Y02	173.65
From M074-M01 Title II Grant Drug Ct	to Y091-Y02	47.17
From M077-M02 Supreme Crt Family Drug Ct	to Y091-Y02	73.22
From M078-M02 Title IV-E Reimb Random	to Y091-Y02	139.60
From S039-V12 Ohio Valley Recycling	to Y091-Y02	199.24
From S133-S48 Dist.Det.Home	to Y091-Y02	1,951.10
From S036-S10 Gender Specific	to Y091-Y02	0.00
From S078-S12 County Recorder	to Y091-Y02	132.35
From J000-J08 Real Est.Assess.	to Y091-Y02	439.68
From W082-T08 DRETAC/Treas.	to Y091-Y02	0.00
From S077-S02 Corrections Act	to Y091-Y02	129.23
From W081-P08 Pros.DRETAC	to Y091-Y02	75.22
From W080-P08 Pros./Victim Asst.	to Y091-Y02	136.41
From S094-S02 Co. Ct. Probation	to Y091-Y02	0.00
From B000-B10 Dog & Kennel	to Y091-Y02	186.25
From P090-P03 LEPC	to Y091-Y02	13.90
From L101-L12 Soil Conservation	to Y091-Y02	329.50
From G050-G02 Lodging Tax	to Y091-Y02	14.45
From H530-H14 County Home	to Y091-Y02	6,412.49
From E301-E12 County Health	to Y091-Y02	690.56
From E101-E12 County Health	to Y091-Y02	0.00
From T077-T01 IAP	to Y091-Y02	29.34
From T079-T01 Welcome Home	to Y091-Y02	0.00
From F078-F02 Tobacco	to Y091-Y02	0.00
From F076-F01 PH Infrastructure	to Y091-Y02	163.55
From F077-F01 Family Planning	to Y091-Y02	44.18
From S149-S63 Mental Health	to Y091-Y02	488.16
From S266-S79 Mental Retardation	to Y091-Y02	7,450.33
From H200-H13 Human Services	to Y091-Y02	9,869.97
From H004-H03 Flood Disaster	to Y091-Y02	2,158.42
From H000-H16 Summer Youth Prog	to Y091-Y02	7,043.27
From H210-H08 CSEA	to Y091-Y02	1,051.06
From K100-K10 MVGT K-2	to Y091-Y02	528.08
From K100-K24 MVGT K-11	to Y091-Y02	2,674.44
From K100-K37 MVGT K-25	to Y091-Y02	876.62
From Y090-Y18 Water/Sewer	to Y091-Y02	1,546.50
From Y075-T02 WIC	to Y091-Y02	544.20
From T075-T52 WIC	to Y091-Y02	0.00
From S079-S08 Clerk of Crts.Title	to Y091-Y02	184.41
From S430-S66 Oakview Juvenile	to Y091-Y02	1,170.18
From S430-S16 Oakview Juvenile	to Y091-Y02	0.00
From S028-S55 Aftercare	to Y091-Y02	0.00
From S084-S13 Eastern Comp.	to Y091-Y02	42.99
From S082-S13 Western Comp.	to Y091-Y02	45.90
From S083-S13 Northern Comp.	to Y091-Y02	34.72
From S088-S05 Western Spec Proj	to Y091-Y02	65.88
From S086-S05 Northern Spec Proj	to Y091-Y02	26.83
From S087-S05 Eastern Spec Proj	to Y091-Y02	13.03
From S089-S01 Common Pleas Spec.	to Y091-Y02	66.80
From S074-S03 Mediation	to Y091-Y02	193.25
Total		47,773.70

Upon roll call the vote was as follows:

Mr. Thomas	Absent
Mr. Probst	Yes
Mr. Longshaw	Yes

**IN THE MATTER OF TRANSFER OF FUNDS
FOR THE WAIVED HOSPITALIZATION CHARGEBACKS FOR
THE MONTHS OF JUNE 2005, JULY 2005 AND AUGUST 2005**

Motion made by Mr. Probst, seconded by Mr. Longshaw to make the following transfer of funds for Waived Hospitalization for the months of June 2005, July 2005 and August 2005.

FROM E101-E12	COUNTY HEALTH	TO Y091-Y03	0.00
FROM T079-T01	WELCOME HOME	TO Y091-Y03	0.00
FROM H430-H14	COUNTY HOME	TO Y091-Y03	1,375.00
FROM B100-B10	DOG & KENNEL	TO Y091-Y03	0.00
FROM Y090-Y14	WATER & SEWER	TO Y091-Y03	187.50
FROM S230-S66	OAKVIEW JUVENILE REHAB	TO Y091-Y03	250.00
FROM S230-S16	OAKVIEW JUVENILE REHAB	TO Y091-Y03	125.00
FROM S033-S47	DISTRICT DETENTION	TO Y091-Y03	375.00
FROM S036-S11	GENDER SPECIFIC GRANT	TO Y091-Y03	0.00
FROM T075-T52	WIC FRINGES 2004	TO Y091-Y03	0.00
FROM T075-T02	WIC FRINGES 2005	TO Y091-Y03	375.00
FROM H300-H13	PUBLIC ASSISTANCE	TO Y091-Y03	3,958.27
FROM H310-H08	PUBLIC ASSISTANCE/CS	TO Y091-Y03	1,249.98
FROM S049-S63	MENTAL HEALTH	TO Y091-Y03	562.50
FROM K200-K24	MVGT-K11 ENGINEERS	TO Y091-Y03	562.50
FROM S066-S79	MENTAL RETARDATION	TO Y091-Y03	3,687.50
FROM S082-S14	WESTERN COURT/ HOSP.	TO Y091-Y03	187.50
FROM S277-S02	CORRECTION ACT GRANT	TO Y091-Y03	0.00
FROM L001-L13	SOIL AND WATER	TO Y091-Y03	187.50
FROM S078-S14	RECORDER/SUPP EQUIPMENT	TO Y091-Y03	0.00
FROM W080-P07	VICTIM ASSISTANCE	TO Y091-Y03	0.00
FROM S079-S07	CERT OF TITLE/CLK OF COURT	TO Y091-Y03	187.50
			13,270.75

Upon roll call the vote was as follows:

Mr. Thomas	Absent
Mr. Longhaw	Yes
Mr. Probst	Yes

**IN THE MATTER OF Y-95 EMPLOYER'S
SHARE PERS/HOLDING ACCOUNT CHARGEBACK FOR AUGUST 2005**

Motion made by Mr. Probst, seconded by Mr. Longshaw to make the following transfer of funds for the Y-95 Employer's Share PERS/Holding Account for the month of August 2005

	From:	To:	Total Due
Gross Wages P/E 08/06/05 thru 08/20/05			
General fund			
AUDITOR	A101-B09	Y095-Y01	4,562.90
AUD EMPL-PERS PROP	A101-B12	Y095-Y01	678.16
AUD EMPL-REAL PROP	A101-B17	Y095-Y01	287.77
CLERK OF COURTS	A102-E09	Y095-Y01	2,816.77
CO. CT. EMPL	A102-G09	Y095-Y01	3,790.39
CO. CT. PROBATION	A002-H03	Y095-Y01	301.41
COMMISSIONERS	A101-A11	Y095-Y01	5,582.84
COMM-LAW LIBRARY	A113-A04	Y095-Y01	307.47
COMM-DIS SERV	A106-F08	Y095-Y01	1,377.91
COMM-MAINT & OP	A104-B17	Y095-Y01	4,229.13
9-1-1 DEPT	A006-E08	Y095-Y01	4,173.42
COMM PLEAS CT EMPL	A102-B12	Y095-Y01	2,511.87
MAGISTRATE	A002-B28	Y095-Y01	1,487.71
ENGINEERS EMPL	A112-A08	Y095-Y01	1,408.24
PROBATE CT EMPL	A102-D13	Y095-Y01	1,965.05
PROBATE CT JUV EMPL	A102-C36	Y095-Y01	7,140.07
PROSECUTING ATTNY	A101-E10	Y095-Y01	4,926.88
RECORDER	A106-B09	Y095-Y01	2,384.07
SHERIFF EMP (PERS)	A106-A14	Y095-Y01	5,109.52
TREASURER	A101-C09	Y095-Y01	2,463.54
CORONER	A102-F12	Y095-Y01	670.29
SOLDIER'S RELIEF	A109-D08	Y095-Y01	1,187.24
PUBLIC DEFENDER	A106-G09	Y095-Y01	1,488.65
BD OF ELECT/EMPLY	A103-A09	Y095-Y01	2,225.86
BUDGET COMM	A101-F06	Y095-Y01	54.20
T. B. SAN	A108-B10	Y095-Y01	403.98
	General Total		63,535.34
C-Cap donated	M055-M12	Y095-Y01	294.24
Care and Custody-Restitution	M060-M61	Y095-Y01	275.96
Care and Custody-C-Cap	M060-M26	Y095-Y01	616.36
Care and Custody-Drug Court	M060-M72	Y095-Y01	40.19
Alternative School	M067-M02	Y095-Y01	621.98
Drug Court Title II	M074-M01	Y095-Y01	176.29
Supreme Court-Drug Court	M077-M02	Y095-Y01	273.67
Title IV-E	M078-M02	Y095-Y01	527.14
Ohio Valley Recycling	S039-V10	Y095-Y01	823.35
DIST DET HOME	S033-S44	Y095-Y01	5796.64
Co. Recorder	S078-S11	Y095-Y01	552.98
R.E. ASSESSMENT	J000-J04	Y095-Y01	2,598.27
DRETAC-PROSECUTOR	W081-P05	Y095-Y01	417.97
PROS-VICTIM PROGRAM	W080-P05	Y095-Y01	513.14

CORRECTIONS ACT GRNT	S177-S02	Y095-Y01	478.26
WESTERN CT-COMP	S082-S11	Y095-Y01	171.49
WEST CRT-SPECIAL	S088-S02	Y095-Y01	252.17
NORTHERN CT-COMP.	S083-S11	Y095-Y01	142.29
NORTHRN CRT-SPECIAL	S086-S02	Y095-Y01	108.40
EASTERN CT-COMP	S084-S11	Y095-Y01	178.32
EASTERN CRT-SPECIAL	S087-S02	Y095-Y01	108.40
Common Pleas Crt-Special	S089-S07	Y095-Y01	345.52
Mediation Grant-Comm Pleas	S074-S02	Y095-Y01	744.80
DOG & KENNEL	B000-B08	Y095-Y01	688.57
LEPC	P090-P08	Y095-Y01	109.16
SOIL CONSERVATION	L001-L11	Y095-Y01	1,268.27
LODG EXC TAX	G050-G02	Y095-Y01	54.20
PARK HEALTH CENTER	H130-H14	Y095-Y01	27,762.11
COUNTY HEALTH	E001-E10	Y095-Y01	1,509.38
Vital Statistics	F075-F02	Y095-Y01	419.49
Public Health Infrastructure	F076-F01	Y095-Y01	1,405.60
Family Planning	F077-F01	Y095-Y01	282.56
Tobacco Program	F078-F02	Y095-Y01	57.57
Women's Health	F079-F01	Y095-Y01	98.48
Food Service	G000-G06	Y095-Y01	991.90
Immunization Action Program	T077-T01	Y095-Y01	110.82
MENTAL HEALTH	S049-S60	Y095-Y01	2,442.75
MENTAL RETARDATION	S066-S76	Y095-Y01	33,475.89
ENGINEER K-1 & K-2	K000-K08	Y095-Y01	2,868.04
ENG EMP-MVGT K-11	K000-K21	Y095-Y01	12,783.49
ENG EMP-BRIDGE K-25	K000-K34	Y095-Y01	4,981.58
WATER/SEWER DEPT	Y090-Y12	Y095-Y01	10,520.93
WIC PROGRAM	T075-T02	Y095-Y01	2,142.28
CLRK CRTS-TITLE DEPT	S079-S06	Y095-Y01	2,616.24
OAKVIEW-JUVENILE	S030-S66	Y095-Y01	4,528.46
HUMAN SERVICES	H000-H12	Y095-Y01	51,409.37
BEL CO FLOOD DISATER	H004-H02	Y095-Y01	8,243.19
C.S.E.A.	H010-H07	Y095-Y01	5,176.71
	Grand Total		255,540.21

Upon roll call the vote was as follows:

Mr. Probst	Yes
Mr. Longshaw	Yes
Mr. Thomas	Absent

IN THE MATTER OF ADDITIONAL APPROPRIATIONS FOR THE GENERAL FUND

Motion made by Mr. Longshaw, 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 September 14, 2005.

GENERAL FUND

Sheriff Department	
A006-A12 Travel Gasoline	\$4,726.00
Common Pleas Court	
A002-B10 Travel	\$ 151.88

Upon roll call the vote was as follows:

Mr. Longshaw	Yes
Mr. Probst	Yes
Mr. Thomas	Absent

IN THE MATTER OF ADDITIONAL APPROPRIATIONS FOR THE GENERAL FUND

Motion made by Mr. Longshaw, 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 September 14, 2005.

GENERAL FUND

A002-B25 Salaries/Magistrate	\$3,056.65
A002-B26 Supplies	50.00
A002-B30 Other Expenses	1,600.39

Upon roll call the vote was as follows:

Mr. Longshaw	Yes
Mr. Probst	Yes
Mr. Thomas	Absent

IN THE MATTER OF ADDITIONAL APPROPRIATIONS FOR THE GENERAL FUND

Motion made by Mr. Longshaw, 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 August 24, 2005.

GENERAL FUND

A206-A03 Housing of Prisoners-for July	\$14,410.37
A306-F08 Other Expenses/EMA	2,000.00
A006-F03 Utilities/EMA	1,100.00

Upon roll call the vote was as follows:

Mr. Longshaw	Yes
Mr. Probst	Yes
Mr. Thomas	Absent

IN THE MATTER OF ADDITIONAL APPROPRIATIONS FOR THE GENERAL FUND

Motion made by Mr. Longshaw, 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 August 24, 2005.

GENERAL FUND

Board of Elections

A403-A09 Other Expenses \$1,000.00

Upon roll call the vote was as follows:

Mr. Longshaw Yes
Mr. Probst Yes
Mr. Thomas Absent

IN THE MATTER OF ADDITIONAL APPROPRIATIONS FOR THE DOG AND KENNEL FUND

Motion made by Mr. Longshaw, 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 September 14, 2005.

DOG AND KENNEL FUND

B100-B12 Advances Out \$6,000.00

Upon roll call the vote was as follows:

Mr. Longshaw Yes
Mr. Probst Yes
Mr. Thomas Absent

IN THE MATTER OF ADDITIONAL APPROPRIATIONS FOR THE JUVENILE COURT ALTERNATIVE SCHOOL FUND M067

Motion made by Mr. Probst, seconded by Mr. Longshaw 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 September 14, 2005.

M-67 ALTERNATIVE SCHOOL

M067-M06 Equipment \$ 7,200.00

Upon roll call the vote was as follows:

Mr. Probst Yes
Mr. Longshaw Yes
Mr. Thomas Absent

IN THE MATTER OF ADDITIONAL APPROPRIATIONS FOR THE STATE HOMELAND SECURITY GRANT P93/EMA

Motion made by Mr. Probst, seconded by Mr. Longshaw 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 September 14, 2005.

STATE HOMELAND SECURITY GRANT P93/EMA

P093-P07 Other Expenses DOJ 04 \$12,031.70

Upon roll call the vote was as follows:

Mr. Probst Yes
Mr. Longshaw Yes
Mr. Thomas Absent

IN THE MATTER OF ADDITIONAL APPROPRIATIONS FOR THE COMMISSARY FUND S00/ SHERIFF'S DEPARTMENT

Motion made by Mr. Probst, seconded by Mr. Longshaw 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 September 14, 2005.

SHERIFF'S DEPARTMENT

COMMISSARY FUND S00

S000-S01 Supplies \$ 2,559.81

Upon roll call the vote was as follows:

Mr. Probst Yes
Mr. Longshaw Yes
Mr. Thomas Absent

IN THE MATTER OF ADDITIONAL APPROPRIATIONS FOR THE CONCEALED HANDGUN LICENSE FUND S01/ SHERIFF'S DEPARTMENT

Motion made by Mr. Probst, seconded by Mr. Longshaw 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 September 14, 2005.

SHERIFF'S DEPARTMENT

CONCEALED HANDGUN LICENSE FUND S01

S001-S06 License Issuance \$ 40.00

S001-S07 Equipment 35.00

Total \$ 75.00

Upon roll call the vote was as follows:

Mr. Probst Yes
Mr. Longshaw Yes
Mr. Thomas Absent

**IN THE MATTER OF ADDITIONAL APPROPRIATIONS
FOR THE RESERVE ACCOUNT FUND U10/
SHERIFF'S DEPARTMENT**

Motion made by Mr. Probst, seconded by Mr. Longshaw 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 September 14, 2005.

**SHERIFF'S DEPARTMENT
RESERVE ACCOUNT**

U010-06 Reserve Account \$ 560.50

Upon roll call the vote was as follows:

Mr. Probst Yes
Mr. Longshaw Yes
Mr. Thomas Absent

**IN THE MATTER OF REPAYMENT OF CASH ADVANCE OF FUNDS
FROM THE BELMONT COUNTY GENERAL FUND
TO THE B00 DOG AND KENNEL FUND**

Motion made by Mr. Longshaw, seconded by Mr. Probst to make the following **REPAYMENT OF CASH ADVANCE** of funds as follows between the General Fund and the B00 Dog and Kennel Fund:

FROM	TO	AMOUNT
B100-B12 Advances Out	A047-A01 Advances In	\$6,000.00
Repayment of cash advance to the B00 Dog and Kennel Fund due to cash shortage Repaid by Belmont County Animal Rescue League		

Upon roll call the vote was as follows:

Mr. Longshaw Yes
Mr. Probst Yes
Mr. Thomas Absent

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

Motion made by Mr. Longshaw, seconded by Mr. Probst requesting certification of monies by the Budget Commission as follows:
Requesting certification of monies for the **General Fund** as follows:

Total \$ 2,536.00 Paid into General Fund
A017-B00 Sale of Personal Property/ Sale by sealed bid / 6 vehicles for the Sheriff Department

Total \$ 6,055.83
Paid into General Fund July 11, 2005 (A045-Q00) Insurance Reimbursement for Belmont Senior Services vehicle/Reimb. to be made to S70 Fund

Total \$ 6,000.00
Transferred into General Fund September 14, 2005
Partial repayments of cash advances from the General Fund made in the year 2004
· \$3,000.00 payment paid into B000-B07 on April 5, 2005
· \$1,500.00 payment paid into B000-B07 on June 21, 2005
· \$1,500.00 payment paid into B000-B07 on August 23, 2005

Total \$4,707.04
Paid into General Fund September 9, 2005/Belmont County Common Pleas Court/Magistrate IV-D Services Contract for 2nd qtr 2005 (April, May, June)

014 FOX COMMERCE PARK/ STATE LOAN REPAYMENT Fund as follows:

Total \$ 122,095.00 available funds

Upon roll call the vote was as follows:

Mr. Longshaw Yes
Mr. Probst Yes
Mr. Thomas Absent

**IN THE MATTER OF GRANTING PERMISSION
FOR COUNTY EMPLOYEES TO TRAVEL**

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

AUDITOR'S OFFICE-Deb Meloy & Sheila Turner to Cambridge, Ohio, September 15, 2005 for PERS Meeting. Estimated expenses: \$100.00.

Upon roll call the vote was as follows:

Mr. Probst Yes
Mr. Longshaw Yes
Mr. Thomas Absent

**IN THE MATTER OF APPROVING
THE SIGNING AND SUBMITTAL OF ODYS
JUVENILE ACCOUNTABILITY BLOCK GRANT (DISCRETIONARY)/
SARGUS JUVENILE CENTER**

Motion made by Mr. Probst, seconded by Mr. Longshaw to approve the signing and submittal of the Juvenile Accountability Block Grant application (Discretionary) to the Ohio Department of Youth Services on behalf of the Sargus Juvenile Center for the following:

Project Title: Sargus Juvenile Center-Camera System, Start Date: 8/30/2005, End Date: 12/31/05, Total Project Budget: \$10,461.88

Upon roll call the vote was as follows:

Mr. Probst Yes
Mr. Longshaw Yes
Mr. Thomas Absent

IN THE MATTER OF ENTERING INTO RENEWAL OF PURCHASE OF SERVICE CONTRACTS ON BEHALF OF BELMONT COUNTY DJFS FOR TUTORING SERVICES

Motion made by Mr. Probst, seconded by Mr. Longshaw to enter into contracts with the following individuals on behalf of the Belmont County Department of Job and Family Services for provision of tutoring services under the Workforce Investment Act (WIA) Program. Effective date shall not be sooner than July 1, 2005 and termination date is June 30, 2006. Maximum billable amount: \$10,000 at an hourly rate of \$15 per hour.

- Jerry Ammirante, Marian Martin, Cheryl Huff, John Triveri, Mary Ann Kiss

Note: All of the tutors were under contract last year. Tutoring is a youth element that must be provided under WIA. Maximum pay rate has never been reached in the past.

**BELMONT COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES
PURCHASE OF SERVICE**

This contract to provide **tutoring services** under the Workforce Investment Act (WIA) Program is made and entered into this **1st** day of **July, 2004**, by and between the Belmont County Department of Job and Family Services, hereinafter referred to as "Department" and **Mary Ann Kiss, John Triveri, Cheryl Ann Huff, Marian Martin, Jerry Ammirante**, hereinafter referred to "Provider". This contract will become effective one day following the last signature date. However, the effective date shall not be sooner than **July 1, 2005**, and no services shall be provided pursuant to this contract prior to its execution by all parties. The termination date of this contract is **June 30, 2006**.

The purpose of the tutoring program is to help youth succeed academically by enhancing their basic skills in reading, math, writing, and language and to help them attain the basic skill goals that are established.

The Provider agrees to cooperate with and maintain contact with the Department in tracking, monitoring, and measuring the progress of youth in the tutoring program.

The Provider agrees to maintain any required documentation on the tutoring services provided to the youth and to submit this documentation to the Department as required.

Through the tutoring services, the Provider is responsible for assisting the Department in meeting the applicable youth WIA performance standards, and the Provider's performance under this contract will be measured by the youth's success in attaining their basic skills goals, the Department's success in meeting the performance standards, and by any other performance review conducted by the Department.

- A. Provider agrees that the use or disclosure of any information concerning qualified customers for any purpose not related to the delivery of the purchased services is prohibited except upon written consent of the customer or their guardian.
- B. The Provider understands that this written agreement supercedes all oral agreements.
- C. The Provider agrees to hold harmless the Belmont County Department of Job and Family Services and the Belmont County Commissioners in which the Department is located against all liability, loss, damage, and/or related expenses incurred though the provisions under this contract.
- D. The Provider agrees that in the performance of this contract there shall be no discrimination against any customer because of race, color, sex, religion, national origin, or handicapped conditions as specified in the Civil Rights Act of 1964 and the Rehabilitation Act of 1973 and all subsequent amendments. It is further agreed (?) discrimination and the right to a method of appeal will be made available to all persons served under this contract.
- E. In the event the Provider receives an overpayment, Provider agrees to repay the Department the amount to which the Provider is not entitled.
- F. This contract may be terminated by the Provider or the Department upon thirty days written notice. Failure to honor terms of this contract and/or related State, Federal, or Local regulations shall result in the immediate termination of this contract. If any of the terms of this contract change, the Provider must notify the Department immediately.
- G. In the event that State and/or Federal funding is no longer available to the Department, therefore requiring changes or termination of this contract, such changes or termination will be effective on the date that the State and/or Federal funding is no longer available, or later as otherwise stipulated by the Department.
- H. The Department will determine the eligibility of customers for the services provided within this contract.
- I. **Amendment of Contract:** This contract may be amended at any time by a written amendment signed by both parties.
- J. Provider must observe all Departmental rules regarding confidentiality.

PAYMENT PROCEDURES

- A. The maximum amount billable by the Provider to the Department is ten thousand dollars (\$10,000.00) at an hourly rate of fifteen dollars (\$15.00) per hour for the provision of tutoring services.
- B. The Provider understands that payment for all services provided in accordance with the provisions of this contract depends on the availability of State and/or Federal funds.
- C. The Provider agrees to submit time sheets to the Department every two (2) weeks which indicate the hours of tutoring services provided and the total cost of tutoring provided for that period. The Department agrees to review the time sheets and provide reimbursement for services within thirty (30) days of receipt of the time sheets or as soon as the County Auditor processes the payment.
- D. Provider warrants that claims made to the Department for payment of services shall be for actual services rendered to eligible customers and do not duplicate claims made by the Provider to other sources of funds for the same service.
- E. For this contract, the Provider is considered a vendor or services purchased by the Department which means that an employer-employee relationship does not exist between the Department and Provider. Consequently, the Provider has the sole responsibility for the payment of and record keeping of any and all Federal, State, and/or Local withholdings. The Department will not take any deductions from the Provider's fee for services. Provider must maintain and preserve all related records for a period of three (3) years after final payment. If an audit or other action is started before the end of the three year period, the records must be retained until all issues are resolved or until the end of the three year period, whichever is later.

SIGNATURES

I hereby understand and agree to the terms of this contract.

<u>Dwayne D. Pielech per Tom King/s/</u>	<u>9/12/05</u>
Dwayne D. Pielech, Director	Date
Belmont County Department of Job & Family Services	
<u>Mary Ann Kiss /s/</u>	<u>7/11/05</u>
Provider	Date
<u>Jerry Ammirante /s/</u>	<u>7/22/05</u>
Provider	Date
<u>Cheryl Ann Huff /s/</u>	<u>7/7/05</u>
Provider	Date
<u>Marian J. Martin /s/</u>	<u>7/7/05</u>
Provider	Date
<u>John Triveri /s/</u>	<u>7/9/05</u>
Provider	Date
<u>Charles R. Probst, Jr. /s/</u>	<u>9/14/05</u>
Belmont County Commissioner	Date
<u>Gordie W. Longshaw /s/</u>	<u>9/14/05</u>
Belmont County Commissioner	Date
<u>Chris Berhalter /s/</u>	<u>9/7/05</u>
Approved as to form:	Date
Belmont County Prosecutor	

Upon roll call the vote was as follows:

Mr. Probst	Yes
Mr. Longshaw	Yes
Mr. Thomas	Absent

**IN THE MATTER OF APPROVING
PAY REQUISITION NO. 19 FOR THE
LAMIRA/LOOMIS WATERLINE EXTENSION PROJECT/
BELMONT COUNTY SANITARY SEWER DISTRICT**

Motion made by Mr. Probst, seconded by Mr. Longshaw to approve and sign Pay Requisition No. 19 for the Belmont County Sanitary Sewer District Lamira/Loomis Waterline Extension project based upon the recommendation of Keith Bennett, Project Engineer, and David Grum, Project Consultant as follows:

- o Chicago Bridge & Iron Company. \$ 121,716.00
- o Hammontree & Associates, Limited, Inc. \$ 14,364.00

Upon roll call the vote was as follows:

Mr. Probst	Yes
Mr. Longshaw	Yes
Mr. Thomas	Absent

**IN THE MATTER OF ADOPTING RESOLUTION
HONORING WHEELING HEALTH RIGHT
ON ITS 20TH ANNIVERSARY**

Motion made by Mr. Probst, seconded by Mr. Longshaw to adopt the Resolution Honoring Wheeling Health Right on its 20th Anniversary.

RESOLUTION

WHEREAS, In 1984, Nancy Lipphardt, recognizing the need for medical services for the “working poor” in our communities, undertook the challenge by assembling a core group of individuals interested in the cause; and

WHEREAS, The group established commitments from medical providers for free inpatient, outpatient and laboratory services and began the formation of Wheeling Health Right; and

WHEREAS, Wheeling Health Right incorporated in August 1985, is celebrating its *20th Anniversary* of serving families with the mission to provide access to free comprehensive medical care, preventive care and pharmaceuticals to the underserved and embracing the philosophy that all are entitled to health maintenance and care; and

WHEREAS, In 1998 the organization was honored to receive the 1998 Governor’s Award for Outstanding Rural Health Program in West Virginia, an award recognizing superior effort in coordination of care; effective networking; promotion of interdisciplinary health care delivery; and innovation and community involvement leading to improved access to care; and

WHEREAS, Over the years the board members and staff have changed, but the tradition of exemplary service to the families of the Ohio Valley has remained constant and steadfast; and

WHEREAS, The present Executive Director, Kathie Hays Brown, was hired in 1992 and continues today her commitment to the mission of Wheeling Health Right; and

WHEREAS, The Belmont County Commissioners recognize the numerous, vital and worthy services provided by this organization and commend and praise every individual who has ever worked for, volunteered services or donated to this agency for their dedication and devotion.

NOW, THEREFORE BE IT RESOLVED that the Board of Belmont County Commissioners do hereby proclaim honor and gratitude to Wheeling Health Right, on the occasion of its 20th anniversary, for outstanding contributions to the families within our communities and wish them continued success in their mission.

Adopted September 14, 2005

Upon roll call the vote was as follows:

Mr. Probst	Yes
Mr. Longshaw	Yes
Mr. Thomas	Absent

Discussion: Commissioner Probst said, “Wheeling Health Right does an excellent job for our residents of Belmont County who are underinsured, somewhat the “working poor.” A lot of our working families in the county are working 2 and 3 jobs and cannot still afford health care. Wheeling Health Right provides excellent care and also helps with prescription drug coverage. We have many people that have contracted this office and they do use the Wheeling Health Right System and they are very satisfied with it. It’s an honor today to show tribute to this organization for all they have done for our residents in the county. “

**IN THE MATTER OF AWARDING THE BID
FOR CONTRACT NO. 1-MORRISTOWN SEWAGE LIFT STATION
PROJECT/BELMONT COUNTY SANITARY SEWER DISTRICT**

Motion made by Mr. Probst, seconded by Mr. Longshaw to award the bid for the Belmont County Sanitary Sewer District Contract No.1 -Morristown Sewage Lift Station Project to the low bidder, Nicolozakes Trucking & Construction, Inc., in the amount of \$338,727.77 based upon the recommendation of Jeff Vaughn, Project Engineer (Vaughn, Coast & Vaughn, Inc.) and David Grum, Project Consultant.

Note: Engineer’s estimate was \$350,000 –This project involves both water and sewer utilities and a sewage pump station.

Upon roll call the vote was as follows:

Mr. Probst	Yes
Mr. Longshaw	Yes
Mr. Thomas	Absent

September 14, 2005

**IN THE MATTER OF SIGNING AND SUBMITTING
NOTICE OF AWARD TO NICOLOZAKES TRUCKING & CONSTRUCTION, INC.
FOR CONTRACT NO. 1-MORRISTOWN SEWAGE LIFT STATION PROJECT/
BELMONT COUNTY SANITARY SEWER DISTRICT**

Motion made by Mr. Probst, seconded by Mr. Longshaw to sign and submit the Notice of Award to Nicolozakes Trucking & Construction, Inc., Cambridge, Ohio for the Belmont County Sanitary Sewer District Contract No-1 - Morristown Sewage Lift Station Project.
Note: Nicolozakes is required to execute the Agreement within fifteen calendar days from the date of said Notice.

NOTICE OF AWARD

To: Nicolozakes Trucking & Construction, Inc.
8555 Georgetown Road, P.O. Box 670
Cambridge, Ohio 43725-0670

Project Description: Morristown Sewage Lift Station

The OWNER has considered the BID submitted by you on for the above described WORK in response to its Advertisement for BIDS and Information for BIDDERS.

You are hereby notified that your BID has been accepted for items in the amount of \$338,717.77

You are required by the Information for BIDDERS to execute the Agreement within **fifteen calendar days** from the date of this Notice to you.

If you fail to execute said Agreement within **fifteen days** from the date of this Notice, said OWNER will be entitled to consider all of your rights arising out of the OWNER'S acceptance of your BID as abandoned and as a forfeiture of your BID Bond. The OWNER will be entitled to such other rights as may be granted by law.

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

Dated this 14th day of September, 2005.

Belmont County Commission

Owner

By: Charles R. Probst, Jr. /s/

Gordie W. Longshaw /s/

ACCEPTANCE OF NOTICE

Receipt of the above NOTICE OF AWARD is hereby acknowledged

by _____,

on this ___ day of _____, 2004.

By:

Title:

Upon roll call the vote was as follows:

Mr. Probst	Yes
Mr. Longshaw	Yes
Mr. Thomas	Absent

**IN THE MATTER OF ENTERING INTO
CONTRACT WITH NICOLOZAKES TRUCKING & CONSTRUCTION, INC.
FOR CONTRACT NO. 1-MORRISTOWN SEWAGE LIFT STATION PROJECT/
BELMONT COUNTY SANITARY SEWER DISTRICT**

Motion made by Mr. Probst, seconded by Mr. Longshaw to enter into the contract with Nicolozakes Trucking & Construction Co., Inc., Cambridge, Ohio, for the Belmont County Sanitary Sewer District Contract No. 1-Morristown Sewage Life Station project, based upon the recommendation of Jeff Vaughn, Project Engineer and David Grum, Project Consultant.

AGREEMENT

This Agreement is dated as of the 14th day of September in the year 2005, by and between the **Belmont County Commission** hereinafter called Owner, and **Nicolozakes Trucking & Construction, Inc.**, hereinafter called Contractor.

Owner and Contractor, in consideration of the mutual covenants hereinafter set forth, agree as follows:

ARTICLE 1-WORK

Contractor shall complete all work as specified or indicated in the Contract Documents. The work is generally described as follows:

Contract No. 1-MORRISTOWN SEWAGE LIFT STATION

The project for which the work under the Contract Documents may be the whole or only a part is generally described as follows:

BELMONT COUNTY SANITARY SEWER DISTRICT

MORRISTOWN SEWAGE LIFT STATION

ARTICLE 2-ENGINEER

The Project has been designated by Vaughn, Coast & Vaughn, St. Clairsville, OH, who is hereinafter called Engineer and who will assume all duties and responsibilities and will have the rights and authority assigned to Engineer in the Contract Documents in connection with completion of the work in accordance with the Contract Documents.

ARTICLE 3-CONTRACT TIME

3.1 The work will be fully completed and ready for final payment in accordance with paragraph 14.07 of the General Conditions within **180** days after the date when the Contract Time commences to run.

3.2 Liquidated Damages. Owner and Contractor recognize that time is of the essence of this Agreement and that Owner will suffer financial loss if the work is not complete within the time specified in Paragraph 3.1 above, plus any extensions thereof allowed in accordance with Article 12 of the General Conditions. They also recognize the delays, expense and difficulties involved in proving in a legal or arbitration proceeding the actual loss suffered by Owner if the work is not substantially complete on time. Accordingly, instead of requiring any such proof, Owner and Contractor agree that as liquidated damages for delay (but not as a penalty) Contractor shall pay Owner **Four Hundred Dollars (\$400.00)** for each day that expires after the time specified in Paragraph 3.1 for substantial completion until the Work is Substantially complete.

ARTICLE 4-CONTRACT PRICE

4.1 Owner shall pay Contractor for performance of the work in accordance with the Contract Documents in current funds as follows:

\$ Three hundred thirty-eight thousand, seven hundred twenty-seven dollars and seventy-seven cents

Written

\$ 338,727.77

Numeric

ARTICLE 5-PAYMENT PROCEDURES

Contractor shall submit Applications for Payment in accordance with Article 14 of the General Conditions. Applications for Payment will be processed by Engineer as provided in the General Conditions.

5.1 Progress Payments. Owner shall make progress payments on account of the Contract Price on the basis of Contractor's Applications for Payment as recommended by Engineer, as provided below. All progress payments will be on the basis of the progress of the work measured by the schedule of values provided for in Paragraph 14.01 of the General Conditions.

5.1.1 Prior to 50% Completion, progress payments will be in an amount equal to 92% of the work completed, and 100% of materials and equipment not incorporated in the work but delivered and suitably stored, less in each case the aggregate of payments previously made.

5.1.2 Upon 50% Completion, Owner shall pay an amount sufficient to increase total payments to Contractor to 96% of the Contract Price, less such amounts as Engineer shall determine in accordance with Paragraph 14.02 of the General Conditions.

5.2 Final Payment. Upon final completion and acceptance of the work in accordance with Paragraph 14.07 of the General Conditions, Owner shall pay the remainder of the Contract Price as recommended by Engineer as provided in said Paragraph 14.07.

ARTICLE 6-INTEREST

All moneys not paid when due hereunder shall bear interest at the maximum rate allowed by law at the place of the Project.

ARTICLE 7-CONTRACTOR'S REPRESENTATIONS

In order to induce Owner to enter into this Agreement, Contractor makes the following representations:

7.1 Contractor has familiarized himself with the nature and extent of the Contract Documents, work, locality, and with all local conditions and federal, state and local laws, ordinances, rules and regulations that in any manner may affect cost, progress or performance of the work.

7.2 Contractor has studied carefully all reports of investigations and tests of subsurface and latent physical conditions at the site or otherwise affecting cost, progress or performance of the work which were relied upon by Engineer in the preparation of the Drawings and Specifications and which have been identified in the Supplementary Conditions.

7.3 Contractor has made or caused to be made examinations, investigations and tests and studies of such reports and related data in addition to those referred to in Paragraph 7.01 as he deems necessary for the performance of the work at the Contract Price, within the Contract Time and in accordance with the other terms and conditions of the Contract Documents: and no additional examinations, investigations, tests, reports or similar data are or will be required by Contractor for such purposes.

7.4 Contractor has correlated the results of all such observations, examinations, investigations, tests, reports, and data with the terms and conditions of the Contract Documents.

7.5 Contractor has given Engineer written notice of all conflicts, errors or discrepancies that he has discovered in the Contract Documents and the written resolution thereof by Engineer is acceptable to Contractor.

ARTICLE 8-CONTRACT DOCUMENTS

The Contract Documents which comprise the entire agreement between Owner and Contractor are attached to this Agreement, made a part hereof and consists of the following:

- 8.1 This Agreement, pages 00500-1 to 00500-6, inclusive.
- 8.2 Exhibits to this Agreement, pages ____ to ____, inclusive.
- 8.3 Ohio Guaranty Bonds, identified as exhibit 00605
- 8.4 Notice of Award and Notice to Proceed.
- 8.5 General Conditions, pages 1 to 42, inclusive.
- 8.6 Supplementary Conditions, pages 00800-1 to 00800-5 inclusive.
- 8.7 Specifications bearing the title:

**BELMONT COUNTY SANITARY SEWER DISTRICT
MORRISTOWN SEWAGE LIFT STATION**

8.8 Drawings, consisting of sheet numbered A, B, 1 THRU 14 inclusive with each sheet bearing the following general title:
MORRISTOWN SEWAGE LIFT STATION

- 8.9 Addenda Numbers 1, inclusive.
- 8.10 Contractor's Bid, pages 00300-1 to 00300-4, inclusive.
- 8.11 Documentation submitted by Contractor prior to Notice of Award, pages ____ to ____, inclusive.
- 8.12 Any modification, including Change Orders, duly delivered after execution of Agreement.

There are no Contract Documents other than those listed above in this Article 8. The Contract Documents may only be altered, amended or repealed by a Modification (as defined in Section 1 of the General Conditions).

ARTICLE 9-MISCELLANEOUS

9.1 Terms used in this Agreement which are defined in Article 1 of the General Conditions shall have the meanings indicated in the General Conditions.

9.2 No assignment by a party hereto of any rights under or interests in the Contract Documents will be binding on another party hereto without the written consent of the party sought to be bound; and specifically but without limitation, moneys that may become due and moneys that are due may not be assigned without such consent (except to the extent that the effect of this restriction may be limited by law), and unless specifically stated to the contrary in any written consent to an assignment, no assignment will release or discharge the assignor from any duty or responsibility under the Contract Documents.

9.3 Owner and Contractor each binds himself, his partners, successors, assigns and legal representatives to the other party hereto, his partners, successors, assigns and legal representatives in respect to all covenants, agreements and obligations contained in the Contract Documents.

ARTICLE 10-OTHER PROVISIONS

IN WITNESS WHEREOF, the parties hereto have signed four copies of this Agreement. All portions of the Contract Documents have been signed or identified by Owner and Contractor or by Engineer on their behalf.

This Agreement will be effective on September 14, 2005

OWNER: Belmont County Commission

CONTRACTOR: Nicolozakes Trucking & Construction, Inc.

By: Charles R. Probst Jr. /s/
(corporate seal)

By: _____
(corporate seal)

ATTEST: Jayne Long /s/

ATTEST: _____

Address for giving notices:
Belmont County Courthouse
101 W. Main Street
St. Clairsville, OH 43950

Address for giving notices:

Telephone No. _____
Fax _____
License No. _____
Agent for service of process:

Approved as to form:
David K. Liberati /s/

Belmont County Prosecutor

Upon roll call the vote was as follows:

Mr. Probst	Yes
Mr. Longshaw	Yes
Mr. Thomas	Absent

IN THE MATTER OF ADVERTISING FOR BIDS
FOR PROJECT 05-09 SLIP REPAIR (CH18 LANSING-CHEMONT RD)/
BELMONT COUNTY ENGINEER'S

Motion made by Mr. Probst, seconded by Mr. Longshaw to approve the request of County Engineer Fred Bennett to advertise for bids for the Belmont County Engineer Project 05-9 Slip Repair Project – County Highway 18 Lansing-Chermont Road-and hereby authorize the Clerk of the Board to proceed with the required Notice to Bidders.

Note: Funding Sources FEMA 75%, OEMA and MVGT 12 1/2 %

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 Belmont County Engineer Project 05-9 Slip Repair Project, the Clerk is hereby directed to have published in the Martins Ferry Times Leader, a newspaper having general circulation in the County, a "Notice to Bidders" as follows:

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

Sealed bids will be received by the Belmont County Board of Commissioners at the Commissioners Office, Belmont County Courthouse, 101 West Main Street, St. Clairsville, Ohio 43950 until **11:00 A.M. (Local Time) Wednesday, October 5, 2005** for furnishing all labor, materials and equipment to complete for the Belmont County Engineer's Department **Project 05-9 Slip Repair Project** (County Highway 18), then at said office publicly opened and read aloud.

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

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

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

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

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

Darlene Pempek /s/
Darlene Pempek, Clerk of the Board

Times Leader Advertisement: Two (2) Mondays: September 19 and September 26, 2005

Upon roll call the vote was as follows:

Mr. Probst	Yes
Mr. Longshaw	Yes
Mr. Thomas	Absent

IN THE MATTER OF ADVERTISING FOR BIDS
FOR PROJECT 05-10 RESURFACING LOCAL ROADS
(CH 6 SHARON RD AND CH 22 FERRYVIEW)/
BELMONT COUNTY ENGINEER'S

Motion made by Mr. Probst, seconded by Mr. Longshaw to approve the request of County Engineer Fred Bennett to advertise for bids for the Belmont County **Engineer Project 05-10 Resurfacing of Local Roads Project** –and hereby authorize the Clerk of the Board to proceed with the required Notice to Bidders.

Note: This project involves the resurfacing of 1.6 miles of County Highway 6 Sharon Road and 1.42 miles of County Highway 22 Ferryview Road for a total of 3.02 miles and will be funded with Permissive Sales Tax monies.

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 Belmont County Engineer Project 05-10 Resurfacing Local Roads Project, the Clerk is hereby directed to have published in the Martins Ferry Times Leader, a newspaper having general circulation in the County, a "Notice to Bidders" as follows:

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

Sealed bids will be received by the Belmont County Board of Commissioners at the Commissioners Office, Belmont County Courthouse, 101 West Main Street, St. Clairsville, Ohio 43950 until 11:15 A.M. (Local Time) Wednesday, October 5, 2005 for furnishing all labor, materials and equipment to complete the following project for the Belmont County Engineer, Project 05-10 "Resurfacing of 1.6 miles of County Highway 6 (Sharon Road) and 1.42 miles of County Highway 22 (Ferryview) then at said office publicly opened and read aloud.

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

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

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

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

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

Darlene Pempek /s/
Darlene Pempek, Clerk of the Board

Times Leader Advertisement: Two (2) Mondays-September 19 and September 26, 2005.

Upon roll call the vote was as follows:

Mr. Probst	Yes
Mr. Longshaw	Yes
Mr. Thomas	Absent

**IN THE MATTER OF CONTRACT BETWEEN
BELMONT COUNTY COMMISSIONERS AND
SHELLY AND SANDS, INC. FOR
RESURFACING NO. 18, PROJECT 18-4**

WHEELING AND YORK TOWNSHIPS/ENGINEER'S OPWC ISSUE II

Motion made by Mr. Probst, seconded by Mr. Longshaw to enter into a contract with Shelly & Sands, Inc. on behalf of the Belmont County Engineer, in the amount of \$64,845.00, based upon the recommendation of Fred Bennett, County Engineer. This is for the Belmont County Engineer's Project 18-4 Resurfacing Wheeling & York Townships.

Note: Resurfacing 0.36 mi. of Wheeling Twp. Rd. 431 (Kagg Hill) & 1.07 mi. of York Twp. Rd. 132 (Little Captina Creek Rd.) for a total of 1.43 miles. The O.P.W.C. and the two townships will fund this project.

**CONTRACT WITH BELMONT COUNTY COMMISSIONERS
ISSUE 2
RESURFACING NO. 18-PROJECT 18-4
WHEELING AND YORK TOWNSHIPS, BELMONT COUNTY, OHIO
O.P.W.C. PROJECT**

AUDITOR'S OFFICE, BELMONT COUNTY, OHIO

THIS AGREEMENT made and entered into this 14th day of September, 2005 between **SHELLY AND SANDS, INC., P.O.**

Box 66, Rayland, Ohio 43943 and Mark Thomas, Gordie Longshaw and Charles Probst, Commissioners of Belmont County, WITNESSETH that the said **SHELLY AND SANDS, INC.** hereby agrees to furnish all material and do all work requisite necessary for the resurface portions of various Township Roads in accordance with plans and specifications.

All work, materials and equipment shall meet the State of Ohio, Department of Transportation, Construction and Material

Specifications, 2002 edition.

APPROX. QUAN	ITEM	DESCRIPTION	UNIT BID PRICE	TOTAL BID AMT.
946 GAL	407	TACK COAT	\$2.50	\$2,365.00
272 CY	448	ASPHALT CONC INTERMED	88.00	23,936.00
438 CY	448	ASPHALT CONC SURF CRSE	88.00	38,544.00
		TOTAL		\$64,845.00

County will certify 26% of \$64,845.00 which is \$16,859.70

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 AND 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

Charles R. Probst, Jr. /s/

Gordie W. Longshaw /s/

SHELLY AND SANDS, INC.

By: Charles W. Taylor /s/

Upon roll call the vote was as follows:

Mr. Probst	Yes
Mr. Longshaw	Yes
Mr. Thomas	Absent

**IN THE MATTER OF BID OPENING
FOR THE REPLACEMENT OF FRONT ENTRY DOORS
AT THE BARNESVILLE MANOR/
CDBG FY 2004 PROJECT**

BID OPENING

This being the day and 10:45 a.m. being the hour that bids were to be on file in the Commissioners Office for the Barnesville ADA Compliance-Front Entry Door Project at The Barnesville Manor, a Community Development Block Grant FY 2004 Project, they proceeded to open the following bids:

CONTRACTOR	BID AMOUNT
Erb Electric 500 Hall St., Bridgeport, OH 43912	\$28,400.00

Present for the bid opening were A.C. Wiethe, Assistant Director of Management Services for Belomar Regional Council, Eric Ayres, Times Leader.

Motion made by Mr. Probst, seconded by Mr. Longshaw to turn over all bids received for the CDBG FY 2004 Project for Replacement of Entry Doors at Barnesville Manor, to A.C. Wiethe, Assistant Director of Management Services for Belomar Regional Council, for review and recommendation.

Upon roll call the vote was as follows:

Mr. Probst	Yes
Mr. Longshaw	Yes
Mr. Thomas	Absent

**IN THE MATTER OF BID OPENING
FOR THE WAYNE TOWNSHIP CULVERT PROJECT
CDBG PROJECT**

BID OPENING

This being the day and 11:00 a.m. being the hour that bids were to be on file in the Commissioners Office for the Wayne Township Culvert Project, a Community Development Block Grant Project, they proceeded to open the following bids:

CONTRACTOR	BID AMOUNT
PIPELINES 16363 St. Clair Ave., East Liverpool, OH 43920-9124	\$15,771.84

SEBULSKY INDUSTRY 130 S. Sugar St., St. Clairsville, OH 43950	\$16,726.19
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Present for the bid opening were A.C. Wiethe, Assistant Director of Management Services for Belomar Regional Council, Eric Ayres, Times Leader.

Motion made by Mr. Probst, seconded by Mr. Longshaw to turn over all bids received for the CDBG FY 2004 Project for furnishing and delivery of various culvert pipe to Wayne Township, to A.C. Wiethe, Assistant Director of Management Services for Belomar Regional Council, for review and recommendation.

Upon roll call the vote was as follows:

Mr. Probst	Yes
Mr. Longshaw	Yes
Mr. Thomas	Absent

September 14, 2005

**IN THE MATTER OF ENTERING INTO
AGREEMENT WITH HARRIS COMPUTER SYSTEMS
FOR COMPUTER SOFTWARE UPGRADE/
BELMONT COUNTY AUDITOR'S OFFICE**

Motion made by Mr. Probst, seconded by Mr. Longshaw to enter into an agreement with Harris Computer Systems, 5540 Porter Road, Niagara Falls, NY for the acquisition and supply of computer software and related services for the Belmont County Auditor Office. Total Upgrade cost \$24,595.00

Note: This is an upgrade to the current systems being utilized by the Belmont County Auditor and Treasurer Offices. This will include an upgrade to the financial/ budgetary/ payroll and treasurer reconciliation system.

Pursuant to ORC 307.86, this project does not have to be bid because it is an upgrade to the current system. Approval has been obtained from the Belmont County Prosecutor.

HARRIS

Agreement For The Acquisition and Supply of Computer Software and Related Services

This understanding between **Belmont County** of 101 West Main Street, St. Clairsville, OH 43950 and Harris Computer Systems of 5540 Porter Road, Niagara Falls, NY 14304 confirms the purchase of the following licensed software products and or services:

PROFESSIONAL SERVICES	COST
Service Total	\$18,500.00
THIRD PARTY LICENSING	COST
TPL Total	\$6,545.00
MONTHLY MAINTENANCE	COST
Monthly maintenance amounts will not increase due to system upgrade and will remain at levels currently paid on ATEK products. Regular annual increase will still apply.	
Uniface Maintenance (\$100 per Workstation	\$58.00

Total Upgrade Cost: \$24,595.00 + Travel Related Expenses & Annual Maintenance

Upon roll call the vote was as follows:

Mr. Probst Yes
Mr. Longshaw Yes
Mr. Thomas Absent

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

Motion made by Mr. Probst, seconded by Mr. Longshaw to approve the minutes of the Belmont County Board of Commissioners regular meeting of August 31, 2005.

Upon roll call the vote was as follows:

Mr. Probst Yes
Mr. Longshaw Yes
Mr. Thomas Absent

**IN THE MATTER OF BID OPENING
FOR THE MARTINS FERRY DEMOLITION
/CDBG PROJECT**

BID OPENING

This being the day and 11:15 a.m. being the hour that bids were to be on file in the Commissioners Office for the Martins Ferry Demolition Project, a Community Development Block Grant Project, they proceeded to open the following bids:

CONTRACTOR	BID AMOUNT
Edgco, Inc. P.O. Box 410, Lansing, OH 43935	\$33,000.00 Total (644 Cemetary Rd.-\$16,000, 613 Union St.-\$6,500, 305 N. 7 th St.-\$9,500)

Present for the bid opening were A.C. Wiethe, Assistant Director of Management Services for Belomar Regional Council, Mr. Edge, Edgco, Inc., Ben West, Martins Ferry Service Director and Eric Ayres, Times Leader.

Motion made by Mr. Probst, seconded by Mr. Longshaw to turn over all bids received for the CDBG FY 2004 Project for demolition of three structures in the City of Martins Ferry, Ohio, to A.C. Wiethe, Assistant Director of Management Services for Belomar Regional Council, for review and recommendation.

Upon roll call the vote was as follows:

Mr. Probst Yes
Mr. Longshaw Yes
Mr. Thomas Absent

**IN THE MATTER OF
FLOODPLAIN STATUS REPORT**

Mr. Mike (Mickey) Wallace, Belmont County Floodplain Coordinator, presented the following floodplain status report to the board September 14, 2005

From: Mike Wallace

To: Belmont County Commissioners

RE: Floodplain Status Report

Almost one year has past since our last severe flood. It appears everything is slowly returning to normal although some things will never be the same.

Flood prevention Regulations are being enforced and more residents are being educated, sometimes on a one tone basis. Residents are starting to respect the dangers of floods and need for better flood prevention measures.

At times enforcement is hard because of the lack of zoning laws but is still progressing.

In order for Belmont County to stay in compliance, several things need to happen.

1. Constant monitoring of all hazard areas
2. Adoption of new study and map as set forth by FEMA.
3. Cooperation between all County Departments in the notification of any projects to the Floodplain Office.

At the present time there are four (4) projects pending for legal action for noncompliance. Additionally, 32 permits have been issued this year and they are being monitored for compliance. In my spare time I am checking for noncompliant projects that failed to obtain proper permits during the period from February 04, 1988 to October 18, 2004.

I am also currently working to document all aspects of the Belmont County Floodplain Program. The purpose of this is to enable the County to enter the

Community Rating System (CRS) program. The benefit of this program is to reduce the cost of flood insurance to the residents of Belmont County. The cost reduction is based on a point system. For every 500 points the county can earn, flood insurance rates can be reduced 5 % up to a total of

45 %, so lot of work remains.

I will be available to answer any questions.

**IN THE MATTER OF BID OPENING
FOR BELMONT COUNTY ENGINEER'S
PROJECT 05-8 SLIP REPAIR-COUNTY HIGHWAY 32**

BID OPENING

This being the day and 11:30 a.m. being the hour that bids were to be on file in the Commissioners Office for the Belmont County Engineer's Project 05-8, they proceeded to open the following bids:

CONTRACTOR	BID BOND	AMOUNT OF BID
BBR DRILLING 41462 Palmer Rd., Belmont, OH 43718	X	\$469,070.50
OHIO-WEST VIRGINIA EXCAVATING CO. P.O. Box 128, Powhatan Point, OH 43042	X	\$456,069.00
KOKOSING 886 McKinley Ave., Columbus, OH 43222	X	\$559,024.80

Present for the bid opening were John Parkinson, Belmont County Engineer's Department, Eric Ayres, Times Leader.

Motion made by Mr. Probst, seconded by Mr. Longshaw to turn over all bids received for the Belmont County Engineer's Project 05-8 Slip Repair (CR 32 Kilgore Road) to John Parkinson, Engineer's Department, to give to Fred Bennett, County Engineer, for review and recommendation.

Note: This project involves the repair of roadway and embankment failures caused by the heavy rain of January 3 and January 4, 2004. This is the final project from Disaster 1507

Upon roll call the vote was as follows:

Mr. Probst Yes
Mr. Longshaw Yes
Mr. Thomas Absent

**IN THE MATTER OF BID OPENING
FOR THE RE-BID OF THE BELMONT COUNTY
EMERGENCY OPERATIONS CENTER BUILDING EXPANSION PROJECT**

BID OPENING

This being the day and 11:45 a.m. being the hour that bids were to be on file in the Commissioners Office for the Belmont County Emergency Operations Center Building Expansion Project, they proceeded to open the following bids:

GENERAL TRADES CONTRACT A

CONTRACTOR	BID BOND	AMOUNT OF BID
Allstate Construction	X	\$286,150.00
Bedway Development	X	\$305,000.00 Electrical Addendum #1 \$5,125.00
Lombardi Development	X	\$426,786.00

MECHANICAL TRADES CONTRACT B

CONTRACTOR	BID BOND	AMOUNT OF BID
Allstate Construction	X	\$47,393.00
Johnson Boilers	X	\$47,393.00
A.E. Pelley	X	\$49,443.00

ELECTRICAL TRADES CONTRACT C

CONTRACTOR	BID BOND	AMOUNT OF BID
Allstate Construction	X	\$80,632.00 Addendum #1 \$6,350.00
Davison Electric	X	\$77,600.00 Addendum #1 \$5,000.00
Erb Electric	X	\$85,032.00 Addendum #1 \$6,350.00

Present for the bid opening were Larry Siebieda, Project Architect, Eric Ayres, Times Leader.

Motion made by Mr. Probst, seconded by Mr. Longshaw to turn over all bids received for the Belmont County Emergency Services Expansion Project (construction of a 4056 sq. ft. slab-on-grade, masonry and wood-framed building) to Larry Siebieda, Architect for review and recommendation.

Note: This project was originally bid June 1, 2005 – It is being funded through partnerships with FEMA/OEMS and county funds. Total project cost is \$341,628.00 – Belmont County has been awarded a grant through the Ohio EMA in the amount of \$136,651.00 – the balance will be paid from the county's Capital Project Reserve Fund.

Upon roll call the vote was as follows:

Mr. Probst Yes
Mr. Longshaw Yes
Mr. Thomas Absent

RECESS: 12:00 P.M

**IN THE MATTER OF BID OPENING
FOR PAVING THE FOX SHANNON PARK
WALKING TRAIL/BUILDINGS & GROUNDS**

BID OPENING

This being the day and 1:00 P.M. being the hour that bids were to be on file in the Commissioners Office for paving the Park Shannon Park Walking Trail, they proceeded to open the following bids:

CONTRACTOR	BID BOND	AMOUNT OF BID
WILSON BLACKTOP	X	\$61,320.00 (\$42,870 and \$18,450/parking area)
LASH EXCAVATING & PAVING	X	\$52,875.00 (\$37,875 and \$15,000/parking area)

Present for the bid opening were Bill Eddy, Buildings & Grounds Superintendent, Eric Ayres, Times Leader.

Motion to turn over all bids received for the paving of the walking trail at Fox Shannon Park, Project BELM-018, to Bill Eddy, Buildings & Grounds Superintendent, for review and recommendation.

Note: The Nature Works Grant has been awarded by the Ohio Department of Natural Resources in the amount of \$48,016.00 for the completion of a paved walking trail and the development of a drop-off zone with handicap parking spaces. There is a 20% local match committed for this project.

Upon roll call the vote was as follows:

Mr. Probst Yes
Mr. Longshaw Yes
Mr. Thomas Absent

**IN THE MATTER OF FINAL PLAT APPROVAL
FOR BERLETCH ACRES/WHEELING TOWNSHIP
SEC 26, T8, R4**

“Hearing Had-1:15 P.M.”

**“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 Berletch Acres, Wheeling Township, Sec. 26, T8, R4, 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. Longshaw seconded the motion and upon roll call the vote was as follows:

Mr. Probst	Yes
Mr. Longshaw	Yes
Mr. Thomas	Absent

**IN THE MATTER OF GRANTING REQUEST
TO ADVERTISE FOR BIDS FOR REPLACEMENT OF
1 NUTRITION VAN FOR BELMONT SENIOR SERVICES**

Motion made by Mr. Probst, seconded by Mr. Longshaw to grant the request from Belmont Services to replace (1) nutrition van that was totaled in a recent accident. (\$6,052 insurance reimbursement will be used towards this purchase)

NOTICE TO BIDDERS

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

Sealed bids will be received by the Belmont County Board of Commissioners at the Commissioners Office, Belmont County Courthouse, 101 West Main Street, St. Clairsville, Ohio 43950 until 10:45 A.M. (Local Time) Wednesday, October 5, 2005 for furnishing One (1) new, small pickup truck with meal delivery package for the Belmont Senior Services, then at said office publicly opened and read aloud.

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

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

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

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

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

Darlene Pempek /s/
Darlene Pempek, Clerk of the Board

Times Leader Advertisement: Two (2) Sundays, September 18 and September 25, 2005

Upon roll call the vote was as follows:

Mr. Probst	Yes
Mr. Longshaw	Yes
Mr. Thomas	Absent

**IN THE MATTER OF ACCEPTING PROPOSAL
FOR HEAT CONTROLS/BETHESDA SATELLITE BUILDING**

Motion made by Mr. Probst, seconded by Mr. Longshaw to accept the proposal from Johnson Boiler Works, Inc. in the amount of \$1,650.00 for the following work at the Bethesda Satellite Building:

1. Remove existing thermostat, timers and outdoor controls from heating boiler
2. Remove the heat timer from the old annex building and install in the satellite building

Upon roll call the vote was as follows:

Mr. Probst	Yes
Mr. Longshaw	Yes
Mr. Thomas	Absent

**IN THE MATTER OF ADJOURNING
COMMISSIONERS MEETING AT 1:44 P.M.**

Motion made by Mr. Probst, seconded by Mr. Longshaw to adjourn the meeting at 1:44 p.m.
Upon roll call the vote was as follows:

Mr. Probst	Yes
Mr. Longshaw	Yes
Mr. Thomas	Absent

Read, approved and signed this 21st day of September A.D., 2005.

_____ COUNTY COMMISSIONERS

Mark A. Thomas, Absent _____

We, Charles R. Probst, Jr. and Darlene Pempek, Vice-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.

_____ VICE-PRESIDENT

_____ CLERK