

St. Clairsville, Ohio

August 28, 2006

The Board of Commissioners of Belmont County, Ohio, met this day in regular session. Present: Gordie W. Longshaw and Mark A. Thomas, Commissioners and Jayne Long, Assistant Clerk of the Board. Absent: Charles R. Probst, Jr. Minutes of the meeting of August 21, 2006, 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. Thomas, 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.

<u>Claim of</u>	<u>Purposes</u>	<u>Amount</u>
A-American Electric Power	Install Meter/General Fund	561.86
Belmont Co. Dept. of Job & Family Services	Sept. Mandated Share/Public Assistance/General Fund	29,267.17
BP	July Gasoline/General Fund	1,191.57
BP	Misc. Gasoline expenses/General Fund	1,459.43
BP	Gasoline-Auditor/General Fund	553.97
Chase Bank	CDBG Funds/Commissioners CDBG Fund	26,748.00
Cindi Henry	Reimburse expenses/General Fund	42.02
CITGO Petroleum Corp.	Misc. Gasoline/General Fund	1,130.28
Cynthia K. McGee	Lodging for Maximus Class-Clerk of Courts/General Fund	202.48
Fleet Services/Marathon	Gasoline expenses/General Fund	512.23
Joseph Atkinson	Reimburse expenses/General Fund	28.01
Judith Farson	Clothing Allowance	150.00
Kacsmar & Company	Aug. & Sept. rent-Title Dept./General Fund	5,220.00
Lori Thorman	Clothing Allowance/General Fund	150.00
Made In The Shade	Window Tint-Jail/General Fund	299.00
Newhart's Body Shop	Repairs/General Fund	506.40
Ohio Dept. of Development	Sept. Loan/Fox Commerce Park/St Loan Repayment	3,311.90
OSUE North Central Region	Registration fee-CC Days/General Fund	75.00
Patricia Hurt	Postage reimbursement-Juvenile/General Fund	32.61
Shadyside Towing & Repair	Misc. gas-Juvenile Court/General Fund	634.15
Rebecca Ninni	Clothing Allowance/General Fund	150.00
Reserve Account	Postage-Eastern Court/General Fund	1,500.00
Transcor America, Inc.	Services rendered/General Fund	621.68
Water Management Assoc.	Register Fee-Flood PI/General Fund	170.00
B-BP	Gasoline-Dog Kennel/Dog and Kennel Fund	419.59
Belmont Co. Sanitary Sewer	July service-Dog Kennel/Dog and Kennel Fund	305.25
Charles Starr	Refund-Kennel License/Dog and Kennel Fund	100.00
Crossroads Counseling Services	Billing-Eastern Court/Indigent Driver Alcohol Fund	633.94
Crossroads Counseling Services	Billing-Northern Court/Indigent Driver Alcohol Fund	2,404.38
Crossroads Counseling Services	July Counseling Fees/Indigent Driver Alcohol Fund	1,994.83
St. Clair Animal Hospital	July vet services-Dog Kennel/Dog and Kennel Fund	1,843.05
C-Ohio Assoc. of Probate Judges	Continuing Education Course-Probate Ct./Indigent Guardianship Fund	150.00
K-Ohio-WV Excavating	Bridge Replacement Project/MVGT Bridge & Culverts Fund	46,471.66
Wells Fargo Payment Center	Visa Card/Engineer's MVGT Fund	201.48
M-AT&T	Billing/Title IV-E Reimb. Fund	236.48
ALLTEL	Billing-Juvenile/Title IV-E Reimb	975.17
1 Step Detect`	Drug Screens/Juvenile Court/Drug Court Donations Fund	258.75
Walmart	Invoice-Juvenile Court/Title IV-E Reimb. Fund	308.00
N-CMG Architects & Engineers	Architect services-Eastern Court/Eastern Court Construction Fund	875.00
Cusip Services Bureau	Bond Antic Note-Co. Eng. Bldgs./Co. Engineer Bldg. Constr. Fund	42.84
Fifth Third Bank	Payment for note-EMA/EOC Construction Fund	15.75
Green & Assoc.	Soil test-New Jail/Jail Construction Fund	8,450.00
P-American Electric Power	BCSSD/Y-90 Fund	8,079.68
American Electric Power	BCSSD/Y-90 Fund	399.76
Belmont Co. Commissioners	BCSSD/Y-90 Fund	26.62
Eastern Ohio Regional Wastewater Authority	BCSSD/Y-90 Fund	58.20
HLC Trucking Co.	BCSSD/Y-90 Fund	7,133.75
Mulvey Constr., Inc.	BCSSD/Y-90 Fund	174.20
National Road Utility Supply, Inc.	BCSSD/Y-90 Fund	385.86
SBC	BCSSD/Y-90 Fund	273.63
Staffilino Chev, Inc.	BCSSD/Y-90 Fund	107.25
Technical Learning College	BCSSD/Y-90 Fund	50.00
Times Leader	BCSSD/Y-90 Fund	197.46
P-Board of Trustees of Public Affairs	July service/WWS#1 Revenue Fund	28,513.98
Grainger, Inc.	MEOG electric/LEPC Fund	1,295.89
S-Aaron Walker	Hours worked-Juvenile Court General Special Projects Fund	162.00
AT&T	Monthly statement-Clerk of Courts/Cert. of Title Admn. Fund	93.35
Crystal Springs	Water/Western Court General Special Projects Fund	54.84
Jeter Systems Corp.	Labels & Numbers/Northern Court General Special Projects Fund	479.10
Lilienthal Southeastern	Marriage License-Probate Court/Probate Court Computer Fund	464.97
Walmart	Supplies/Sheriff's Office Commissary Fund	575.73
West Group Payment Center	Westlaw July 06/Western Div. Court Computer Fund	409.50
U-Panda Software	Licensing for software/anti-virus/Sheriff Reserve Account Fund	2,855.21

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

Motion made by Mr. Thomas, seconded by Mr. Longshaw to approve the Recapitulation of Vouchers dated for August 28, 2006 as follow:

<b>FUND</b>	<b>AMOUNT</b>
A-GENERAL	\$16,125.54; \$11,000.00; \$1,256.81; \$748.48; \$1,500.65
GENERAL/EMA	\$1,371.71
GENERAL/Sheriff	\$152.39
H-County Home/Park Health	\$31,699.21
H-Job & Family, Public Assistance	\$2,308.36; \$25,817.20
Job & Family, WIA	\$3,424.37
K-Engineer MVGT	\$1,383.76; \$30,258.59
S-Ohio Valley Recycling	\$2,155.33
Western Court Computer	\$303.10
Y-Belmont Co. Sanitary Sewer District	\$11,536.42; \$16,770.78; \$23,901.96

Upon roll call the vote was as follows:

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

**IN THE MATTER OF TRANSFER WITHIN THE BELMONT COUNTY GENERAL FUND/BD OF ELECTIONS**

Motion made by Mr. Longshaw, seconded by Mr. Thomas to approve the following transfer within the Belmont County General Fund for the Bd. Of Elections.

<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
E-0181-A003-A09.003 PERS	E-0181-A003-A11.000 Other Expenses	\$4,969.66

Upon roll call the vote was as follows:

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

**IN THE MATTER OF TRANSFER WITHIN THE BELMONT COUNTY GENERAL FUND/MAGISTRATE**

Motion made by Mr. Longshaw, seconded by Mr. Thomas to approve the following transfer within the Belmont County General Fund.

<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
E-0063-A002-B30.000 Other Expenses	E-0063-A002-B28.003 PERS	\$1,551.72

Upon roll call the vote was as follows:

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

**IN THE MATTER OF TRANSFER WITHIN FUND FOR THE GENERAL / PROSECUTOR**

Motion made by Mr. Thomas, seconded by Mr. Longshaw to approve the following transfer within fund for the General / Prosecutor's Fund

<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
E-0111-A001-E11.000 Other	E-0111-A001-E04.010 Supplies	\$2500.00

Upon roll call the vote was as follows:

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

**IN THE MATTER OF TRANSFER WITHIN FUND FOR THE DISASTER SERVICES FUND**

Motion made by Mr. Thomas, seconded by Mr. Longshaw to approve the following transfer within fund for the Disaster Services Fund.

<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
E-0054-A006-F03.000 Utilities	E-0054-A006-F07.000 Other Expenses	\$4,000.00

Upon roll call the vote was as follows:

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

**IN THE MATTER OF TRANSFER WITHIN FUND FOR THE COUNTY COURT PROBATION OFFICER FUND**

Motion made by Mr. Thomas, seconded by Mr. Longshaw to approve the following transfer within fund for the County Home Fund.

<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
E-0041-A002-H05.006 Hospitalization	E-0041-A002-H03.003 PERS	1,300.00
E-0041-A002-H05.006 Hospitalization	E-0041-A002-H01.002 Salary Probation Officer	<u>6,100.00</u>
<b>TOTAL</b>		<b>7,400.00</b>

Upon roll call the vote was as follows:

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

**IN THE MATTER OF TRANSFER OF FUNDS WITHIN THE REAL ESTATE ASSESSMENT FUND/AUDITOR**

Motion made by Mr. Thomas, seconded by Mr. Longshaw to approve the following transfer of funds within the Real Estate Assessment Fund/Auditor.

<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
E-1310-J000-J05.004 Workers Comp	E-1310-J000-J06.000 Other Expenses	\$ 5,888.70

Upon roll call the vote was as follows:

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

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

Motion made by Mr. Thomas, seconded by Mr. Longshaw to approve the following transfer within fund for the Belmont County Sanitary Sewer District.

<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
<b>SSD#2 FORCE MAIN</b>	<b>SSD#2 FORCE MAIN</b>	
E-9018-N018-N01.055 Contract Service	E-9018-N018-N02.055 Projects	\$ 80,000.00
E-9018-N018-N01.055 Contract Service	E-9018-N018-N03.055 Other Expense	<u>400.00</u>
<b>TOTAL</b>		<b>\$ 80,400.00</b>

Upon roll call the vote was as follows:

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

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

Motion made by Mr. Thomas, seconded by Mr. Longshaw to approve the following transfer within fund for the Belmont County Sanitary Sewer District.

<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
<b>WWS#2</b>	<b>WWS#2</b>	
E-3701-P003-P31.000 Other Expenses	E-3701-P003-P23.011 Contract services	7,000.00
<b>SSD#1</b>	<b>SSD#1</b>	
E-3704-P051-P06.000 Contract Repairs	E-3704-P051.P07.011 Contract services	<u>600.00</u>
<b>TOTAL</b>		<b>7,600.00</b>

Upon roll call the vote was as follows:

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

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

Motion made by Mr. Thomas, seconded by Mr. Longshaw to approve the following transfer within fund for the Belmont County Sanitary Sewer District.

<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
<b>SSD#1</b>	<b>SSD#1</b>	
E-3704-P051-P03.012 Equipment	E-3704-P051.P13.003 PERS	800.00
E-3704-P051-P01.002 Salary	E-3704-P051-P15.000 Other Expenses	5,000.00
<b>SSD#2</b>	<b>SSD#2</b>	
E-3705-P053-P08.013 Projects	E-3705-P053-P14.000 Other Expenses	2,000.00
<b>TOTAL</b>		<b>7,800.00</b>

Upon roll call the vote was as follows:

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

**IN THE MATTER OF TRANSFERS BETWEEN FUNDS/**  
**BELMONT COUNTY SANITARY SEWER DISTRICT**

Motion made by Mr. Thomas, seconded by Mr. Longshaw to approve the following transfers between funds from the Water and Sewer Guarantee Deposit Fund to the Revenue Receipt Fund for the month of July, 2006.

<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
E-3711-T010-T04.074 WSGDF Transfer Out	R-3701-P003-P15.574 WWS#2 01004003 Transfers In	67.50
E-3711-T010-T04.074 WSGDF Transfer Out	R-3702-P005-P15.574 WWS#3 02004003 Transfers In	425.74
E-3711-T010-T04.074 WSGDF Transfer Out	R-3706-P055-P08.574 SSD#3A 06004003 Transfers In	274.28
E-3711-T010-T04.074 WSGDF Transfer Out	R-3707-P056-P08.574 SSD#3B 07004003 Transfers In	<u>28.00</u>
<b>TOTAL</b>		<b>795.52</b>

Upon roll call the vote was as follows:

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

**IN THE MATTER OF MONTHLY TRANSFER OF**  
**FUNDS FOR BELMONT COUNTY SANITARY SEWER**

Motion made by Mr. Thomas, seconded by Mr. Longshaw to approve the following transfer of funds for the Month of August 2006 for the Belmont County Sanitary Sewer District.

<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
E-3701-P003-P18.010 SUPPLIES	R-9890-Y090-Y04.574 SUPPLIES	2,557.61
E-3701-P003-P19.012 EQUIPMENT	R-9890-Y090-Y04.574 EQUIPMENT	155.43
E-3701-P003-P21.000 MATERIALS	R-9890-Y090-Y04.574 MATERIALS	2,832.27
E-3701-P003-P22.000 CONTRACT REP.	R-9890-Y090-Y04.574 CONTRACT REP.	238.12
E-3701-P003-P23.011 CONTRACT SERV.	R-9890-Y090-Y04.574 CONTRACT SERV.	385.51
E-3701-P003-P24.013 CONTRACT PROJ.	R-9890-Y090-Y04.574 CONTRACT PROJ.	0.00
E-3701-P003-P25.000 PURCHASED H2O	R-9890-Y090-Y04.574 PURCHASED H2O	0.00
E-3701-P003-P27.000 ADV & PRINTING	R-9890-Y090-Y04.574 ADV & PRINTING	0.00
E-3701-P003-P28.000 TRAVEL & EXP.	R-9890-Y090-Y04.574 TRAVEL & EXP.	52.25
E-3701-P003-P29.003 PERS	R-9890-Y090-Y04.574 PERS	1,655.71
E-3710-P003-P30.004 WORKERS' COMP	R-9890-Y090-Y04.574 WORKERS' COMP	0.00
E-3701-P003-P31.000 OTHER EXPENSES	R-9890-Y090-Y04.574 OTHER EXPENSES	5,133.36
E-3701-P003-P32.074 TRANSFERS-OUT	R-9890-Y090-Y04.574 TRANSFERS-OUT	0.00
E-3701-P003-P35.005 MEDICARE	R-9890-Y090-Y04.574 MEDICARE	112.21
<b>TOTAL</b>		<b>13,122.47</b>
E-3702-P005-P18.010 SUPPLIES	R-9890-Y090-Y04.574 SUPPLIES	7,101.40
E-3702-P005-P19.012 EQUIPMENT	R-9890-Y090-Y04.574 EQUIPMENT	40,819.51
E-3702-P005-P21.000 MATERIALS	R-9890-Y090-Y04.574 MATERIALS	51,209.40
E-3702-P005-P22.000 CONTRACT REP.	R-9890-Y090-Y04.574 CONTRACT REP.	470.52
E-3702-P005-P23.011 CONTRACT SERV.	R-9890-Y090-Y04.574 CONTRACT SERV.	40,342.56

E-3702-P005-P24.013	CONTRACT PROJ.	R-9890-Y090-Y04.574	CONTRACT PROJ.	0.00
E-3702-P005-P25.000	PURCHASED H2O	R-9890-Y090-Y04.574	PURCHASED H2O	1,294.02
E-3702-P005-P27.000	ADV & PRINTING	R-9890-Y090-Y04.574	ADV & PRINTING	0.00
E-3702-P005-P28.000	TRAVEL & EXP.	R-9890-Y090-Y04.574	TRAVEL & EXP.	103.24
E-3702-P005-P29.003	PERS	R-9890-Y090-Y04.574	PERS	6,234.27
E-3702-P005-P30.004	WORKERS' COMP	R-9890-Y090-Y04.574	WORKERS'COMP	0.00
E-3702-P005-P31.000	OTHER EXP.	R-9890-Y090-Y04.574	OTHER EXP.	24,741.82
E-3702-P005-P34.074	TRANSFERS-OUT	R-9890-Y090-Y04.574	TRANSFERS-OUT	0.00
E-3702-P005-P35.005	MEDICARE	R-9890-Y090-Y04.574	MEDICARE	358.42
<b>TOTAL</b>				<b>172,675.16</b>
E-3704-P051-P02.010	SUPPLIES	R-9890-Y090-Y04.574	SUPPLIES	730.31
E-3704-P051-P03.012	EQUIPMENT	R-9890-Y090-Y04.574	EQUIPMENT	63.51
E-3704-P051-P05.000	MATERIALS	R-9890-Y090-Y04.574	MATERIALS	2,710.69
E-3704-P051-P06.000	CONTRACT REP.	R-9890-Y090-Y04.574	CONTRACT REP.	97.33
E-3704-P051-P07.011	CONTRACT SERV.	R-9890-Y090-Y04.574	CONTRACT SERV.	375.43
E-3704-P051-P08.013	CONTRACT PROJ	R-9890-Y090-Y04.574	CONTRACT PROJ	0.00
E-3704-P051-P09.000	SEWAGE DIS.	R-9890-Y090-Y04.574	SEWAGE DIS.	26,606.81
E-3704-P051-P11.000	ADV & PRINTING	R-9890-Y090-Y04.574	ADV & PRINTING	0.00
E-3704-P051-P12.000	TRAVEL & EXP	R-9890-Y090-Y04.574	TRAVEL & EXP	21.35
E-3704-P051-P13.003	PERS	R-9890-Y090-Y04.574	PERS	611.01
E-3704-P051-P14.004	WORKERS' COMP	R-9890-Y090-Y04.574	WORKERS' COMP	0.00
E-3704-P051-P15.000	OTHER EXP.	R-9890-Y090-Y04.574	OTHER EXP.	4,294.08
E-3704-P051-P16.074	TRANSFERS OUT	R-9890-Y090-Y04.574	TRANSFERS OUT	0.00
E-3704-P051-P35.005	MEDICARE	R-9890-Y090-Y04.574	MEDICARE	118.65
<b>TOTAL</b>				<b>35,629.17</b>
E-3705-P053-P02.010	SUPPLIES	R-9890-Y090-Y04.574	SUPPLIES	1,336.41
E-3705-P053-P03.012	EQUIPMENT	R-9890-Y090-Y04.574	EQUIPMENT	13,848.94
E-3705-P053-P05.000	MATERIALS	R-9890-Y090-Y04.574	MATERIALS	3,620.75
E-3705-P053-P06.000	CONTRACT REP.	R-9890-Y090-Y04.574	CONTRACT REPAIRS	59.71
E-3705-P053-P07.011	CONTRACT SERV.	R-9890-Y090-Y04.574	CONTRACT SERV.	9,632.97
E-3705-P053-P08.013	CONTRACT PROJ	R-9890-Y090-Y04.574	CONTRACT PROJ	4,068.00
E-3705-P053-P09.000	SEWAGE DIS.	R-9890-Y090-Y04.574	SEWAGE DIS.	41,834.86
E-3705-P053-P11.000	ADVER.&PRINTING	R-9890-Y090-Y04.574	ADVER.&PRINTING	0.00
E-3705-P053-P12.000	TRAVEL & EXP.	R-9890-Y090-Y04.574	TRAVEL & EXP	13.10
E-3705-P053-P13.003	PERS	R-9890-Y090-Y04.574	PERS	2,468.52
E-3705-P053-P14.004	WORKERS' COMP	R-9890-Y090-Y04.574	WORKERS' COMP	0.00
E-3705-P053-P15.000	OTHER EXP.	R-9890-Y090-Y04.574	OTHER EXP.	3,266.33
E-3705-P053-P16.074	TRANSFERS OUT	R-9890-Y090-Y04.574	TRANSFERS OUT	0.00
E-3705-P053-P35.005	MEDICARE	R-9890-Y090-Y04.574	MEDICARE	74.85
<b>TOTAL</b>				<b>80,224.44</b>
E-3706-P055-P02.010	SUPPLIES	R-9890-Y090-Y04.574	SUPPLIES	139.26
E-3706-P055-P03.012	EQUIPMENT	R-9890-Y090-Y04.574	EQUIPMENT	10.85
E-3706-P055-P05.000	MATERIALS	R-9890-Y090-Y04.574	MATERIALS	982.80
E-3706-P055-P06.000	CONTRACT REPAIRS	R-9890-Y090-Y04.574	CONTRACT REPAIRS	16.40
E-3706-P055-P07.011	CONTRACT SERV.	R-9890-Y090-Y04.574	CONTRACT SERV.	1,515.17
E-3706-P055-P11.000	ADVER & PRINTING	R-9890-Y090-Y04.574	ADVER & PRINTING	0.00
E-3706-P055-P12.000	TRAVEL & EXP.	R-9890-Y090-Y04.574	TRAVEL & EXP.	3.64
E-3706-P055-P13.003	PERS	R-9890-Y090-Y04.574	PERS	323.12
E-3706-P055-P14.004	WORKERS' COMP	R-9890-Y090-Y04.574	WORKERS' COMP	0.00
E-3706-P055-P15.000	OTHER EXP.	R-9890-Y090-Y04.574	OTHER EXP.	687.58
E-3706-P055-P35.005	MEDICARE	R-9890-Y090-Y04.574	MEDICARE	19.56
<b>TOTAL</b>				<b>3,698.38</b>
E-3707-P056-P02.010	SUPPLIES	R-9890-Y090-Y04.574	SUPPLIES	101.89
E-3707-P056-P03.012	EQUIPMENT	R-9890-Y090-Y04.574	CONTRACT SERV.	4.12
E-3707-P056-P09.000	SEWAGE DISP.	R-9890-Y090-Y04.574	SEWAGE DISP.	397.29
E-3707-P056-P13.003	PERS	R-9890-Y090-Y04.574	PERS	30.63
E-3707-P056-P14.004	WORKERS' COMP	R-9890-Y090-Y04.574	WORKERS' COMP	0.00
E-3707-P056-P15.000	OTHER EXP.	R-9890-Y090-Y04.574	OTHER EXP.	200.86
E-3707-P056-P16.074	TRANSFERS OUT	R-9890-Y090-Y04.574	TRANSFERS OUT	0.00
E-3707-P056-P35.005	MEDICARE	R-9890-Y090-Y04.574	MEDICARE	1.25
<b>TOTAL</b>				<b>736.04</b>

Upon roll call the vote was as follows:

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

**IN THE MATTER OF TRANSFER WITHIN FUND  
FOR BELMONT COUNTY BOARD OF MR/DD FUND S66**

Motion made by Mr. Longshaw, seconded by Mr. Thomas to approve the following transfer within the Board of MR/DD Fund S66.

FROM	TO	AMOUNT
E-2410-S066-S65-002 SALARIES	E-2410-S066-S78.007 UNEMPLOYMENT	\$1,000.00

Upon roll call the vote was as follows:

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

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

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

FROM	TO	AMOUNT
E-1511-W080-P09.000 Personnel	E-1511-W080-P07.006 Hospitalization	\$ 1,068.00

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADDITIONAL APPROPRIATIONS  
FOR THE GENERAL FUND/MAGISTRATE**

Motion made by Mr. Thomas, 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 August 28, 2006.

E-0063-A002-B25.002	Salaries-Employees	4,821.01
E-0063-A002-B26.010	Supplies	200.00
E-0063-A002-B27.012	Equipment	214.03
E-0063-A002-B30.000	Other Expenses	<u>2,696.84</u>
<b>TOTAL</b>		<b>7,931.88</b>

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADDITIONAL APPROPRIATIONS  
FOR THE BELMONT COUNTY GENERAL FUND/JUVENILE COURT**

Motion made by Mr. Thomas, 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 August 9, 2006.

E-0082-A002-C20-010	Supplies	\$6,042.00
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Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADDITIONAL APPROPRIATIONS FOR THE  
GENERAL FUND / DISASTER SERVICES**

Motion made by Mr. Thomas, 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 August 28, 2006.

**GENERAL FUND / DISASTER SERVICES**

E-0054-A006-F07.000	Other Expenses	\$168.22
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Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADDITIONAL APPROPRIATIONS  
FOR THE GENERAL FUND/SHERIFF**

Motion made by Mr. Thomas, 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 August 28, 2006.

E-0131-A006-A23.000	Background Checks	\$ 95.00
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Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADDITIONAL APPROPRIATIONS  
FOR THE SOIL CONSERVATION FUND**

Motion made by Mr. Thomas, 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 August 28, 2006.

E-1810-L001-L14.000	Other Expenses	\$ 600.00
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Upon roll call the vote was as follows:

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

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

Motion made by Mr. Thomas, 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 August 28, 2006.

**M-64 PLACEMENT SERVICES**

E-0400-M064-M05.000	Placement	\$ 29,690.00
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Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADDITIONAL APPROPRIATIONS  
FOR THE VARIOUS JUVENILE COURT FUNDS**

Motion made by Mr. Thomas, 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 August 28, 2006.

<b>Fund</b>	<b>Title</b>	<b>Amount</b>
<b>ALTERNATIVE SCHOOL</b>		
E-0400-M067-M08.001	Contracts	\$ 3,225.00
E-0400-M067-M01.002	Salaries	\$ 2,775.00
<b>Total M67</b>		<b>\$ 6,000.00</b>
<b>RESTITUTION</b>		
E-5002-S038-R50.000	Victims of Crime	\$ 146.99
<b>Total MS3</b>		<b>\$ 146.99</b>

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADDITIONAL APPROPRIATIONS  
FOR THE N33 EMERGENCY OPERATIONS CENTER  
CONSTRUCTION FUND**

Motion made by Mr. Longshaw, seconded by Mr. Thomas 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 28, 2006.

**N33 EMERGENCY OPERATIONS CENTER CONSTRUCTION FUND**

E-9033-N033-N01.055 Contract Projects \$ 867.00

Upon roll call the vote was as follows:

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

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

Motion made by Mr. Longshaw, seconded by Mr. Thomas 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 28, 2006.

E-1723-P093-P08.000 Other Expenses DOJ 05 \$ 10,090.22

Upon roll call the vote was as follows:

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

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

Motion made by Mr. Thomas, 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 dates of August 2, 2006 and August 28, 2006.

**SHERIFF'S DEPARTMENT  
COMMISSARY FUND S00**

E-5100-S000-S01.010 Supplies \$ 4,190.11 08/02/06  
E-5100-S000-S01.010 Supplies \$ 1,394.70 08/28/06  
**TOTAL \$ 5,584.81**

Upon roll call the vote was as follows:

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

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

Motion made by Mr. Thomas, 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 August 28, 2006.

**SHERIFF'S DEPARTMENT  
CONCEALED HANDGUN LICENSE FUND S01**

E-5101-S001-S06.000 License Issuance \$ 569.00  
E-5101-S001-S07.012 Equipment \$ 468.00  
Total \$ 1,037.00

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADDITIONAL APPROPRIATIONS FOR THE CDBG FUND T11**

Motion made by Mr. Longshaw, seconded by Mr. Thomas 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 28, 2006.

E-9702-T011-T03.000 CDBG Escrow/CHIP Grant \$38,612.00  
*Drawdown # 332 Grant B-C-05-007-1 and B-C-05-007-2, paid in 8/25/06*

Upon roll call the vote was as follows:

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

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

Motion made by Mr. Thomas, seconded by Mr. Longshaw to request the Belmont County Budget Commission certify the following monies. CDBG FUND: \$38,612.00 paid into R-9702-T011.T05.501 CDBG Chip Grant on 8/25/06. Drawdown #332, Grant #B-C-05-007-1 and #B-C-05-007-2

Upon roll call the vote was as follows:

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

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

Motion made by Mr. Longshaw, seconded by Mr. Thomas to execute payment of Then and Now Certification dated August 16 and August 21, 2006, 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. Longshaw Yes  
Mr. Thomas Yes  
Mr. Probst Absent

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

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

**AUDITOR'S OFFICE** – Larry Craig to Columbus, OH, on Sept. 20-22, 2006 for CIS Conference and Trade Show/Co. Engineers Assoc. of Ohio. A county car will be used. Estimated expenses: \$700.00

**BCDJFS** - Various employees to various meetings and trainings in August and September, 2006. Total estimated expenses: \$5,615.36.

Upon roll call the vote was as follows:

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

**OPEN PUBLIC FORUM** – Gene Joseph brought up his concerns about four wheelers and trucks speeding on Sharon Road (Colerain Township), driving on private property and causing destruction. Commissioner Thomas explained speeding was a matter for Sheriff's Dept. Commissioner Longshaw offered to call the Sheriff's Dept. Trespassing is a private issue that needs to be handled through the Prosecutor's Office or by a lawyer hired by the property owner.

**IN THE MATTER OF APPROVING REQUEST FOR ADDITIONAL APPROPRIATION FOR JUVENILE COURT**

Motion made by Mr. Thomas, seconded by Mr. Longshaw to approve the request for an additional appropriation, in the amount of \$6,042.00, for supplies for the Belmont County Juvenile Court.

*Note: Auditor's prior approval was given for this request.*

Upon roll call the vote was as follows:

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

**IN THE MATTER OF AUTHORIZING THE TRANSFER OF 1992 CHEVY CAVALIER FROM BELMONT CO. DJFS TO SARGUS JUVENILE CENTER**

Motion made by Mr. Thomas, seconded by Mr. Longshaw to authorize the transfer of a 1992 Chevrolet Cavalier, serial no. 1G1JC5442N7304931, from the Belmont County Department of Job & Family Services to the Sargus Juvenile Center, effective as of August 28, 2006.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF RESOLUTIONS REGARDING APPLICATION FOR FINANCIAL ASSISTANCE FROM OHIO PUBLIC WORKS COMMISSION**

Motion made by Mr. Thomas, seconded by Mr. Longshaw to adopt a resolution authorizing Commissioner Charles R. Probst, Jr. to sign and submit an application for financial assistance from the Ohio Public Works Commission and to execute the necessary contracts for the following projects:

- **BEL-SOM TR35 & BEL-WAY TR35 Bridge Replacement Project**
- **Resurfacing Local Roads Project Number 21**
- **Belmont County Emergency Repair Project**

**RESOLUTION**

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

**BEL-SOM TR35 & BEL-WAY TR35  
Bridge Replacement Project**

**RESOLUTION**

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

**Resurfacing Local Roads Project Number 21**

**RESOLUTION**

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

**Belmont County Emergency Repair Project**

Upon roll call the vote was as follows:

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

**IN THE MATTER OF RESOLUTION DESIGNATING REPRESENTATIVE OF BOARD OF COMMISSIONERS ON THE COUNTY SUB-COMMITTEE FOR ISSUE II, ROUND 21 PROJECTS**

Motion made by Mr. Thomas, seconded by Mr. Longshaw to adopt the following resolution:

**RESOLUTION**

Resolution authorizing Commissioner Probst to represent the Belmont County Board of Commissioners on the County Sub-Committee for Issue II, Round 21 Projects.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF CONTRACT WITH SHELLY & SANDS, INC. FOR RESURFACING PROJECT 20-3, SOMERSET TWP. OPWC PROJECT/ENGINEER**

Motion made by Mr. Thomas, seconded by Mr. Longshaw to enter into a contract, on behalf of Belmont County Engineer, with Shelly & Sands, Inc. for Resurfacing Project 20-3 Somerset Township OPWC Project, in the amount of \$45,988.25.

**CONTRACT WITH BELMONT COUNTY COMMISSIONERS  
ISSUE 2  
RESURFACING NO. 20 – PROJECT 20-3  
SOMERSET TOWNSHIP, BELMONT COUNTY, OHIO  
OPWC PROJECT**

Auditor's Office, Belmont County, Ohio

This contract made and entered into this 18 day of August, 2006 between **SHELLY & SANDS, INC.**, P.O. Box 66, Rayland, Ohio 43943 and Mark Thomas, Gordie Longshaw and Charles Probst, Commissioners of Belmont County, WITNESSETH that said **SHELLY & SAND, INC.** hereby agrees to furnish all services, labor, material and equipment necessary to 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 PRICE	TOTAL AMOUNT
723 GAL.	407	TACK COAT	\$2.75	\$1,988.25
352 CUBIC YARDS	448	ASPHALT CONCRETE SURFACE COURSE TYPE 1	\$125.00	\$44,000.00
	TOTAL			\$45,988.25

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

BELMONT COUNTY COMMISSIONERS **SHELLY & SANDS, INC.**  
Mark A. Thomas /s/ BY: Mark Haverly (?) /s/  
Gordie W. Longshaw /s/  
8/28/06

Upon roll call the vote was as follows:

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

**IN THE MATTER OF AWARDING BID TO CARR CONCRETE CORP. FOR PROJECT 06-7 SUPPLYING & INSTALL BRIDGE BEAMS/ENGINEER**

Motion made by Mr. Thomas, seconded by Mr. Longshaw to award the bid for Project 06-7 Supplying & Install Bridge Beams for the Belmont County Engineer's Department, to Carr Concrete Corporation in the amount of \$122,649.00, based upon the recommendation of Fred Bennett, County Engineer. *Note: Only 1 bid was received for this project.*

Upon roll call the vote was as follows:

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

**IN THE MATTER OF APPROVING APPLICATION FOR USE OF MUNICIPAL STREET FUNDS/CITY OF MARTINS FERRY**

Motion made by Mr. Thomas, seconded by Mr. Longshaw to approve the City of Martins Ferry's application in accordance with O.R.C. Section 4504.04 for the use of Municipal Street Fund/Vehicle License Tax in the amount of \$36,845.87, based upon the recommendation of Belmont County Engineer, Fred Bennett, for proposed improvements to the following:

N. 6<sup>th</sup> Street (Columbus Avenue to Border Lane)

*The estimated cost will be \$38,000.00 of which \$36,845.87 is from the vehicle license tax fund.*

Upon roll call the vote was as follows:

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

**IN THE MATTER OF APPROVING APPLICATION FOR USE OF MUNICIPAL STREET FUNDS/VILLAGE OF SHADYSIDE**

Motion made by Mr. Thomas, seconded by Mr. Longshaw to approve the Village of Shadyside's application in accordance with O.R.C. Section 4504.04 for the use of Municipal Street Fund/Vehicle License Tax in the amount of \$48,500.00, based upon the recommendation of Belmont County Engineer, Fred Bennett, for proposed improvements to the following:

West 39<sup>th</sup> Street from Central to Olive

Daisy Run from Lamphole to Corporation line

*The estimated cost will be \$48,500.00 all of which will be used from this source.*

Upon roll call the vote was as follows:

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

**IN THE MATTER OF PAY REQUISITION NO. 2 FOR EXIT 215 WASTEWATER COLLECTION SYSTEM PHASE II PROJECT**

Motion made by Mr. Thomas, seconded by Mr. Longshaw to approve and sign Pay Requisition No. 2 for the Exit 215 Wastewater Collection System Phase II project as follows based upon the recommendation of Jeff Vaughn, Project Engineer, and David Grum, Project Consultant.

- o Glen James & Sons \$ 76,281.92
- o Vaughn, Coast & Vaughn, Inc. \$ 3,000.00

Upon roll call the vote was as follows:

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

**IN THE MATTER OF AWARDING BID AND ENTERING AGREEMENT WITH GLEN JAMES & SONS, INC. FOR BCSSD BELMONT SEWAGE LIFT STATION AND FORCE MAIN PROJECT**

Motion made by Mr. Thomas, seconded by Mr. Longshaw to award the bid and enter into Agreement with Glen James & Sons, Inc., Zanesville, Ohio, for the Belmont County Sanitary Sewer District Belmont Sewage Lift Station and Force Main project in the amount of \$518,348.49, based upon the recommendation of Jeff Vaughn, Project Engineer and David Grum, Project Consultant.

**NOTICE OF AWARD**

To: Glen James & Sons, Inc.  
3000 Dillon School Drive  
Zanesville, OH 43701

Project Description: Belmont Sewage Lift Station and Force Main

The Owner has considered the Bid submitted by you 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 **\$ 518,348.49.**

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 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 28th day of August, 2006.

Belmont County Commission

Owner

By: Mark A. Thomas /s/

Gordie W. Longshaw /s/

**AGREEMENT**

This Agreement is dated as of the 28th day of August in the year 2006, by and between the **Belmont County Commission** hereinafter called Owner, and **Glen James & Sons, 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 – BELMONT SEWAGE LIFT STATION AND FORCE MAIN**

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  
BELMONT SEWAGE LIFT STATION AND FORCE MAIN**

**ARTICLE 2 - ENGINEER**

The Project has been designed 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, or designated part, 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 dollars (\$400.00) for each calendar day that expires after the time specified for Substantial Completion, in Paragraph 3.1 of this Agreement, until the Work, or designated part, 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:  
Five hundred eighteen thousand, three hundred forty-eight dollars and forty-nine cents

Written

\$518,348.49

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.



**BUILDING EXPANSION PROJECT**

Motion made by Mr. Thomas, seconded by Mr. Longshaw to approve and sign Pay Requisition No. 5 and 6 for Johnson Boiler Works, Inc. for the Belmont County Emergency Operations Center Building Expansion project, based upon the recommendation of Larry Siebieda, Project Architect.

- Pay Requisition No. 5 in the amount of \$1,526.40
- Pay Requisition No. 6 in the amount of \$5,205.69

Upon roll call the vote was as follows:

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

**IN THE MATTER OF PAYMENT TO CMG ARCHITECTS & ENGINEERS/BELMONT CO. EMERGENCY OPERATIONS CENTER BUILDING EXPANSION PROJECT**

Motion made by Mr. Thomas, seconded by Mr. Longshaw to approve payment of Invoices #10420 and 10421 for CMG Architects & Engineers, LLP in the total amount of \$2,201.68 for architect and engineering services from 7/1/06 thru 7/31/06 for the Belmont County Emergency Operations Center Building Expansion project.

*Note: This amount reflects a credit of \$65.07 for B&O tax that was charged on Invoice #10408 dated 6/30/06.*

Upon roll call the vote was as follows:

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

**IN THE MATTER OF APPROVING THE PURCHASE OF SIX (6) PRINTERS/BELMONT CO. 911**

Motion made by Mr. Thomas, seconded by Mr. Longshaw to approve the request of Belmont County 911 to purchase six (6) printers from Medavant of Jeffersonville, IN, in the amount of \$4,554.00 to replace printers at various fire departments; to be paid from the 911 Fund E10.

Upon roll call the vote was as follows:

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

**11:08 a.m. BREAK**

**11:15 Agenda Item: continued Hearing-Rd Improvement 1096**

**IN THE MATTER OF THE CONTINUED HEARING RE: VACATION OF A 40' x 390' SECTION OF MONROE ST., AND A 40' x 240' SECTION OF CHURCH ST. IN MT. OLIVETT SECTION 11, T-8, R-6/RD IMP 1096**

**“Hearing Had -11:15 a.m.”**

Present for the hearing were Fred Bennett, County Engineer; Rick Oberdick, Engineer’s Office; Greg Bahmer resident; and Eric Ayres, Times Leader. Mr. Greg Bahmer stated his objections to closing Church Street. A resident pointed out this street has never been open to traffic as long as she has lived there. Mr. Bennett approved vacation as no one will be landlocked and the township trustees have no problem with vacation. Motion made by Mr. Thomas, seconded by Mr. Longshaw to grant the vacation of sections of Monroe Street and Church Street, based on testimony of today and last week and on recommendation of Engineer Fred Bennett.

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

Date: 8/21//06

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

The undersigned, in obedience to your order, dated August 16, 2006, proceeded on August 17, 2006 to make an accurate survey and plat of the Public Road proposed to be improved and respectfully submits the following report:

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

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

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

The undersigned recommends the following changes in the proposed improvement which in his judgment should be made in the event the proposed improvement is granted. N/A

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

**IN THE MATTER OF THE VACATION OF A 40' x 400' SECTION OF MONROE ST., AND A 40' x 240' SECTION OF CHURCH ST. IN MT. OLIVETT SECTION 11, T-8, R-6/RD IMP 1096**

Office of County Commissioners  
Belmont County, Ohio

**RESOLUTION-GRANTING PROPOSED IMPROVEMENT  
ORDERING RECORD, ETC.  
Rd. Imp. #1096**

Mr. Thomas moved the adoption of the following Resolution:

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

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

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

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

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

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

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

Adopted the 28th day of August 2006

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

**IN THE MATTER OF ADJOURNING**  
**COMMISSIONERS MEETING AT 11:27 A.M.**

Motion made by Mr. Thomas, seconded by Mr. Longshaw to adjourn the meeting at 11:27 a.m.

Upon roll call the vote was as follows:

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

Read, approved and signed this 6th day of September, 2006.

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

We, Gordie W. Longshaw, and Jayne Long, Vice-President and Assistant 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  
ASSISTANT CLERK