

St. Clairsville, Ohio

April 23, 2013

The Board of Commissioners of Belmont County, Ohio, met this day in regular session. Present: Ginny Favede, Matt Coffland and Charles R. Probst, Jr., Commissioners and Jayne Long, Clerk of the Board.

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

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

"BILLS ALLOWED"

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

<u>Claim of</u>	<u>Purposes</u>	<u>Amount</u>
A-Cannon IV, Inc.	Printer-GIS Projects/General Fund	849.00
A-Draft-Co., Inc.	Fire District Mapping-GIS Projects/General Fund	583.00
A-Staples	Adding machines replaced-Treasurer/General Fund	49.98
A-Vavra Law Office	Services rendered-Public Defender/General Fund	93.00
B-Crossroads Counseling	Court-ordered counseling/Indigent Drivers Alcohol Fund	367.04
E-Don Nippert	Sublease on tower site/911 Fund	660.00
P-Borden Office Equipment Co.	Supplies/WWS#3 Revenue Fund	691.90
P-Borden Office Equipment Co.	Supplies/BCSSD Funds	993.87
P-Eastern Ohio Regional Wastewater Authority	Sewage Disposal/BCSSD Funds	51,334.32
P-Jim Ferrell c/o Eric Costine	Refund/WWS#3 Revenue Fund	16.15
S-Beth A. Andes, MS, PCC	Counseling services/District Detention Home Fund	1,190.00
S-Domain Registry of America	Renewal/Clerk of Courts Computer Fund	60.00
S-Group Consultants Agency, Inc.	Labels/Certificate of Title Admn Fund	549.76
S-McGhee & Co.	Folders/Eastern Ct. General Special Projects Fund	2,829.03
S-McGhee & Co.	Folders/Northern Ct. General Special Projects Fund	2,849.00
S-PNC	Visa/District Detention Home Fund	1,221.72
S-Sam's Club	Kitchen food & supplies/District Detention Home Fund	2,696.59
W-Delinquent Tax Collectors of Ohio	MFH Delinquent Collection/DRETAC Treasurer's Office Fund	3,945.65
W-Ohio State Bar Association	Subscription/Law Library Fund	35.00
Y-Health Plan PPO	May 2013 premium/Employer's Share Holding Account	352,718.46

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

Motion made by Mrs. Favede, seconded by Mr. Coffland to approve the Recapitulation of Vouchers dated for April 23, 2013 as follow:

FUND	AMOUNT
A-GENERAL	\$19,054.50
A-GENERAL/AUDITOR	\$3,429.81
A-GENERAL/JUVENILE COURT	\$485.83
A-GENERAL/PROBATE	\$102.01
A-GENERAL/RECORDER	\$187.09
A-GENERAL/SHERIFF	\$3,799.72
A-GENERAL/911	\$1,051.42
B-Dog Kennel	\$267.55
B-Enforcement Education	\$178.54
H-Job & Family, Public Assistance	\$1,499.77; \$2,122.17
H-Job & Family, WIA	\$73,507.87; \$1,153.00; \$8,225.79
J-Real Estate Assessment	\$1,475.00
K-Engineer MVGT	\$912.14; \$18,992.91
M-Juvenile Ct. - Placement II	\$883.90
M-Juvenile Ct. - Title IV-E Reimb.	\$420.95
M-Juvenile Ct. - Truant Officer	\$99.29
P-Oakview Admn Bldg.	\$1,632.09
P-Sanitary Sewer District	\$2,901.60; \$58,654.96; \$139.88; \$3,462.94; \$28,769.98; \$1,234.59
S-District Detention Home	\$988.84
S-Job & Family, Children Services	\$2,133.38; \$75,301.50
S-Job & Family, Senior Program	\$11,909.10
S-Juvenile Ct. Computer Fund	\$76.95
S-Probate Court Conduct of Business	\$124.94
S-Sheriff CCW	\$1,185.00
U-Sheriff's Reserve Account	\$40.00

Upon roll call the vote was as follows:

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

IN THE MATTER OF TRANSFERS BETWEEN FUND

Motion made by Mrs. Favede, seconded by Mr. Coffland to approve the following transfers between the following funds:

FUND FOR THE CAPITAL IMPROVEMENTS FUND AND
THE SSD #2 REVENUE FUND

FROM	TO	AMOUNT
E-9023-N023-N04.055 SSD #1 Capital Improvements	R-3705-P053-P08.574 SSD #2 Revenue Fund	\$ 25,000.00

Upon roll call the vote was as follows:

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

IN THE MATTER OF TRANSFERS WITHIN FUND

Motion made by Mrs. Favede, seconded by Mr. Coffland to approve the following transfers within the following funds:

BEL. CO. RECORDER/GENERAL FUND

FROM	TO	AMOUNT
E-0121-A006-B02.002 Recorder Salaries-Emp	E-0051-A001-A02.002 Comms Salaries-Emp	\$ 1,200.00

Compensating Kathy Marino for extended hours in Recorder's office on April 8th, 11th, 14th & 15th.

BCDJFS/SENIOR PROGRAMS-IN HOME CARE LEVY FUND S70

FROM	TO	AMOUNT
E-5005-S070-S09.000 Other Expenses	E-5005-S070-S03.004 Worker's Comp	\$ 10,500.00

Upon roll call the vote was as follows:

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

IN THE MATTER OF GRANTING PERMISSION FOR COUNTY EMPLOYEES TO TRAVEL

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

BCDJFS – Jack Irwin, Daisy Braun and Senior members to travel to Cambridge, OH, on May 15, 2013, for a St. Clairsville Senior Center outing. Also to travel to Sugarcreek, OH, on May 31, 2013, for a St. Clairsville Senior Center outing. Estimated expenses: \$48.00

BCSSD – Vic Pempek to travel to Columbus, OH, on May 8, 2013, to take the Ohio EPA Water Test. A county vehicle will be used.

Upon roll call the vote was as follows:

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

Reminder – Mrs. Favede announced the Board will reconvene on Thursday, April 25 for an Executive Session.

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

Motion made by Mrs. Favede, seconded by Mr. Coffland to approve the minutes of the Belmont County Board of Commissioners regular meetings April 3, 2013.

Upon roll call the vote was as follows:

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

IN THE MATTER OF APPROVING PAY REQUEST #11 FOR THE NEFFS SANITARY SEWER PROJECT PHASE I/BCSSD

Motion made by Mrs. Favede, seconded by Mr. Coffland to approve and sign Pay Request #11 in the amount of \$131,880.37, for the Neffs Sanitary Sewer Project Phase I, (Neffs, West Neffs and St. Joe Sanitary Sewer), based upon the recommendation of Mark Esposito, BCSSD Director and Bill Street, Project Engineer.

Upon roll call the vote was as follows:

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

IN THE MATTER OF AUTHORIZING EXECUTION OF INVOICE #6 (FINAL) FOR HERITAGE ARCHITECTURAL ASSOCIATES/OUE BRICK TAVERN ROOF DRAINAGE PROJECT

Motion made by Mr. Coffland, seconded by Mrs. Favede to approve and authorize Commissioner Favede to execute Invoice #6 (Final) for Heritage Architectural Associates for the OUE Brick Tavern Roof Drainage Project, ODOT PID 84115 as follows:

Federal Share (80%)	\$ 169.00
Local Share (20%)	42.25
Total Cost to Date:	\$ 211.25

Upon roll call the vote was as follows:

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

IN THE MATTER OF AUTHORIZING EXECUTION OF INVOICE #7 (FINAL) FOR THE CENTENNIAL PRESERVATION GROUP/OUE BRICK TAVERN ROOF DRAINAGE PROJECT/ODOT

Motion made by Mr. Coffland, seconded by Mr. Probst to approve and authorize Commissioner Favede to execute Invoice #7 (Final) for the Centennial Preservation Group for the OUE Brick Tavern Roof Drainage Project, ODOT PID 84115 as follows, based upon the recommendation of Heritage Architectural Associates, Project Architect:

Federal Share (80%)	\$ 10,222.88
Local Share (20%)	2,555.72
Total Cost to Date:	\$ 12,778.60

Upon roll call the vote was as follows:

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

IN THE MATTER OF SIGNING THE CERTIFICATE OF SUBSTANTIAL COMPLETION FOR CENTENNIAL PRESERVATION GROUP, LLC/OUE BRICK TAVERN ROOF DRAINAGE PROJECT/ODOT

Motion made by Mrs. Favede, seconded by Mr. Coffland to approve and sign the Certificate of Substantial Completion issued April 17, 2013 for Centennial Preservation Group, LLC, for the OUE Brick Tavern House Roof and Roof Drainage System Rehabilitation, ODOT PID 84115, based upon the recommendation of Heritage Architectural Associates.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ENTERING INTO CONTRACT WITH
OGLESBY CONSTRUCTION, INC./ENGINEER PROJECT 12-6
VARIOUS COUNTY HIGHWAYS PAVEMENT MARKING**

Motion made by Mrs. Favede, seconded by Mr. Coffland to enter into contract with Oglesby Construction, Inc. on behalf of the Belmont County Engineer, in the amount of \$122,533.28, for Project 12-6 Various County Highways Pavement Marking, based upon the recommendation of Fred Bennett, County Engineer.

Note: Funding Source-\$120,000 Belmont County Commissioners; \$2,533.28 MVGT

**CONTRACT WITH BELMONT COUNTY COMMISSIONERS
PROJECT 12-6 PAVEMENT MARKING PROJECT
VARIOUS COUNTY HIGHWAYS**

Auditor's Office, Belmont County, Ohio

This contract made and entered into this 23rd day of April, 2013 between OGLESBY CONSTRUCTION INC, 1600 Toledo Road, Norwalk, Ohio 44857 and Charles R. Probst, Jr., Matt Coffland and Ginny Favede, Commissioners of Belmont County, WITNESSETH that said OGLESBY CONSTRUCTION INC hereby agrees to furnish all service, labor, material and equipment to do all work requisite necessary to place centerline striping along various County Highways in accordance with plans and specifications.

Methods of Construction, Composition and Preparation of Materials shall conform to the latest applicable Sections of the State of Ohio Department of Transportation, Construction and Material Specifications and Supplemental Specifications and shall govern this project. All work shall be under the direction of the County Engineer.

APPROX. QUAN.	ITEM	DESCRIPTION	UNIT PRICE BID	TOTAL AMOUNT BID
119.81 MILES	643	CENTERLINE, 4" YELLOW	\$1,022.73	\$122,533.28
		TOTAL		\$122,533.28

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 OGLESBY CONSTRUCTION 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 and the Ohio Department of Transportation, against pecuniary loss.

BELMONT COUNTY COMMISSIONERS

Matt Coffland /s/

Charles R. Probst, Jr. /s/

Ginny Favede /s/

APPROVED AS TO FORM:

David K. Liberati /s/ (Assistant)

PROSECUTING ATTORNEY

Upon roll call the vote was as follows:

OGLESBY CONSTRUCTION INC

BY: Gerald E. Reicher /s/ Vice-Pres.

Mrs. Favede Yes

Mr. Coffland Yes

Mr. Probst Yes

**IN THE MATTER OF ADOPTING RESOLUTION AUTHORIZING
THE ENGINEER TO PARTICIPATE IN THE ODOT'S CONTRACT
FOR SODIUM CHLORIDE (ROCK SALT)**

Motion made by Mr. Probst, seconded by Mr. Coffland to adopt the resolution authorizing the Belmont County Engineer to participate in the Ohio Department of Transportation's Contract for the purchase of sodium chloride (rock salt) for a one-year period effective from date of award.

**OHIO DEPARTMENT OF TRANSPORTATION - Office of Contracts, Purchasing Services
Cooperative Purchasing Program - Sodium Chloride (Rock Salt)**

DATE SUBMITTED: 4/23/13

RESOLUTION/ORDINANCE as adopted for sodium chloride requirements for purchase. Effective period: twelve months from date of award, inclusive, or on an effective date as determined by the Director at the time of bid.

Whereas, Section 5513.01(B) of the Ohio Revised Code provides the opportunity for Political Subdivisions including Counties, Townships, Municipal Corporations, Port Authorities, Regional Transit Authorities, State Colleges/Universities and County Transit Boards to participate in contracts of the Ohio Department of Transportation for the purchase of machinery, material, supplies, or other articles;

Now Therefore, Be it Ordained, Intending to Be Legally Bound That Fred F. Bennett P.E., P.S. (Agent)

Hereby Requests Authority in The Name of Belmont County Engineer (Political Subdivision)

To Participate in the Ohio Department of Transportation's Contract for Sodium Chloride and Agrees:

- 1) To purchase an estimated salt tonnage, indicated below, exclusively from the vendor awarded the rock salt contract for the county in which said political subdivision is located;

018 NOTE: By executing this agreement and providing an estimated tonnage the Political Subdivision recognizes that Contract 018 will contain a min/max tonnage provision, as determined by the Director at the time of bid but will not exceed 80/120 respectively, for which the Political Subdivision will be responsible.
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318 NOTE: By executing this agreement and providing tonnage to purchase the Political Subdivision recognizes that Contract 318 will contain a 100% tonnage provision for which the Political Subdivision will be responsible.

- 2) To be bound by the terms and conditions of the contract;
- 3) To be responsible for payment directly to the vendor for the quantities purchased under the contract; and
- 4) To be responsible for resolving all disputes arising out of participation in the contract and agree to release the Director of Transportation and the Ohio Department of Transportation from liability for all loss or damage, and from any and every claim or damage resulting from or arising out of participation in the contract pursuant to Ohio Revised Code Section 5513.01(b).

MINIMUM ORDER = 1 TRUCKLOAD / 22 TONS WITHOUT PILER OR 200 TONS WITH PILER

STOCKPILE LOCATIONS	STOCKPILE CAPACITY	TONS REQUIRED (Estimated)
Roscoe Road Garage		1500 Tons
Neffs Garage		1000 Tons
Tacoma Garage		500 Tons
	Total	3000 Tons

Participating Political Subdivisions are intended beneficiaries under this contract and are real parties in interest with the capacity to sue and be sued in their own name without joining the state of Ohio, Ohio Department of Transportation. By signing and returning this agreement, you will be bound to participate in this contract during the upcoming winter season, upon award of the contract to a successful vendor. A participating Political Subdivision cannot change its position during this contract period. Termination of participation is effective upon the expiration date of the contract. Failure of a Political Subdivision to purchase its requirements from the awarded vendor shall invalidate participation for the following winter season.

Political subdivisions will be required to submit a new participation agreement form every year, indicating storage capacity and stating salt needs for the contract period.

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

4/23/13

(Authorized Signature and Title)

(Date)

Matt Coffland, Charles R. Probst, Jr. & Ginny Favede

(Print Exactly as Signed Above)

Belmont County Courthouse

(County Location)

(County Number)

County Government

(Political Subdivision)

101 W. Main Street, Courthouse

(Street)

St. Clairsville

(City)

OH
(State)

43950 – 1260

(Zip plus 4)

(P.O. Box)

Dayle Conaway

(740) 695-1580

(Contact Name Responsible for Ordering Salt)

(Phone Number)

dconaway@belmontcountyengineer.com

(E-Mail Address)

Note: This Participation Agreement must be received by the Ohio Department of Transportation, Office of Contracts, Purchasing Services prior to the mailing of Invitation to bid.

Upon receipt of the agreement each political subdivision will get added to a list that will be maintained on the Office of Contracts web sit. This list will be updated daily on the Contracts web site located at <http://www.dot.state.oh.us/Divisions/ContractAdmin/Contracts/Purchase/salt.doc>

Email the completed resolution to contracts.purchasing@dot.state.oh.us

Upon roll call the vote was as follows:

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

IN THE MATTER OF ADVERTISING FOR A DIRECTOR FOR THE BELMONT CO. DEPT. OF JOB & FAMILY SERVICES

Motion made by Mrs. Favede, seconded by Mr. Probst to advertise for a Director for the Belmont County Department of Job & Family Services.

DIRECTOR

Belmont County Department of Job and Family Services

The Belmont County Board of County Commissioners is currently accepting resumes for the position of Director of the Department of Job and Family Services. Under the control and direction of the Board of Commissioners, the Director shall direct the operations of a quadruple combined agency including the county’s Child Support Enforcement Division, Children Services, Public Assistance and Medicaid and Workforce Investment Act (WIA) programs. Knowledge of public administration to include topics of human resources and development, public budgeting and management, state and federal laws and rules governing job and family services and operations. Director shall work to establish and maintain contacts with state departments, county officials and the general public. This is an unclassified civil service position which serves at the pleasure of the Board of Commissioners. Bachelor’s Degree and experience in government, public administration, business administration, social work or human resources is required.

Please list any special qualities, experience or credentials that would be applicable to this position.

Interested candidates are asked to submit a resume and cover letter by 4:00 p.m. Friday, May 24, 2013 to:

Belmont County Commissioners
Attn: Jayne Long, Clerk
101 W. Main St.
St. Clairsville, OH 43950

Times Leader Ad: May 4, 5 and 11, 12, 2013

Upon roll call the vote was as follows:

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

OPEN PUBLIC FORUM – Richard Hord referred to a local newspaper column wherein Dwayne Pielech’s letter of resignation was the subject. Mr. Hord was concerned about a section wherein Mr. Pielech stated, “There are more and more important Agency decisions accumulating at the Courthouse in which the Board hasn’t completed. As your Director and partner, I am concerned that failing to address or decide these issues will lead to larger problems.” Mr. Hord asked what those issues might be. Mrs. Favede responded that most of those discussions have been in executive session and cannot be discussed publicly. Mr. Hord again asked if these are not agency issues or issues that would affect the people of Belmont County. He questioned if these were maybe personnel issues. Mrs. Favede reiterated that when things are discussed in executive session, they are protected until a decision is made on the floor. Mr. Probst said, “My suggestion would be to ask Director Pielech what his intentions are. We did not write the letter; he wrote the letter of resignation. We did not tell him what to write.” Mr. Probst advised we just acted on a letter that he submitted to us. Mr. Hord said, “Those are serious accusations.” Mr. Probst replied, “I don’t know if they are accusations or not.” Mr. Hord suggested a public meeting with Mr. Pielech. Mr. Probst said, “If you want to ask Mr. Pielech those, questions, feel free to do so. He will be in here in a little bit.” Mr. Hord asked if the process to replace the Director would be advertised in local newspapers or if there was an internal process before it is open to the public. Mr. Coffland responded, “According to the motion “to advertise for a Director of Dept. of Job & Family Services”, that is what they voted on and agreed to. It will be advertised.

BREAK

IN THE MATTER OF PUBLIC HEARING
RE: PROPOSED SUPPLEMENTAL COUNTY LICENSE TAX
PER ORC 4504.15 AND ORC 4504.16

10:30 A.M. Public Hearing

Fred Bennett, County Engineer, presented the following letter to the board:

April 23, 2013
Belmont County Commissioners
Courthouse
St. Clairsville, OH 43950

RE: Public Hearing Testimony
Additional Permissive Vehicle License Fee

Dear Commissioners:

Attached is a copy of my presentation to you in favor of enacting provisions of ORC 4504.15 and ORC 4504.16 which adds an additional \$10.00 cost to the annual renewal of the vehicle license registration in Belmont County.

You will see by the presentation that this is needed for the improvement and maintenance of our County Highways and Bridges, Township Roads and Municipal Streets.

If you have any questions concerning the contents of this presentation, please let me know.

For the safety of those who travel our roads and cross our bridges, I ask for your support on this matter.

Sincerely,
Fred F. Bennett /s/

Fred F. Bennett, P.E., P.S.
Belmont County Engineer

Mr. Bennett read the following:

**PUBLIC HEARING TESTIMONY
ADDITIONAL PERMISSIVE VEHICLE LICENSE FEE**

The purpose of this report is to explain to the Belmont County Commissioners why they should enact the Local Permissive Vehicle License Fee in accordance with Section 4504.15 and 4504.16 of the Ohio Revised Code. By doing so, this will increase the annual renewal fee for vehicle licenses by ten dollars (\$10.00).

Because of my previous request that this be enacted, you are holding this public hearing today. I would like to explain why I made this request.

Belmont County has 308 miles of County Highway to maintain, along with 280 bridges located on these County Highways and Township Roads. This requires employees, equipment and materials to pave, patch, stripe, mow, berm ditch, provide snow and ice control, to install culvert, build and repair bridges, install guardrail and all the other work necessary to make our roads and bridges safe for the traveling public. All of this requires money.

The funds to do the above-mentioned work come from several sources and are placed in the Motor Vehicle Gasoline Tax (MVGT) account. The funds are from the gasoline tax, license plate fees, fines, interest and refunds. Due to the economy, our income in 2012 was \$181,500 less than that received in 2007 (see attachment A). We also receive some outside funds from the Federal Highway Administration (FHWA) and Ohio Public Works Commission (OPWC).

Our cost of doing business has risen steadily the past decade. An example is the cost of paving one (1) mile of highway, 20' wide has risen from \$29,500 in 2003 to \$65,400 in 2012 (see attachment B). According to trade publication Engineering News Record, the construction cost index has risen close to 30% during that period of time.

Our roads need resurfaced. The last paving of any County Highway was during 2012 when 1.5 mile of County Highway 4 (Willow Grove Road) was resurfaced, with 100% being paid by a local Coal Company. Before that was in 2010 when Federal Funds were received to pave County Highway 28A and 28B (Mall and Banfield Roads) and OPWC funds were used to pave County Highway 56 (Cats Run Road). 2008 was the last time 100% County funds were used to pave any County Highway. At that time, portions of County Highway 30 (Dixon Hill Road) and County Highway 214 (Bellaire-High Ridge Road) were resurfaced, totaling only 2.48 miles. Before that, we were paving 5 to 10 miles each year (see attachment C).

We still have a bridge problem. Although we have replaced 10-15 bridges per year over the last decade, we still have 80 bridges which cannot carry legal loads, and are posted with load limits between 32 tons and 4 tons. About half of these bridges cannot carry school buses, emergency vehicles, fuel trucks, etc. (see attachment D & E). We are able to replace small bridges, 10'-50' spans with our employees, but larger bridges must be replaced by private contractors, most are which funded by OPWC or FHWA. Which costs between \$500,000 - \$1,200,000. These bridges require a local match of 20% to 26% of the contract costs.

What have we done to help reduce our costs? In 2007, our department had 50 employees, today only 40. We have cut back on the purchase of new vehicles and equipment. We have 25 dump trucks with more than half of these purchased prior to 2000. Only 8 of these trucks have less than 100,000 miles on them. Most of our work trucks and pickup trucks have in excess of 100,000 miles. About half of our heavy equipment was purchased prior to 2000 (see attachment F).

It has been estimated by the Bureau of Motor Vehicles (BMV) that, based on 2011 registration, we will receive \$536,006 (see attachment G) by enacting this increased fee. Also, our 16 townships will receive \$141,384 and 12 of our 14 municipalities will receive \$59,910 (see attachment H). Due to part year registrations they recommend for budget purposes we use 85% of the amount.

Therefore, in closing, I ask that you vote to enact provisions in Ohio Revised Code 4504.15 and 4504.16. This will not solve all of our problems but will be of great benefit to have safer County Highways and Bridges, Township Roads and Municipal Streets.

Each registration will only cost only an additional 83 cents per month, which is less than 3 cents per day.

Thank you for your consideration of this matter.

(ATTACHMENT A)

INCOME – BELMONT COUNTY ENGINEER

<u>YEAR</u>	<u>LICENSE FEE</u>	<u>GAS TAX</u>	<u>2006-2012 FINES, INTEREST & REFUNDS</u>	<u>TOTAL</u>
2006	\$2,229,260	\$2,322,445	\$196,477	\$4,748,182
2007	\$2,208,575	\$2,469,399	\$173,899	\$4,851,873
2008	\$2,175,348	\$2,415,819	\$149,518	\$4,740,685
2009	INFORMATION NOT AVAILABLE			
2010	\$2,174,174	\$2,339,423	\$115,006	\$4,628,603
2011	\$2,193,110	\$2,301,207	\$ 99,964	\$4,603,281
2012	\$2,270,245	\$2,290,681	\$108,744	\$4,669,670

DISCUSSION HELD – First to speak was Pease Township Trustee Mike Bianconi. He advised he was speaking on behalf of the Belmont County Township Trustees Association. He stated he is for enacting this tax. He noted it will not solve all the problems, but will certainly help. He said at the recent Township Association meeting, it was voted to support this tax. Frank Papini of Bridgeport said he knows we do have a problem as far as money goes. He does not totally agree with the \$10.00 increase because too many people are on fixed incomes. He stated he doesn't think enough is being done as far as generating county revenues. It appears to him the governor is sitting on a \$2 billion rainy day fund and there aren't any efforts being made to try to tap into that. He said he thinks we are coddling the oil and gas industry. He wants demands put on them for them to pay their fair share. He said it is their trucks that are tearing up our roads more than anyone else. Ed Hood of Shadyside said he agrees with Mr. Bennett needing money. He noted Social Security is getting tighter all the time and at the end of December he will lose his health insurance from Consol Energy. They are dropping retirees. He has seen his property taxes go up \$108.00 each half, with no improvements made. His car, homeowner and utilities have increased. He stated the lottery was to be for highways and education. All schools are looking for levies. He is digging into his savings now to pay monthly bills. Mike Klinec stated he is opposed for personal reasons. St. Clairsville businessman John Swan stated he is opposed to the tax. He also noted the large population of senior citizens in the county and their retirements and benefits being cut. All the schools and parks are hurting for money. He also said the average person in Belmont County probably has 2 to 3 cars. Businesses have several vehicles. He felt there should be other ways to do this. St. Clairsville Mayor Bob Vincenzo was present, but informed that he was speaking as a resident and not on behalf of the city. He remarked that he knows there are senior citizens to consider and all the problems addressed by Mr. Hood, however, we all travel county roads. He noted that one incident on a bad county road that requires a repair at a garage would be significantly higher than the \$10.00 tax. He said all the county roads are really, really bad. He supports the tax as he sees no other solution. He also agrees the oil and gas issue needs explored, but Mr. Bennett already has RUMA's in place. He supports this as an individual. Pultney Township Trustee Frank Shaffer advised he is in favor of the \$10.00 tax. He feels it is the cheapest way to go. He knows it won't be a cure all. It is a safety factor. He feels \$10.00 is not too much to pay to save a life. He said a levy would never pass. John Swan said he agreed in a way, but not everyone has \$10.00 in their pocket. Mr. Swan said we have a CAT tax in the State of Ohio. It is for business to participate in the state to sell their products. He suggested a BAT tax (Business Activity Tax); surmising if

we had that and put an assessment on of \$5.00 per business, it might give us some assistance. Then you are not taking it from those that can't afford it. Mr. Hood asked where the money goes from the four (4) casinos that are now in the State of Ohio. Mr. Coffland answered that each county receives a certain portion back. The host counties, he believes, receive a little more. Mr. Coffland gave approximate figures on Belmont County's portion as follows: 1st quarter - \$140,000. 2nd quarter was in the neighborhood of \$160,000. The first quarter money was used to pave and line the back courthouse parking lot and repair a wall that was collapsing. Some money was used to do upgrades at the courthouse. Mr. Coffland advised he is on the county roads all the time. He said in the western part of the county where there is oil activity, the Engineer and Deputy Engineer is working with those companies and getting some roads paved. The Engineer's Dept. has been very aggressive in getting those roads taken care of with the RUMA's in place and working with the companies. Mr. Coffland stated we have a major problem with our bridges and if we don't do something with our roads soon, they will be back to gravel. He said we have close to 300 miles of paving that is not being done, but he doesn't know what the answer is. It is a problem everywhere. Mr. Coffland advised we listen to complaints every day in here about the potholes, the roads, the lines, the trees, the signage, and the lighting. We do not have the money right now to deal with it. If we had the money, Mr. Coffland is in favor of giving it to the Engineer. We have faced a lot of cuts and have not been able to fund the way it was in the past. He said when you put the weight limits down on the bridges so low, we can no longer put fire trucks across them. Mr. Coffland advised the Township Association agreed to turn over the Issue II project to the County Commissioners to apply every year for an Issue II project. This takes money out of each township, but allows the county to apply for up to \$390,000.00 in grants. Frank Papini asked why we can't access the rainy day fund. Mrs. Favade said she couldn't agree more. She said she thinks our greatest problem is just that. "The money that is missing from this county has not been lost; it has been taken from Belmont County and our municipalities and our townships by the state," said Mrs. Favade. She further noted, "To brag that we are sitting on a \$2 billion rainy day fund while our schools are struggling and our townships are shutting out their lights..." Her biggest fear is that we are becoming complacent and continue to allow that to take place and tax people more. She said we have to continue to demand that Local Government Funds be returned. The State of Ohio is financially stable at this point. Mrs. Favade stated that she testified before the Ways and Means Committee in regard to Local Government Funds and the necessity of it being returned. She said we want a portion of a severance tax to be returned to the host counties of oil and gas.

Richard Hord asked if this is a permanent license fee increase. Mr. Bennett responded that it was permanent. Mr. Hord noted the two public hearings were scheduled in the morning. He asked if the board might consider having one in the evening to accommodate those whose work schedules might conflict with that time. Mrs. Favade said he had a valid point, but we can't change the dates at this time since the process has been started. Mr. Hord asked if there were other options considered. Mr. Bennett said he thinks this is the only viable option. The only other option would be to put a property tax on, but he did not want to put this tax on a ballot and be up against the same time school levies are up, the senior levies, or any other levies. John White said he is retired, on a fixed income and against the tax. Mrs. Favade clarified the purpose of the hearing is to determine if we will vote for or against the tax.

Deputy County Engineer Mike Wahl said he wasn't planning on speaking this morning, but feels he has to. He said being a small county without much money there are only two engineers for the county. One of the hats he wears is the Belmont Co. Bridge Inspector. Many of the bridges are 4 – 10 tons. That is nowhere near the capacity for a fire truck or the large current rescue squads. For safety sake, he said we need to do something with these bridges and do it quickly. There are bridges with holes in the beams. He said we cannot replace these bridges fast enough. There is a dire need now for this money. He said he is asking that you look past the dollars per month and look at the safety of your loved ones.

Mr. Bennett concluded by stating he appreciated everyone coming in and expressing their opinions. He advised they replaced over 100 bridges in the last 10 years. Mrs. Favade concluded by announcing the next public hearing will be held on May 1 at 10:30 a.m.

**11:00 Bryan Minder, Acting Director, Belmont County 911
Re: National County Government Month presentation**

Bryan Minder began his presentation stating he started in 1997 when the 911 Center opened. He was employed as a dispatcher and has worked his way up to Acting Director as of this past December. They dispatch for 13 law enforcement agencies and 24 fire departments. Initially six (6) PSAPs were established. (Public Safety Answering Points) They were in Bellaire, Bridgeport, Barnesville, Shadyside, Martins Ferry and St. Clairsville. Today only 2 of those 6 remain as 24 hour PSAPs due to budget cuts within their villages or cities. Two are part-time, which is Barnesville and Bridgeport. Currently the staff consists of one director, an administrative assistant, a supervisor, 12 full-time dispatchers and six part-time dispatchers. Three dispatchers are on duty 24 hours a day, seven days a week. In addition to the law and fire departments that they dispatch for, they are also responsible for the dispatching accountability of probation, game warden, coroner, Dept. of Job & Family Services after hours for emergencies involving children and adults, and the county EMA. 911's role in the community is to provide a centralized answering service for emergencies for anyone in Belmont County with exception of Martins Ferry and St. Clairsville, who still have their own dispatching police departments. Their dispatchers are very professional and very well trained. They receive continuing education every two years and three types of call taking, which would be law, fire and medical. They also receive additional training in specialized things such as active shooter incidents and CPR. This department is also responsible for the rural house numbering of any structure outside of a city of village limit. 911 is a single, centralized center to answer emergency calls and to account for everyone who responds to those calls. It allows for better coordination and organization for large scale incidents, whether that be flooding, fire, severe weather, etc. The center gives them an overall consistent approach of how they answer calls, what information is gathered, and what information is given out to the first responders. A few recent additions to enhance the service to the residents of the county are the fire and law enforcement departments were provided, by funding from the Commissioners, with mapping software in their vehicles. It will allow them to see where they are going, before they leave. It is called MECCMap. This system will help reduce response time and help when mutual aid is needed. They have implemented CityWatch which is a Reverse 911 program. It allows 911 to call residents to notify them of safety issues and alerts. This system utilizes home phone numbers. If you would like to receive this service on your cell phone you can sign up on the 911 website, www.belmontcounty911.com and click on the link and your information can be put in their database. The 911 Center is in the beginning phases of a new radio system upgrade. It is a complete overhaul of the system that was put in place in 1997 and is being funded by a levy that was passes in November. The new system will give their first responders a more reliable and constant means of communication. In addition to the levy, they have also been able to generate over \$2 million in grant funds over the last 3-4 years to help to replace some of this radio equipment. Future plans for 911, which is constantly changing with technology, will be the interoperable radio systems, which will allow communication across the State of Ohio and across state lines. Next will be the ability for people to contact 911 via text. It is not here today, but in the next year or two you will probably have the ability to do so. 70%-75% of the calls coming into Belmont Co. 911 are from cell phones, which presents a problem with locating callers. Mr. Minder stressed the importance that 911 is for emergency use only.

Motion made by Mrs. Favede, seconded by Mr. Coffland to enter Executive Session with DJFS Director Dwayne Pielech, Lori O'Grady, HR Manager, pursuant to ORC 121.22(G)(1) Personnel Exception to consider the discipline of a public employee.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADJOURNING
EXECUTIVE SESSION AT 12:55 P.M.**

Motion made by Mrs. Favede, seconded by Mr. Coffland to adjourn executive session.

Upon roll call the vote was as follows:

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

AS A RESULT OF EXECUTIVE SESSION, THE FOLLOWING ACTION WAS TAKEN:

**IN THE MATTER OF MOTION TO GIVE
BCDJFS DIRECTOR DIRECTION TO DISCIPLINE AN EMPLOYEE**

Motion made by Mr. Coffland to give the Director of Belmont County Department of Job & Family Services direction to give discipline to an employee, discipline action.

Motion died for lack of a second.

DISCUSSION HELD - Mr. Probst stated, "That's an awful broad motion. I wasn't sure of the intent of your motion. That could be any employee within the agency. Just to give discipline to an employee; what does that imply?"

**IN THE MATTER OF REVISED MOTION TO GIVE
BCDJFS DIRECTOR DIRECTION TO DISCIPLINE AN EMPLOYEE**

Motion made by Mr. Coffland to give the Director of Belmont County Department of Job & Family Services direction to give discipline to Jerry Moore, employee.

DISCUSSION-Commissioner Favede asked that the motion be read back by the Clerk. It was restated and Mr. Coffland said that this was recommended by a mediator for the case. The Clerk asked if he was revising his motion to include that. Mr. Coffland stated he made the motion and was putting in an explanation.

Motion died for lack of a second.

**IN THE MATTER OF MOTION TO GIVE
BCDJFS DIRECTOR GUIDANCE ON INVESTIGATION
OF ALLEGATIONS**

Motion made by Mr. Coffland to give the Director of Belmont County Department of Job & Family Services guidance to follow proper procedure to investigate the allegations of hostile work environment.

DISCUSSION HELD: Commissioner Favede asked that the motion be read back. Commissioner Favede said she cannot second that motion because she doesn't believe there is a true, proper procedure. She then made the following motion:

Motion died for lack of a second.

**IN THE MATTER OF ALLOWING DJFS DIRECTOR
TO HIRE OUTSIDE COUNSEL IN REGARD TO
HOSTILE WORK ENVIRONMENT CLAIM**

Motion made by Mrs. Favede, seconded by Mr. Coffland to allow DJFS Director Dwayne Pielech to hire outside counsel, specifically Jeff Stankunas, in regard to the claim that has been filed in regards to a hostile work environment.

Upon roll call the vote was as follows:

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

ALSO AS A RESULT OF EXECUTIVE SESSION, THE FOLLOWING ACTION WAS TAKEN.

**IN THE MATTER OF NO DISCIPLINARY ACTION
TO BE TAKEN AGAINST JFS EMPLOYEE JERRY MOORE**

Motion made by Mrs. Favede, seconded by Mr. Probst that no action is approved with regard to proposed discipline of JFS employee Jerry Moore. We have considered the following: 1) information provided by Director Pielech, 2) the Conference Administrator's Response to the Belmont County Department of Job & Family Services issued by Mr. Michael McTeague, dated March 12, 2013, and 3) various e-mails received from JFS. We first note that Mr. Moore did previously receive the same discipline that Ms. Hunkler received for parking in front of the building in a restricted space. Further, we understand that Mr. Moore claims to have meant only to have sent Mr. Pielech's email to other union members so that they may be made aware of Mr. Pielech's statement that he was "eliminating all parking by employees in front of the building" and that it was only an accident that the rest of the recipients received the email. At no time has all parking been eliminated by employees in front of the building and because it can apparently not be proven that Mr. Moore intended to break any rules, no discipline is approved for him.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF APPROVING AND SIGNING THE 2ND AMENDMENT
TO THE VENDOR AGREEMENT WITH NEFFS EMS/BCDJFS**

Motion made by Mrs. Favede, seconded by Mr. Coffland to approve and sign the second Amendment to the Vendor Agreement with Neffs EMS, on behalf of Belmont County Department of Job & Family Services, to extend Amendment No. 1 through April 30, 2013. All other terms of the agreement remain the same.

Note: The total contract amount shall not exceed \$150,000.00

CONTRACT ADDENDUM #2

This Contract Addendum (hereinafter "Addendum") entered into this 23rd day of April, 2013 by and between the Belmont County Department of Job and Family Services, hereinafter referred to as the Department, and the Neffs Fire Department, a provider of Title XIX Services, hereinafter referred to as the Provider, hereby amends the existing agreement that was originally executed on December 27, 2012 and previously amended on March 13, 2013 (Addendum #1).

WHEREAS, the Department and the Provider mutually desires to modify **ADDENDUM #1** as follows:

- 1. End Date of Prior Addendum shall be extended from 02/28/13 to 04/30/13.

All other terms of the Agreement between the Parties shall remain in full force and effect unless specifically modified herein.

ENTIRE AGREEMENT: The Contract and its Addenda constitute the entire agreement and supersedes all prior representations, proposals, contracts, discussions and communications, whether oral or in writing (unless otherwise specifically incorporated into a particular attachment). This Addendum may be modified only in writing and as mutually agreed upon by the Parties and shall be enforceable in accordance with its terms when signed by both parties hereto.

Signature: Dwayne Pielech /s/
Dept. of Job and Family Services
Date: 4-22-13

Signature: John Driscoll /s/
Neffs Fire Department
Date: 5-7-13

Belmont County Board of Commissioners

Ginny Favede /s/
Ginny Favede, President
Matt Coffland /s/
Matt Coffland, Vice President
Charles R. Probst, Jr. /s/
Charles R. Probst, Jr.
Date: 4/23/13

APPROVED AS TO FORM:

By: Chris Berhalter /s/

TITLE: Belmont County Prosecuting Attorney

Upon roll call the vote was as follows:

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

IN THE MATTER OF APPROVING AND SIGNING THE 2ND AMENDMENT TO THE VENDOR AGREEMENT WITH MARTINS FERRY EMS/BCDJFS

Motion made by Mrs. Favede, seconded by Mr. Coffland to approve and sign the second Amendment to the Vendor Agreement with Martins Ferry EMS, on behalf of Belmont County Department of Job & Family Services, to increase the total contract amount to a maximum of \$200,000.00 through April 30, 2013. All other terms of the agreement remain the same.

CONTRACT ADDENDUM #2

This Contract Addendum (hereinafter "Addendum") entered into this 23rd day of April, 2013 by and between the Belmont County Department of Job and Family Services, hereinafter referred to as the Department, and the Martins Ferry EMS, a provider of Title XIX Services, hereinafter referred to as the Provider, hereby amends the existing agreement that was originally executed on December 27, 2012 and previously amended on March 13, 2013 (Addendum #1).

WHEREAS, the Department and the Provider mutually desires to modify **ADDENDUM #1** as follows:

- 1. Maximum Amount Billable shall not exceed \$200,000.00 (an increase of \$50,000.00).
- 2. End Date of Prior Addendum shall be extended from 02/28/13 to 04/30/13.

All other terms of the Agreement between the Parties shall remain in full force and effect unless specifically modified herein.

ENTIRE AGREEMENT: The Contract and its Addenda constitute the entire agreement and supersedes all prior representations, proposals, contracts, discussions and communications, whether oral or in writing (unless otherwise specifically incorporated into a particular attachment). This Addendum may be modified only in writing and as mutually agreed upon by the Parties and shall be enforceable in accordance with its terms when signed by both parties hereto.

Signature: Dwayne Pielech /s/
Dept. of Job and Family Services
Date: 4-22-13

Signature: Michael J. Reese /s/
Martins Ferry EMS
Date: 5-2-13

Belmont County Board of Commissioners

Ginny Favede /s/
Ginny Favede, President
Matt Coffland /s/
Matt Coffland, Vice President
Charles R. Probst, Jr. /s/
Charles R. Probst, Jr.
Date: 4/23/13

APPROVED AS TO FORM:

By: David K. Liberati /s/

TITLE: Assistant Prosecutor

Upon roll call the vote was as follows:

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

Commissioner Favede noted that information provided by the BCDJFS Fiscal Manager supports the increased use of Martins Ferry EMS on transportation costs to Youngstown.

BREAK
RECONVENED THURSDAY, APRIL 25, 2013. ALL COMMISSIONERS PRESENT.

IN THE MATTER OF ENTERING EXECUTIVE SESSION AT 10:07 A.M.

Motion made by Mrs. Favede, seconded by Mr. Coffland to enter executive session with Mark Lucas, Clemans-Nelson & Associates, Inc., Christine Palmer, HR Manager, and Jack Regis, Facilities Manager, pursuant to ORC 121.22(G)(4) Collective Bargaining Exception.

Upon roll call the vote was as follows:

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

IN THE MATTER OF ADJOURNING EXECUTIVE SESSION AT 10:55 A.M.

Motion made by Mrs. Favede, seconded by Mr. Coffland to adjourn executive session.
Upon roll call the vote was as follows:

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

AS A RESULT OF EXECUTIVE SESSION, NO ACTION WAS TAKEN.

**IN THE MATTER OF ENTERING
EXECUTIVE SESSION AT 11:05 A.M.**

Motion made by Mrs. Favede, seconded by Mr. Coffland to enter executive session with Mark Lucas, Clemans-Nelson & Associates, Inc., Christine Palmer, Belmont County HR Manager and Lori O'Grady, DJFS HR Manager, pursuant to ORC 121.22(G)(4) Collective Bargaining Exception.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADJOURNING
EXECUTIVE SESSION**

Motion made by Mrs. Favede, seconded by Mr. Probst to adjourn executive session at 11:50 a.m..

Upon roll call the vote was as follows:

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

AS A RESULT OF EXECUTIVE SESSION, NO ACTION WAS TAKEN.

**IN THE MATTER OF ADJOURNING
COMMISSIONERS MEETING**

Motion made by Mrs. Favede, seconded by Mr. Coffland to adjourn the meeting at 11:51 a.m..

Upon roll call the vote was as follows:

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

Read, approved and signed this 1st day of May, 2013.

_____ COUNTY COMMISSIONERS

We, Ginny Favede and Jayne Long, President and Clerk respectively of the Board of Commissioners of Belmont County, Ohio, do hereby certify the foregoing minutes of the proceedings of said Board have been read, approved and signed as provided for by Sec. 305.11 of the Revised Code of Ohio.

_____ PRESIDENT

_____ CLERK