

St. Clairsville, Ohio

April 7, 2010

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

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

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

**"BILLS ALLOWED"**

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

<u>Claim of</u>	<u>Purposes</u>	<u>Amount</u>
A-Draft-Co., Inc.	Web Hosting/General Fund	59.20
A-Draft-Co., Inc.	Web Hosting-GIS Projects/General Fund	500.00
A-Draft-Co., Inc.	Tax Map Conversion-GIS Projects/General Fund	2,180.94
A-Ohio AFSCME Care Plan	Dental & Drug Coverage/General Fund	552.00
A-Robert Williams	Reimburse expenses-Common Pleas Ct./General Fund	99.99
A-Treasurer of State (Then & Now)	Audit Fees/General Fund	27,076.99
J-Thomas A. Schirack, A.S.A.	Contract Services/General Fund	11,700.00
N-Carr Concrete	Box Beams/Bridge & Retaining Wall Constr. Improv. Fund	20,867.00
O-Ohio Dept. of Development	Feb. & March Note Payments/Fox Comm Park/St Loan Repay Fund	6,581.94
P-American Electric Power	Angelo Rd. Pump/WWS#1 Revenue Fund	15.59
P-Belmont Co. Health Dept.	Services/WWS#3 Revenue Fund	210.00
P-Foremost Safety Solutions, Inc.	Emergency Navigational System/State Homeland Security Grant/EMA	65,946.10
P-Renee' Wilson	Reimburse travel expenses/BCSSD Funds	155.25
S-McGhee & Co.	Supplies/Clerk of Courts Computer Fund	19.92
W-Clerk of Courts	Advertisement/General Fund	1,000.74

**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 7, 2010 as follow:

<b>FUND</b>	<b>AMOUNT</b>
A-GENERAL	\$4,714.38; \$131,093.61
A-GENERAL/AUDITOR	\$1,522.66
A-GENERAL/COMMON PLEAS	\$718.38
A-GENERAL/EMA	\$1,817.33
A-GENERAL/JUVENILE CT.	\$510.94
A-GENERAL/SHERIFF	\$12,739.06
B-Dog Kennel	\$854.51
H-Job & Family, CSEA	\$45,062.44; \$3,819.18
H-Job & Family, Public Assistance	\$64,887.31
H-Job & Family, WIA	\$131,196.57
K-Engineer MVGT	\$18,963.89; \$1,892.44
M-Juvenile Ct.- CCAP	\$25.00
M-Juvenile Ct. – Placement II	\$198.77
M-Juvenile Ct. – Title IV-E Reimb.	\$1,064.99
M-Juvenile Ct. – Truant Officer	\$165.15
N-Capital Improv. Grant-Carnes Center	\$75.00
P-Oakview Admin. Bldg.	\$2,990.09
P-Sanitary Sewer District	\$5,379.02; \$3,395.74; \$1,026.31; \$9,310.85; \$1,120.00; \$39,664.80
S-District Detention Home	\$5,262.73
S-Job & Family, Children Services	\$150,870.51; \$26,510.24
S-Juvenile Ct. Gen. Special Projects	\$150.00
S-Oakview Juvenile Residential Center	\$6,231.33
S-Sheriff Commissary	\$1,014.13
S-Western Ct. Gen. Special Projects	\$1,538.74
T-CDBG	\$5,592.00; \$34,612.00

Upon roll call the vote was as follows:

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

**IN THE MATTER OF TRANSFER WITHIN THE**  
**BELMONT COUNTY WORKFORCE DEVELOPMENT FUND H005**

Motion made by Mrs. Favede, seconded by Mr. Coffland to approve the following transfer within the Belmont County Workforce Development Fund:

<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
E-2600-H005-H01.000 (I/S Yth)	E-2600-H005-H04.000 (DW)	\$17,150.62

Upon roll call the vote was as follows:

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

**IN THE MATTER OF TRANSFER WITHIN FUND FOR THE BCDJFS CSEA ADMN FUND**

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

<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
E-2760-H010-H01.000 Salaries	E-2760-H010-H15.000 Other	\$ 45,062.44

Upon roll call the vote was as follows:

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

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

Motion made by Mr. Coffland, seconded by Mrs. Favede to approve the following transfers within fund for the Belmont County Sanitary Sewer District.

<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
<b>WWS #3</b>	<b>WWS #3</b>	
E-3702-P005-P31.000 Other Exp.	E-3702-P005-P34.074 Trans Out	\$ 50,000.00
E-3702-P005-P17.002 Salaries	E-3702-P005-P34.074 Trans Out	\$ 80,000.00

Upon roll call the vote was as follows:

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

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

Motion made by Mr. Probst, seconded by Mr. Coffland to execute payment of Then and Now Certification dated April 7, 2010, presented by the County Auditor pursuant to O.R.C. 5705.41(d) 1, and authorizing the drawing of warrant(s) in payment of amounts due upon contract or order.

Upon roll call the vote was as follows:

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

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

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

**AUDITOR** – Don Harr to travel to Cambridge, OH, on May 18 & 19, 2010, to attend a Division of Weights & Measures Training on Retail Motor Fuel Dispensers. Estimated expenses: \$50.00

**BCDJFS** – Michael Schlantz to travel to Columbus, OH, on April 21, 2010, to attend WIB Director's Meeting. Estimated expenses: \$22.00

**COMMISSIONERS** – Mike Kinter, Human Resources and Cindi Henry, Fiscal Manager, to travel to Cambridge, OH, on April 19, 2010, to attend a Comp Management Seminar Workshop on Workers Compensation. Also to travel to Columbus, OH, on April 28, 2010, to attend a CCAO Workshop on Group Retro for Worker's Compensation.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF APPROVING TRAVEL REQUEST AND COURT ORDER FOR MEAL REIMBURSEMENT FOR JUDGE J. MARK COSTINE AND BELMONT CO. JUVENILE COURT EMPLOYEES**

Motion made by Mrs. Favede, seconded by Mr. Coffland to approve the travel request and Court Order for meal reimbursement for Judge J. Mark Costine and Belmont County Juvenile Court employees to attend the National Conference on Juvenile and Family Law in Las Vegas from March 13 to March 19, 2010; employees attending include Judge J. Mark Costine, Jennifer Shunk, Kelly Carter, Dave Carter, John Markus, Tamara Tyler, Magistrate Megan Banker and Lance Mehl.

.....  
**Belmont County Court of Common Pleas**  
**Juvenile Division**  
**April 6, 2010**

Whereas, Judge J. Mark Costine and employees of the Belmont County Juvenile Court attended a National Juvenile Conference in Las Vegas, Nevada on March 13<sup>th</sup> through March 19<sup>th</sup>; and

Whereas, meals were consumed as necessary and incidental to the conference by said persons; and

Whereas, the Policy and Procedure Manual of the Belmont County Juvenile Court allows for reimbursement of said meals on a per diem basis of \$50.00 per day; therefore

It is ORDERED that the Belmont County Commissioners sign all necessary documents and authorized the Belmont County Auditor to pay to said Judge and employees reimbursement for meal expenses as previously submitted.

J. M. Costine /s/  
 Judge J. Mark Costine

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADVERTISING FOR BIDS FOR  
ENGINEER'S PROJECT 10-2 BEL-CR 28A & B PAVEMENT  
MARKINGS-ARRA PROJECT**

Motion made by Mrs. Favede, seconded by Mr. Coffland to advertise for bids for the Belmont County Engineer's Project 10-2 BEL-CR 28A & B Pavement Markings-ARRA Project, Mall and Banfield Roads, based upon the recommendation of Fred Bennett, County Engineer and authorize the Clerk of the Board to proceed with the required Notice to Bidders.

Note: This project is funded by the Federal Highway Administration

**NOTICE TO BIDDERS**

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

Sealed bids will be received by the Belmont County Board of Commissioners at the Commissioners Office, Belmont County Courthouse, 101 W. Main Street, St. Clairsville, Ohio 43950 until 11:00 A.M. (Local time), May 12, 2010 for furnishing all labor, materials and equipment for the Belmont County Engineer, for the following Pavement Marking project: **PROJECT 10-2 BEL-CR28A & B PAVEMENT MARKINGS – ARRA PROJECT**, then at said office publicly opened and read aloud.

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

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

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

If the Bond submitted is a combination bid/performance bond, both the Belmont County Commissioners and the Ohio Department of Transportation shall be listed as obligees.

Bid Security furnished in Bond form, shall be issued by a Surety company or Corporation licensed in the State of Ohio to provide said surety:

Each bid must contain the full name of the party or parties submitting the proposal and all persons interested therein. Each bidder shall be pre-qualified by the Ohio Department of Transportation at the time of the bid opening and shall submit certification of said approval and pre-qualifications with bid. The owner intends and requires that this project must be completed within 28 days after work begins. Contractor's compliance with the federal equal employment opportunity and the equal employment opportunity requirements of Ohio Administrative Code Chapter 123, the Governor's Executive Order of 1972, and Governor's Executive Order 84-9 shall be required. Bidders must comply with the prevailing wage rates on Public Improvements in Belmont County, Ohio as determined by the Secretary of Labor in accordance with Federal-aid requirements.

Said Contract will be let to the lowest and best responsible bidder, in accordance with Attachment 1 "Bid Documents Belmont County Commission."

"The Belmont County Commissioners reserve the right to reject any or all bids, to waive any informalities in the bids received.

Any award made by the Commissions, will be to the Contractor with the lowest bid who submits proof that he is currently prequalified by ODOT in Work Type 45, Pavement Markings.

ARRA Funded Project: Funding for this contract has been provided through the American Recovery & Reinvestment Act of 2009 (ARRA) and is subject to the reporting and operational requirements of ARRA.

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

Jayne Long /s/

Jayne Long, Clerk

Times Leader Advertisement: Three (3) Mondays: April 19, 2010, April 26, 2010 and May 3, 2010

Upon roll call the vote was as follows:

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

**IN THE MATTER OF APPROVING PAY REQUEST #6 FOR  
THE MT. VICTORY WATERLINE EXT. PROJECT PHASE I/BCSSD**

Motion made by Mrs. Favede, seconded by Mr. Coffland to approve and sign the necessary documents for Pay Request #6 in the amount of \$62,214.75 for the Mt. Victory Road Waterline Extension Project Phase I, based upon the recommendation of Hammontree & Associates, Ltd., Project Engineer and Mark Esposito, Director, Belmont County Sanitary Sewer District, as follows:

**Ohio Water Supply Revolving Loan Account Fund Payment Request**

Loan #FS390488-01

**Technical Services:**

Construction Management	\$ 267.50
Inspection	2,480.00

**Construction:**

Ohio West Virginia Excavating	\$ 59,467.25
This Request Total	\$ 62,214.75

Upon roll call the vote was as follows:

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

**IN THE MATTER OF APPROVING PAYMENT OF INVOICE  
FROM McCALL SHARP ARCHITECTURE FOR SERVICES FOR  
HAB CENTER/BCDJFS**

Motion made by Mrs. Favede, seconded by Mr. Coffland to approve payment of Invoice #0905 in the amount of \$40,800.00 for McCall Sharp Architecture for services relative to the renovation of the former Habilitation Center for new offices for the Belmont County Department of Job & Family Services: Construction Document Phase 90% complete.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF APPROVING THE SIGNING AND SUBMITTAL OF THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) SMALL MS4 GENERAL PERMIT (OHQ000002) ANNUAL REPORTING FORM FOR 2009**

Motion made by Mrs. Favede, seconded by Mr. Probst to approve the signing and submittal of the National Pollutant Discharge Elimination System (NPDES) Small MS4 General Permit (OHQ000002) Annual Reporting Form for 2009, Ohio EPA Facility Permit Number: OGQ00008\*AG, as prepared by Bev Riddle, Program Administrator for the Belmont County Soil & Water Conservation District, for the county's stormwater management program.

Note: MS4-Municipal Separate Storm Sewer System

Upon roll call the vote was as follows:

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

**IN THE MATTER OF APPROVING THE ALLOCATION OF MONIES FROM THE GENERAL FUND TO THE BELMONT COUNTY TRANSPORTATION IMPROVEMENT DISTRICT (TID)**

Motion made by Mrs. Favede, seconded by Mr. Probst to approve the allocation of \$5,000.00 from the General fund to the Belmont County Transportation Improvement District (TID) for operating expenses; the TID will repay the \$5,000 to the county when they make a draw on their grant.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF AUTHORIZING THE SIGNING OF THE BELMONT COUNTY PLAN FOR EXPENDITURE OF CHILD, FAMILY, AND ADULT COMMUNITY AND PROTECTIVE SERVICES AGREEMENT/BCDJFS**

Motion made by Mr. Probst, seconded by Mr. Coffland to authorize Commission President Ginny Favede to sign the *Belmont County Plan for Expenditure of Child, Family, and Adult Community and Protective Services agreement*; the Belmont County Department of Job & Family Services will receive \$124,390.00 from the Ohio Department of Job & Family Services to be expended for Income Maintenance purposes.

**BELMONT COUNTY PLAN FOR EXPENDITURE OF CHILD, FAMILY, AND ADULT COMMUNITY AND PROTECTIVE SERVICES (New Line Item 533)**

Belmont County has received \$124,390 as an allocation from the Ohio Department of Job and Family Services from the 600-533 account total of \$15 million appropriated by the Ohio general Assembly for state fiscal year 2010. These funds are state general revenue (GRF) funds and may be spent for any legitimate family services purpose allowed under state and federal law.

By agreement of the undersigned, the \$124,390 received by the Belmont County Job and Family Services shall be expended as follows:

- \$124,390 for Income Maintenance purposes
- \$ \_\_\_\_\_ for Adult Protective Services
- \$ \_\_\_\_\_ for Child Protective Services
- \$ \_\_\_\_\_ for other adult or children services
- \$ \_\_\_\_\_ for Child Support activities

If there is an increase or decrease in the funds allocated under this line item for SFY 2010, the funds or cuts shall be distributed proportionally, unless one of the parties of this agreement requests modification of the agreement.

<u>Ginny Favede /s/</u>	<u>Dwayne Pielech (VMG) /s/</u>
Ginny Favede, President Board of County	Dwayne Pielech, Director - BCDJFS Commissioners
<u>Dwayne Pielech (VMG) /s/</u>	<u>Dwayne Pielech /s/</u>
Dwayne Pielech, Director - PCSA	Dwayne Pielech, Director - CSEA
	Date: <u>April 7, 2010</u>

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ENTERING INTO CONTRACT WITH NEW MILLENIUM, INC. ON BEHALF OF BCDJFS**

Motion made by Mrs. Favede, seconded by Mr. Coffland to enter into contract with New Millennium, Inc., on behalf of Belmont County Department of Job and Family Services, in the amount not to exceed \$8,250.00, effective April 7, 2010 through June 30, 2010, for WIA Area 16 program monitoring services.

**BELMONT COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES  
Purchase of the Performance of Services Contract**

**Whereas**, this contract, entered into on this 7<sup>th</sup> day of April 2010, by and between the Belmont County Department of Job and Family Services (hereinafter "Purchaser"), in its capacity as Fiscal and Administrative Agent for Workforce Area 16, and New Millennium Inc. (NMI) doing business at 750 East Long Street, Suite 3000, Columbus, Ohio 43203 (hereinafter referred to as the Provider).

**PURPOSE**

The purpose of this contract is for the purchase of the performance of the following services: WIA Area 16 program monitoring services for the fiscal year July 1, 2009 through June 30, 2010 that meet the requirements and standards of the Workforce Investment Act (WIA) and the Ohio Revised Code, and rules and regulations promulgated there under, the policies of the Workforce Area 16 Workforce Investment Board and the standards and requirements stated in this agreement. The Purchaser has agreed to use WIA Funds (CFDA # 17.258, #17.259, and #17.260) for the costs incurred under this contract.

Although Jefferson County is part of WIA Area 16, program monitoring services were performed by another vendor, and therefore, Jefferson County will not be monitored under this agreement.

**AGREEMENT PERIOD**

This Agreement will be effective from April 7, 2010 through June 30, 2010, unless otherwise terminated.

**COST**

Cost to WIA Area 16 Counties of Belmont, Carroll, and Harrison for services provided shall not exceed \$8,250.00 (eight thousand two hundred fifty dollars) within the Agreement period.

**PAYMENT FOR SERVICES**

NMI agrees that upon completion of services for each County each month, an invoice shall be submitted to the Board for services rendered. The Purchaser shall review such invoices for completeness of information and accuracy before authorizing payment within fourteen (14) days of receipt of an accurate invoice.

**CIVIL RIGHTS**

Department and Provider agree that as a condition of this Agreement, there shall be no discrimination against any individual because of race, color, sex, religion, national origin, or any other factor as specified in Title VI of the Civil Rights Act of 1964 and subsequent amendments. It is further agreed that the Provider will comply with all subsequent amendments. It is further agreed that the Provider will comply with all appropriate federal and state laws regarding such discrimination and the right to any method of appeal will be made available to all persons served under this Agreement.

**TERMINATION**

In the event that the Provider does not faithfully and promptly perform his/her responsibilities and obligations under this Agreement, as determined by the Purchaser, the Purchaser may terminate the Agreement by providing the Provider with written notice 30 days in advance of the termination date.

In the event the Purchaser does not faithfully and promptly perform its responsibilities and obligations under this Agreement, the Provider may terminate the Agreement by providing the Purchaser with written notice 30 days in advance of the termination date.

**AMENDMENT OF CONTRACT**

This Agreement may be amended at any time during the Agreement period by a written addendum signed by both parties.

**INDEMNIFICATION**

Provider agrees to protect, defend, indemnify and hold free and harmless Purchaser, its officers, employees and agents, the Belmont County Board of County Commissioners and the Workforce Investment Area 16 Workforce Investment Board against any and all losses, penalties, damages, settlements, costs or liabilities or every kind arising out of or in connection with any acts or omissions, negligent or otherwise, of Provider, its officers, agents, employees and independent contractors.

Purchaser agrees to indemnify and hold harmless NMI and its managers, officers, directors, employees, and agents against all losses, claims, damages, liabilities, and/or related expenses incurred through the provision of services under this agreement.

**CONFIDENTIALITY**

To the extent provided by Ohio public records laws, the Provider agrees that the use or disclosure of any information concerning qualified recipients for any purpose not directly related to the delivery of purchased services is prohibited except upon written consent of the recipients or their guardians.

**SIGNATURES**

Dwayne Pielech (VMG) /s/ 4-5-10  
Dwayne D. Pielech, WIA Area 16 Director Date  
Belmont County Department of Job and Family Services

\_\_\_\_\_  
McCullough Williams III, Date  
President of New Millennium, Inc.

Ginny Favede /s/ 4-7-2010  
Ginny Favede Date  
President, Belmont County Commissioners

Matt Coffland /s/ 4-7-2010  
Matt Coffland Date  
Belmont County Commissioner

\_\_\_\_\_  
Charles Probst Date  
Belmont County Commissioner

David K. Liberati /s/ Assistant Prosecutor 4-7-10  
Chris Berhalter Date  
Belmont County Prosecutor (as to form)

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADOPTING RESOLUTION TO TERMINATE THE CONTRACT BETWEEN GREEN AND ASSOCIATES AND THE BELMONT COUNTY COMMISSIONERS/NEFFS SANITARY SEWER PROJECT**

**Motion made by Commissioner Favede, seconded by Commissioner Coffland to adopt the following:  
RESOLUTION**

WHEREAS, the Board of Belmont County Commissioners entered into an agreement with Green and Associates to design a sanitary sewer system in the Neffs Area; and,  
WHEREAS, Green and Associates no longer employ a Registered P.E.; and,  
WHEREAS, Green and Associates can no longer provide Professional Engineering Services under the current contract;  
NOW THEREFORE, be it resolved that the Board of Belmont County Commissioners will terminate the contract between the Belmont County Commissioners and Green and Associates, effective immediately; and,  
BE IT FURTHER RESOLVED, by the Board of Belmont County Commissioners that a Registered Engineer will be selected to complete the design of the Neffs Sanitary Sewer System.

Adopted April 7, 2010

Upon roll call the vote was as follows:

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

**OPEN PUBLIC FORUM** – Mr. Ed Jagucki said he noticed advertisements on TV and motions for Belmont Senior Services and questioned where the money comes from for promoting Senior Services. He was advised by both Mr. Probst and Mrs. Favede that the money used for that purpose is levy money. Mrs. Favede stated all decisions regarding advertising would come from Belmont Senior Services Board of Directors. Mr. Probst noted it is part of their outreach program to inform seniors of what they have to offer.

**10:45 Roberta Jenkins, Director, Belmont County Fair Housing Commission**

Mrs. Jenkins spoke of housing discrimination. She stated it is an on-going problem throughout the country and people need to be aware of their rights when it comes to searching for housing. Fair housing should not be confused with tenant/landlord issues. She explained fair housing does not cover needed repairs not being done, leases, or the non-return of security deposits. Examples of fair housing issues would be a landlord not renting because of a persons race or religion, if you were told you had too many children or if you needed a ramp built for a wheelchair.

Promotional billboards declaring April as Fair Housing Month have been purchased to be placed near Aetneville, in St. Clairsville and on the interstate heading towards Barnesville. Promotional posters are being sent to many area establishments for display and advertisements will be placed in the newspaper. Nine Fair Housing Seminars have been scheduled for this year.

Mrs. Jenkins thanked the board for adopting a proclamation and promoting Fair Housing Month. In turn, the board thanked her and the Fair Housing Board for their work, noting the same is not compensated.

**IN THE MATTER OF ADOPTING A PROCLAMATION  
DECLARING APRIL AS FAIR HOUSING MONTH**

Motion made by Mrs. Favede, seconded by Mr. Probst to adopt the Proclamation designating April as Fair Housing Month.

**PROCLAMATION  
“FAIR HOUSING MONTH”**

WHEREAS, The Belmont County Board of Commissioners annually designates April as “Fair Housing Month”; and  
WHEREAS, the principal of Fair Housing is not only law, but a basic individual need; and an absolute right written in the constitution of the State of Ohio; and

WHEREAS, the Belmont County Fair Housing Commission continues to enforce the policy of Belmont County which ensures all citizens their right to equal housing opportunities, regardless of race, color, religion, gender, national origin, disability, family status, and in the State of Ohio, military status; and

WHEREAS, the Belmont County Fair Housing Commission continues to promote fair housing by informing the citizens of Belmont County of their legal rights under Ohio law.

NOW, THEREFORE, BE IT RESOLVED, The Belmont County Commissioners do hereby proclaim April as Fair Housing Month.

Adopted this 7<sup>th</sup> day of April, 2010

Upon roll call the vote was as follows:

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

**IN THE MATTER OF REPLAT OF WYNGATE  
SUBDIVISION, RICHLAND TOWNSHIP, SEC 28, T7, R4**

**“Hearing Had 11:00 a.m.”**

Present for the hearing were Engineer Fred Bennett, Ruth Graham, Engineer’s Drafting Technician, and Greg Bizzarri, Richland Township Trustee. Ruth stated this is a re-plat off of an existing subdivision located off of Hammond Road. They are increasing lot sizes and putting two road extensions on. Ruth, Mike Wahl, Foreman Steve Conley, the Township Trustees, and Mike Green, the surveyor, had all met there to address the road extensions and were satisfied. The maps were reviewed and Commissioner Coffland asked if cul de sac was needed. Ruth stated that when there a stone cul de sac was discussed, not a paved one. Mr. Coffland said he thought it would be required by law to have a cul de sac at the end of a road. Greg Bizzarri said the property owner was told it would be stone and the township would not pave or cement in the future. A brief discussion was held regarding this situation and Commissioner Probst stated county subdivision guidelines call for a cul de sac. Ruth said if this matter is to be tabled, the property owner would need to have a surveyor to redo the plat. It was decided to table the same until the cul de sac issue is resolved.

**IN THE MATTER OF TABLING THE REPLAT OF  
WYNGATE SUBDIVISION, RICHLAND TOWNSHIP, SEC 28, T7, R4**

Motion made by Mr. Probst, seconded by Mr. Coffland to table the Replat of Wyngate Subdivision, Richland Township, Sec. 28, T7, R4 pursuant to Ohio Revised Code 711.05, until such time that the cul de sac is depicted on the map that was presented to the Board today.

Upon roll call the vote was as follows:

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

**11:15 Christine Parker, Belmont County DJFS**

Christine Parker and Jennifer Fietz, adoption worker at BCDJFS, were present. Christine advised this year’s theme is “It’s your turn to raise the community leaders of tomorrow.” She noted 1,100 children were served in Belmont County in 2009. The pinwheel display will again be placed on the courthouse steps. The board stated their appreciation for the work done by DJFS staff and for the awareness they have given the general public about this problem and encouraging the reporting of known child abuse.

**IN THE MATTER OF ADOPTING THE PROCLAMATION  
DESIGNATING APRIL AS “CHILD ABUSE PREVENTION MONTH”**

Motion made by Mrs. Favede, seconded by Mr. Probst to adopt the Proclamation designating April as Child Abuse Prevention Month.  
proclamation

**“CHILD ABUSE PREVENTION MONTH”**

**WHEREAS**, child abuse and neglect are recognized as one of our most pressing social problems, affecting many Belmont County children each year; and

**WHEREAS**, each child has the right to live and grow in a safe, secure, and supportive environment; and is entitled to be loved, cared for, nurtured, and to be free from verbal abuse, sexual abuse, emotional and physical abuse and neglect; and

**WHEREAS**, over 1,100 children were served in Belmont County in 2009 as a result of reports from concerned community members who play a positive role in supporting our young people and their families; and

**WHEREAS**, every child needs a caring adult in their lives for guidance and support. This nurturing, love and attention helps them prepare for the future and keeps them safe from abuse and neglect; and

**WHEREAS**, it takes a community to protect a child and community action is needed to break the cycle of abuse and neglect to improve family life and Belmont County is stronger when all citizens become aware of child abuse and neglect prevention and become involved in supporting parents to raise their children in a safe, nurturing environment; and

**WHEREAS**, The Belmont County Board of Commissioners and the Belmont County Department of Job and Family Services support and promote the partnership between the State of Ohio, county and local public and private agencies and our community to prevent child abuse and neglect; and

**WHEREAS**, our nation recognizes each April as Child Abuse Prevention Month, and Belmont County agencies and organizations work together to heighten awareness and draw attention to the need for preventing child abuse in our communities; and

**WHEREAS**, Pinwheels for Prevention was designed as a visual way to demonstrate the real fact that abuse is prevalent in every community and that we each need to do our part to assist in breaking the vicious cycle;

WHEREAS, Belmont County residents celebrate children, this county's GREATEST resource and the community leaders of tomorrow;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Belmont County Commissioners that they do hereby proclaim APRIL 2010 as "CHILD ABUSE PREVENTION MONTH" throughout the County of Belmont.

Adopted April 7, 2010

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ENTERING EXECUTIVE SESSION AT 11: 35 A.M. WITH MIKE KINTER AND LORI O'GRADY**

Motion made by Mrs. Favede, seconded by Mr. Probst to enter into executive session with Mike Kinter, Belmont County HR Manager and Lori O'Grady, BCDJFS Personnel Director, pursuant to Ohio Revised Code 121.22(G)(1) Personnel Exception specifically to consider the promotion and compensation of public employees.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADJOURNING EXECUTIVE SESSION AT 12:00 P.M. WITH MIKE KINTER AND LORI O'GRADY**

Motion made by Mrs. Favede, seconded by Mr. Probst to adjourn executive session with Mike Kinter, Belmont County HR Manager and Lori O'Grady, BCDJFS Personnel Director, pursuant to Ohio Revised Code 121.22(G)(1) Personnel Exception specifically to consider the promotion and compensation of public employees.

Upon roll call the vote was as follows:

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

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

**IN THE MATTER OF PAY RANGE ADJUSTMENT FOR MR. DAVID BADIA, PROGRAM ADMINISTRATOR, BELMONT COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES**

Motion made by Commissioner Favede, seconded by Commissioner Coffland to adopt the following resolution to authorize a pay range adjustment for David Badia, Program Administrator:

**RESOLUTION**

WHEREAS, the Ohio Revised Code empowers, the Belmont County Board of Commissioners to establish compensation and set benefit levels for the Belmont County Department of Job and Family Services non-bargaining unit employees and, WHEREAS, the Agency has incurred significant management and financial challenges which has led to the elimination of numerous positions and required an Agency reorganization, and WHEREAS, Mr. Badia, has been assigned additional responsibilities beyond his current duties because of this reorganization and management changes;

NOW THEREFORE, BE IT RESOLVED THAT, the Belmont County Board of Commissioners does hereby grant the Director of the Belmont County Department of Job and Family Services the authority to adjust the wage of Mr. David Badia from a Pay Range Thirty-Three, Step Eight to Pay Range Thirty-Four, Step Seven, effective pay period ending April 10, 2010.

Upon roll call the vote was as follows:

Mr. Coffland	<u>Yes</u>
Mrs. Favede	<u>Yes</u>
Mr. Probst	<u>No</u>

**IN THE MATTER OF PROMOTION AND PAY RANGE ADJUSTMENT FOR MRS. BRENNA ROCCIO – PROGRAM SUPERVISOR TO PROGRAM ADMINISTRATOR/BELMONT COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES**

Motion made by Commissioner Favede, seconded by Commissioner Coffland to adopt the following resolution to authorize the promotion of Mrs. Brenna Rocchio from Public Assistance Program Supervisor to Public Assistance Program Administrator:

**RESOLUTION**

WHEREAS, the Ohio Revised Code empowers, the Belmont County Board of Commissioners to establish compensation and set benefit levels for the Belmont County Department of Job and Family Services non-bargaining unit employees and, WHEREAS, the Agency has incurred significant management and financial challenges which has led to the elimination of numerous positions and required an Agency reorganization, and

WHEREAS, Mrs. Rocchio will assume the position of Public Assistance and Medicaid/Nursing Homes Administrator and will be responsible for the supervision of management and bargaining unit employees of the Public Assistance and Medicaid/Nursing Homes Unit along with overseeing the day to day operations of all departments/units within Public Assistance;

NOW THEREFORE, BE IT RESOLVED THAT, the Belmont County Board of Commissioners does hereby grant the Director of the Belmont County Department of Job and Family Services the authority to promote Brenna Rocchio from the position of Public Assistance Program Supervisor to Public Assistance Program Administrator, effective pay period ending April 7, 2010.

Upon roll call the vote was as follows:

Mr. Coffland	<u>Yes</u>
Mrs. Favede	<u>Yes</u>
Mr. Probst	<u>No</u>

**IN THE MATTER OF TITLE CHANGE  
AND PAY RANGE ADJUSTMENT FOR  
MR. DAVID WILLIAMSON –  
OFFICE MANAGER TO CLERICAL SUPERVISOR/  
BELMONT COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES**

Motion made by Commissioner Favede, seconded by Commissioner Coffland to adopt the following resolution authorizing the title change and pay range adjustment for David Williamson, Belmont County Department of Job & Family Services, from Office Manager to Clerical Supervisor.

**RESOLUTION**

WHEREAS, the Ohio Revised Code empowers, the Belmont County Board of Commissioners to establish compensation and set benefit levels for the Belmont County Department of Job and Family Services non-bargaining unit employees and,  
WHEREAS, the Agency has incurred significant management and financial challenges which has led to the elimination of numerous positions and required an Agency reorganization, and,  
WHEREAS, because of this reorganization, Mr. Williamson, the current Office Manager, has become responsible for the supervision of staff and additional duties beyond his current job position;  
NOW THEREFORE, BE IT RESOLVED THAT, the Belmont County Board of Commissioners does hereby grant the Director of the Belmont County Department of Job and Family Services the authority to adjust the wages of Mr. David Williamson from a Pay Range Twenty Seven, Step Four to Pay Range Thirty-One, Step One of the non- bargaining unit pay schedule, effective pay period ending April 10, 2010.

Upon roll call the vote was as follows:

Mr. Coffland	<u>Yes</u>
Mrs. Favede	<u>Yes</u>
Mr. Probst	<u>No</u>

**IN THE MATTER OF PROMOTION  
AND PAY RANGE ADJUSTMENT FOR  
MRS. JILL WALLER –  
PROGRAM EVALUATOR TO PROGRAM SUPERVISOR/  
BELMONT COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES**

Motion made by Commissioner Favede, seconded by Commissioner Coffland to adopt the following resolution to authorize the promotion of Mrs. Jill Waller from Public Assistance Program Evaluator to Public Assistance Program Supervisor.

**RESOLUTION**

WHEREAS, the Ohio Revised Code empowers, the Belmont County Board of Commissioners to establish compensation and set benefit levels for the Belmont County Department of Job and Family Services non-bargaining unit employees and,  
WHEREAS, the Agency has incurred significant management and financial challenges which has led to the elimination of numerous positions and required an Agency reorganization, and,  
WHEREAS, with this promotion, Mrs. Waller will be responsible for the supervision of bargaining unit employees of the Public Assistance Unit along with monitoring public assistance cases ;  
NOW THEREFORE, BE IT RESOLVED THAT, the Belmont County Board of Commissioners does hereby grant the Director of the Belmont County Department of Job and Family Services the authority to promote Jill Waller from the position of Public Assistance Program Evaluator to Public Assistance Program Supervisor, effective April 7, 2010.

Upon roll call the vote was as follows:

Mr. Coffland	<u>Yes</u>
Mrs. Favede	<u>Yes</u>
Mr. Probst	<u>No</u>

**DISCUSSION HELD RE: BCDJFS PROMOTIONS AND COMPENSATION** – Commissioner Probst gave the following explanation as to the reason why he voted NO on the above Resolutions regarding the four (4) BCDJFS employees. He said he wanted to make it clear that with their increased job duties, they are very deserving of these increases. Recently the board was approached by Director Dwayne Pielech and Business Administrator Vince Gianangeli and it was brought to their attention that the DJFS budget is going to be running in a deficit in excess of \$300,000.00. Their budget ends June 30. The board will have to cover that deficit at that time. The new fiscal year begins July 1. Mr. Probst said his intention and goal would be to hold on these promotions and increase in salaries, even though they passed today, until it is known if there will be additional cuts going into next year’s budget. Mr. Probst further stated that by the documentation that has been presented to the board, by promoting these individuals and the retirement of two (2) other individuals, it is going to save the county about \$236,000.00. With that said, there could be just as many cuts coming after July 1, equal to that amount or more. Mr. Probst said he was simply asking to wait and put this on hold until it is known how next year’s fiscal budget (beginning July 1) plays into the finance budget at DJFS. Mr. Probst said he wants to make it clear these people are deserving. They have always done a very good job, (the people that we talked about this morning). Mr. Probst stated, “I wish at this time that I could have voted ‘yes’ for them to receive their pay increases, but I just think we should step back, take a look, and I also did not want to do this in the absence of Director Pielech.” “Director Pielech has been on sick leave for I’m going to say the past four (4) weeks maybe, and I would like to speak to him personally about these moves, even though I know he has been in contact with his staff at Human Services, but I would like to sit down and have a face-to-face with Director Pielech when he returns to work and just see exactly the direction that the Department of Job & Family Services will be going in the future,” said Mr. Probst.

Mr. Coffland asked to comment. He stated the following: This was presented to us earlier when we started the retiring out of management at Job & Family Services. These are nothing more than step raises. As you step up and take on another job, I feel you deserve the compensation of those jobs. You are performing the duty, you deserve the money. As you said, there is a savings by the way we approached this and that was our goal to have an overall savings, which we will, but we should not penalize our employees who have stepped up and taken these positions because we did not want to give them what they deserve. As you stated, they deserve it, so let’s give it to them. And that is why I voted yes, to continue to work the plan that we originally put out at the beginning of the year to save Job & Family Services money and reduce some of their employees and move forward.

Mrs. Favede added the following comments: As Commissioner Coffland had indicated, this paperwork has been in our office since January when Director Dwayne Pielech of DJFS had presented it to us at that time. This situation (the financial situation and the employee situation) at Job & Family Services is not unique to Belmont County. It is typical of Job & Family Services throughout the 88 counties across the state of Ohio. As unfortunate as it is, it is still the responsibility of the Commissioners and of the staff at Job & Family Services to continue every day operations. Mr. Mike Kinter, formerly of Job & Family Services, has been overseeing activities in conjunction with Ms. Lori O’Grady at Job & Family Services. Mrs. Favede asked Mr. Kinter to speak to these issues at this time.

Mr. Mike Kinter stated the following: Basically the retirement of the upper level managers, who were Assistant Directors, was part of a plan to save the agency money and in conjunction with this retirement of these three (3) individuals who were all classified as Assistant Administrators, it was decided by the board and by the Director that they would not be replaced per se. In other words, their duties would be spread out among the current, remaining managers. In doing so, as Commissioner Probst pointed out, it resulted in a savings of over



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\$200,000.00 in salaries and there were additional savings in benefits. To continue operations, the responsibilities had to be distributed among the remaining management staff. In essence to do that, it was only fair that several of the staff members, (the ones involved in these particular resolutions) were promoted to the proper positions. In some cases, some of them have been working with these responsibilities for a number of months.

Mr. Probst then made the following comments: As we all try to remain fiscally responsible, when this was presented to us earlier at the beginning of the year, it was somewhat tabled at that time because of the uncertainty of finances. On the other end of that, even though these individuals are deserving of the raise and they do a fine job, the fact too remains that other employees at the DJFS have also assumed additional responsibilities because of the lay offs that have occurred, so there are increased caseloads that are pretty much burying them at this time, especially in Public Assistance. Mr. Probst stated he thought the goal of this board should be again to move forward in any way we can once we see how the finances come down from the state in the new fiscal year and also to try to bring back at least two (2) case managers to help offset the burden that they are facing now in Public Assistance and other areas of the agency. They have assumed additional duties too because of their caseload due to the layoffs. If all this falls together, that would be a very good scenario to bring these people back too. Again, that depends on the budget. Mr. Probst concluded by stating, "That is why I feel we should wait. It is only a few months away."

Mr. Coffland stated he agrees that he would love to bring back other employees. He further stated we cannot penalize those that stepped up and deserve this rate increase. Mr. Coffland said, "I hope that we can work something out to bring additional work staff back, and I think that has been the goal of this board all along to try to first save jobs and to try to get the ones laid off back."

A final note for the record made by Mrs. Favede was: The monies that Job & Family Services are in need of will be an advance. She also noted for the record that Belmont County Job & Family Services is precisely that; it is an agency of Belmont County, the government of Belmont County, so we have an obligation to assist in the financial situation that is evident and we are happy to do so in that time in the form of an advance. That need for money is not by any fault of Belmont County Department of Job & Family Services. That is due to the State funding cuts.

Mr. Kinter added: "Not only cuts, but the funding system is broken down into various pipelines, if you will, which creates problems in that locally the need might be in Public Assistance, but the additional money might be in Child Support and you can't go from one funding source to another. So that creates some of these problems which, hopefully, can be sorted out in the future."

**IN THE MATTER OF ADJOURNING  
COMMISSIONERS MEETING AT 12:22 P.M.**

Motion made by Mrs. Favede, seconded by Mr. Probst to adjourn the meeting at 12:22 p.m.  
Upon roll call the vote was as follows:

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

Read, approved and signed this 14th day of April, 2010.

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

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

\_\_\_\_\_ PRESIDENT

\_\_\_\_\_ CLERK