

St. Clairsville, Ohio

February 27, 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-A-1 Service	Van maintenance-Coroner/General Fund	244.13
A-Best One Fleet Service	Tires-Coroner/General Fund	719.91
A-BP	Gasoline-Coroner/General Fund	201.63
A-Carney-McNicholas	Moving services in Recorders' Office/General Fund	3,440.00
A-Crystal Springs	Water-Recorder/General Fund	102.58
A-Jeffersonian Co., LLC	Publication-Recorder/General Fund	25.08
A-Karras Painting	Painting services in Recorders' Office/General Fund	8,600.00
A-Ohio Valley Printing Company	Title envelopes-Clerk of Courts/General Fund	576.70
A-Spectra Association	Mylar page reinforcements-Recorder/General Fund	103.95
A-Staples	Adding machines-Treasurer/General Fund	149.96
A-Treasurer of State of Ohio	Audit fees/General Fund	7,790.00
A-Wheeling Office Supply Co.	Supplies-Prosecutor/General Fund	56.59
A-Wheeling Office Supply Co.	Supplies-Prosecutor/General Fund	781.62
A-Xerox ACS Enterprise Solutions	Landmarc/Landaccess-Recorder/General Fund	5,880.00
E-Don Nippert	Sublease Agreement/911 Fund	660.00
J-James R. Wardell	2013 Maintenance Contract/Real Estate Assessment Fund	12,750.00
N-Staley Communications	EOC Tower Lights Changed/911 Radio Tower Constr. Fund	1,860.00
N-Stonegate Construction	Construction/EORIP Waterline Construction Fund	68,029.69
S-AT&T	Phone service/Oakview Juvenile Residential Center Fund	354.84
S-AT&T	Phone service/Oakview Juvenile Residential Center Fund	475.01
S-Beth A. Andes, MS, PCC	Counseling services/District Detention Home Fund	1,085.00
S-Cardmember Service	Supplies & Food/Oakview Juvenile Residential Center Fund	1,445.55
S-Ohio Council of Port Authorities	Membership/Port Authority Fund	100.00
S-PNC Bank	Visa/District Detention Home Fund	201.42
S-Staples	Supplies/Certificate of Title Admn Fund	40.96
S-TSG	Backup & vaulting/Eastern Div. Ct. Computer Fund	37.46
S-United Bank Commercial Loans	Loan payment/Port Authority Fund	1,793.62
S-Wal-Mart Community	Supplies & Food/District Detention Home Fund	2,184.95
S-Wal-Mart Community	Supplies & Food/Oakview Juvenile Residential Center Fund	446.08
W-Matthew Bender & Co.	Books/Law Library Fund	5,909.74
Y-Health Plan PPO	March 2013 premium/Employers' Share Holding Account	360,589.35

**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 February 27, 2013 as follow:

<b>FUND</b>	<b>AMOUNT</b>
A-GENERAL	\$9,996.79
A-GENERAL/AUDITOR	\$3,379.84
A-GENERAL/EMA	\$455.43
A-GENERAL/SHERIFF	\$3,908.45
A-GENERAL/911	\$2,475.10
B-Dog Kennel	\$510.12
H-Job & Family, Public Assistance	\$25,047.97; \$359.47
H-Job & Family, WIA	\$212,765.96; \$1,368.00; \$2,029.22
J-Real Estate Assessment	\$2,025.56
M-Juvenile Ct. Placement Services	\$19,043.00
M-Juvenile Ct. Placement II	\$498.47
K-Engineer MVGT	\$2,352.68; \$33,298.49; \$1,503.02
P-Oakview Admn Bldg.	\$3,076.56
P-Old Sheriff Residence Cont. Project	\$1,866.82
S-Certificate of Title Adm Fund	\$3,192.64
S-District Detention Home	\$666.40; \$634.89
S-Job & Family, Children Services	\$2,493.19
S-Job & Family, Senior Program	\$23,258.77
S-Juvenile Ct. Computer Fund	\$165.85
S-Oakview Juvenile Residential Center	\$4,623.47
S-Probate Court Conduct of Business Fund	\$495.60
S-Sheriff Commissary	\$3,197.79

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:

**GENERAL FUND**

<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
E-0051-A001-A24.000 Infrastructure/ORC .026	E-0257-A015-A15.074 Transfers Out	\$83,509.35
E-0061-A002-B14.003 PERS	E-0061-A002-B12.000 Other Expenses	\$ 1,000.00
E-0063-A002-B28.003 PERS	E-0063-A002-B30.000 Other Expenses	\$ 10.00
E-0121-A006-B02.002 Recorder Salaries	E-0051-A001-A02.002 Cmms Salaries	\$ 300.00

**BEL. CO. COMMON PLEAS/GENERAL SPECIAL MEDIATION FUND S54**

<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
E-1544-S054-S01.002 Salary Mediation	E-1544-S054-S05.000 Other Exp Mediation	\$ 2,209.50

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:

**BELMONT COUNTY GENERAL FUND AND THE S78 RECORDER'S EQUIPMENT FUND**

<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
<i>General Fund</i>	<i>Recorder Equipment Fund</i>	
E-0257-A015-A15.074 Transfers Out	R-1210-S078-S03.574 Transfers In	\$83,509.35

Upon roll call the vote was as follows:

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

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

Motion made by Mr. Probst, seconded by Mr. Coffland to request the Belmont Co. Budget Commission certify the following monies.

**CDBG- \$11,603.00** paid into R-9702-T011-T05.501 CDBG-Grant CHIP on Feb. 25, 2013. Grant #B-C-12-1AG-1, Draw No. 156.

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 Mrs. Favede, seconded by Mr. Coffland granting permission for county employees to travel as follows:

**BCDJFS** – Floyd Culbertson, Patricia Kinney and Senior members to travel to Moundsville, WV, on March 7, 2013, for a senior center outing. Estimated expenses: \$24.00

Christine Parker and Dwayne Pielech to travel to New Philadelphia, OH, on March 11, 2013, to attend OFC Regional Team Meeting. Sue Hines and Senior Members to travel to Wheeling, WV and Triadelphia, WV, on March 14 & 27, 2013, for senior center outings. Estimated expenses: \$36.00

**COMMISSIONERS** – Ginny Favede, Matt Coffland and Charles R. Probst, Jr., to travel to Washington, DC, on March 2-5, 2013, to attend the NACo 2013 Legislative Conference. A county vehicle will be used. Estimated expenses: \$4,500.00

Upon roll call the vote was as follows:

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

**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 Attorneys Jeff Stankunas and Julia Baxter and Christine Palmer, HR Manager, pursuant to ORC 121.22(G)(3) Court Action 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 11:23 A.M.**

Motion made by Mrs. Favede, seconded by Mr. Coffland to exit 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 APPROVING PAYMENT TO ROBYN MARSHALL FOR VETERAN'S DAY HOLIDAY/911**

Motion made by Mrs. Favede, seconded by Mr. Coffland to approve payment to Ms. Robyn Marshall for eight (8) hours straight time for the Veteran's Day Holiday, November 11, 2012, in the amount of \$178.72 and send the attached letter to the Belmont County Auditor's Office requesting process of the same.

February 27, 2013

Sheila Turner

Belmont County Auditor's Office

101 W. Main Street

St. Clairsville, OH 43950

Dear Sheila:

Ms. Robyn Marshall worked eight (8) hours on the Veteran’s Day Holiday, November 11, 2012. While she accrued eight (8) hours of compensatory leave for working on that holiday, she did not receive a payout of that accrued but unused leave following her termination. We note that while Ms. Marshall also accrued additional compensatory leave for being in active pay status in excess for forty (40) hours in a work week, pursuant to Section 5.4 of the Commissioners’ Personnel Policy Manual, we do not request that Ms. Marshall receive a payout of that unused leave. Ms. Marshall’s attorney has demanded a payout of the eight (8) hours of compensatory leave that Ms. Marshall accrued but did not use for working Veteran’s Day.

Since Ms. Marshall was an exempt employee, she was not entitled to receive premium pay pursuant to Section 6.1(F) of the Personnel Policy Manual. While we do not believe that a full-time exempt employee who is paid for working eight (8) hours on a holiday listed at R.C. §325.19(D)(1) is required by that statute to be paid an additional eight (8) hours of pay, we have been advised by our counsel that such pay is permissible and recommended. See Ohio Attorney General Opinion No. 87-018.

Accordingly, we ask you to process a payment for eight (8) hours straight time pay to Ms. Robyn Marshall for the Veteran’s Day Holiday, November 11, 2012, in the amount of \$178.72.

Thank you,

Belmont County Commissioners

Ginny Favede /s/

Ginny Favede, President

Matt Coffland /s/

Matt Coffland, Vice-President

Charles R. Probst, Jr. /s/

Charles R. Probst, Jr.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF WAIVING THE ATTORNEY-CLIENT PRIVILEGE WITH REGARD TO EMAILS DATED JAN. 4 & 7, 2013**

Motion made by Mrs. Favede, seconded by Mr. Coffland at the recommendation of our counsel for their representation of us in defense of an EEOC charge, to waive the attorney-client privilege with regard to email from Ms. Palmer to the Board of Commissioners and Mr. Lucas dated January 4 and January 7, 2013.

Upon roll the vote was as follows:

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

**OPEN PUBLIC FORUM** – Frank Papini asked if executive sessions had to be held on the day there is open public forum. Mrs. Favede explained agenda items are scheduled for the convenience of all involved. She further explained formal sessions held by the Commissioners are to conduct business. Mr. Coffland noted the only time the board can hold an executive session is during an official meeting. This is per the Ohio Revised Code and under the Sunshine Law. Mr. Coffland advised the board can answer questions at any time and you need not wait until a board meeting to speak with a Commissioner.

Charles J. Vargo asked how to file a complaint against the Sheriff’s Office. He said a jail nurse refused him medical attention after his arrest. He said as a result he ended up in the hospital for a week after he was released. Mr. Probst asked what date this occurred and Mr. Vargo said he could not remember. Mr. Coffland advised him if he felt he was unfairly treated he has the option to hire his own counsel. Mr. Probst asked that Mr. Vargo give his contact information to the Clerk and the board could check into this matter.

Richard Hord again had questions regarding the Business Resource Network (BRN) Grant. Mr. Probst asked him if he had talked with Director Dwayne Pielech. He had been directed to Mr. Pielech and Mr. Schlanz previously. Mr. Hord stated he had not. Mr. Coffland again informed Mr. Hord the grant is run out of the Jefferson Co. CAC office and Mr. McGlumpy also could answer his questions.

Mr. Hord asked if it could be confirmed that the Tourism Office will be relocating to the former Sheriff’s residence. Mrs. Favede replied, “At this point no; it hasn’t been confirmed.” She said we still continue our work on the second floor which is currently on hold. Mr. Hord noted the parking problem and asked if the building is handicap accessible. Mrs. Favede said the building is not handicap accessible as it was renovated to its historic context.

Mr. Hord questioned the hiring of two people for the senior program and what impact that will have if the program becomes a separate county department. Mrs. Favede said she did not think it has an impact, either negatively or positively. The impact is based upon what it will do for the seniors being it provides better care for them. When you have a workforce that is being strained and overworked, then that program has a possibility of being compromised. She said the more people that we work in the kitchen and/or driving, the better service we offer the seniors, which is our objective. Mr. Hord asked if those recently laid off from DJFS were considered for those positions. Mr. Coffland said those hired were part-time positions and the laid-off employees from DJFS could have applied for the jobs. The actual number of people hired was six (6), not two (2).

Clarence Briggs inquired as to the status of separating the senior program from DJFS as this decision was made five (5) months ago. He asked if another director and financial advisor were going to be hired. He stated it was ridiculous to leave the seniors hanging out there not know which way they are going. Mr. Coffland said the seniors are still being serviced; they haven’t missed a beat. We are still looking into that changeover. Mr. Coffland said there are other things that are taking priority. Mr. Probst stated that sometimes we are at the mercy of other people. We make decisions on the information that is presented to us and sometimes to make those decisions, we have to wait on other people. We have to wait on some people from DJFS for information and we have to wait on our attorneys to present information to us to make those decisions moving forward. Mr. Briggs did not believe that DJFS is doing the job for less than what was done before. Mr. Coffland stated, “They are.” Mr. Coffland said the facts are they were budgeted \$2.2 million and that is what they came in at. They can only spend what is allotted to them from this Commission. The services ran on more than that because they have outside funds. Mr. Briggs questioned why Mr. Coffland wanted to move some people who were to be laid-off from DJFS to the senior program when it would have cost money from the levy dollars. Mr. Coffland said it would have saved 4-5 jobs from DJFS other than creating new and hiring new people. That was his way of thinking. Mrs. Favede apologized to Mr. Briggs for the delay. She said there is a sincere intention of separating the senior program out. She is extremely frustrated with the lack of action. She agrees the seniors are on hold, but notes they are being taken care of. The food is being delivered and the senior centers are being run, and the seniors are being transported to medical appointments. Many items are on hold such as a permanent facility and new senior centers for Flushing and St. Clairsville. Those items have been on the table for three (3) years, with funding available to accomplish those things and none of it being worked on. Mr. Coffland wanted to clarify that regarding the centers and issues Mrs Favede spoke of, they are capital improvements under the direction of the Commissioners right now. It is not part of DJFS or Mr. Pielech. Mr. Briggs said they had a five (5) year plan for a new kitchen and it would have been done by now. Mr. Coffland said yes there was a plan, but

the trouble is the operational costs. He said what was presented to us by the old board would have used \$3.2 million of the \$3.2 million brought in. There would not have been money to build a new kitchen. Mrs. Favede said we are looking at the cost of tearing down the former Hab Center. It is in an excellent location and one of the few pieces of property the county does actually own. It does have water and sewer. We are looking at comparing the cost of renovating versus tearing it down and building a new facility. She stated the primary goal would be to have a senior service facility there that would house a new, modern, up-to-date kitchen and offices. Mr. Probst said he has proposed possibly doing a feasibility study on building a kitchen by the Oakview Residential Center that is near the Dog Shelter. There is water and sewer there and it would be a stand-alone agency. He said specifically, we would be spending senior services dollars just for that building alone with a kitchen. He further stated, as far as moving senior services from Human Services, under the Commissioners, as soon as that motion is put on the floor, he will vote to do that. It will save, according to the Director now, \$500,000.00-\$600,000.00, as soon as we move them to us, besides some exorbitant salaries we are paying some people. Discussions have been held. Mr. Probst noted the board is elected and they sometimes don't always agree. In the end we try to come to common ground or a common solution. The transition would entail dealing with many contracts. The finances are what will dictate to Mr. Probst what will be done and what is the best expenditure of senior levy dollars. He agreed the seniors are being served very well right now.

Frank Papini asked if there was zoning for the trailer parks that are springing up. Mr. Coffland advised there is no zoning in the county. There are regulations within municipalities with their ordinances. The Health Department would regulate septic systems. The Floodplain Coordinator would regulate building in flood zones. Mr. Probst added that Sanitary Sewer District Director Mark Esposito has specifications for water and sewer lines. The Engineer would handle setbacks for subdivisions.

**IN THE MATTER OF APPROVING MINUTES OF REGULAR BOARD OF COMMISSIONERS MEETING AND THE REORGANIZATION MEETING**

Motion made by Mrs. Favede, seconded by Mr. Coffland to approve the minutes of the Belmont County Board of Commissioners regular meeting of January 9, 2013 and the Reorganization Meeting of January 14, 2013.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF HOLDING A 'TOWN HALL' MEETING IN BARNESVILLE AT THE MUNICIPAL BUILDING**

Motion made by Mrs. Favede, seconded by Mr. Coffland to hold a "Town Hall" meeting at 6:00 p.m. on Monday, March 11, 2103, in the Council Chambers at the Barnesville Municipal Building, 132 N. Arch St. and to notify the media of the same. Public input is welcome and citizens are encouraged to attend.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF AUTHORIZING COMMISSION PRESIENT TO EXECUTE THE SUBGRANT AWARD AGREEMENT FOR BELMONT 911 PORTABLE RADIO REPLACEMENT**

Motion made by Mrs. Favede, seconded by Mr. Coffland to approve and authorize Commissioner Probst to execute the Subgrant Award Agreement for the Belmont 911 2012 Portable Radio Replacement as follows:

Subgrant No.:	2-12-JG-A02-6844
Award Period:	01/01/2013 to 12/31/2013
Award Amounts:	OCJS Funds: \$22,500.00
	Cash Match: \$0.00
	Inkind Match: \$0.00
	Project Total: \$22,500.00

Upon roll call the vote was as follows:

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

**IN THE MATTER OF APPROVING RENEWAL OF TITLE IV-D CONTRACT BETWEEN BELMONT CO. CSEA AND BELMONT CO. CLERK OF COURTS**

Motion made by Mrs. Favede, seconded by Mr. Coffland, as the co-appointing authority for Belmont County Department of Job & Family Services, to approve and sign the renewal of the Title IV-D Contract between Belmont County Child Support Enforcement Agency and the Belmont County Clerk of Courts, effective February 1, 2013 through January 31, 2014 in the amount of \$18,370.43 based on a unit rate of \$ 13.61.

*Note: 66% Federal Funds in the amount of \$12,124.48, 34% Local match in the amount of \$6,245.95.*

*The Clerk of Courts files and maintains court judgment entries and records for CSEA cases.*

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ACCEPTING THE QUOTE FROM DOAN FORD, INC., FOR PURCHASE OF ONE NEW 2013 FORD F-150 WITH HOT SHOT PACKAGE/BCDJFS SENIOR PROGRAM**

Motion made by Mrs. Favede, seconded by Mr. Coffland to accept the quote from Doan Ford, Inc. in the amount of \$36,971.00 for the purchase of one (1) new 2013 Ford F-150 with Hot Shot package to be used for meal delivery for Senior Services of Belmont County based upon the recommendation of Bob Roth, Transportation Director. This vehicle will be paid for from the senior services levy funds.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ACCEPTING QUOTE FROM HI-TEK SECURITY  
FOR CAMERA INSTALLATION/CLERK OF COURTS-TITLE OFFICE**

Motion made by Mrs. Favede, seconded by Mr. Coffland to accept the quote from Hi-Tek Security in the amount of \$4,134.48 for security camera installation at the Clerk of Courts-Title Office, based upon the recommendation of Cindy McGee, Belmont County Clerk of Courts.

*Note: To be paid from the Certificate of Title Administration Fund.*

Upon roll call the vote was as follows:

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

**IN THE MATTER OF AUTHORIZING COMMISSION PRESIDENT  
TO EXECUTE THE SUBGRANT AWARD AGREEMENTS FOR THE  
SHERIFF'S DOMESTIC VIOLENCE GRANT**

Motion made by Mr. Coffland, seconded by Mr. Probst to approve and authorize Commission President Ginny Favede to execute the Subgrant Award Agreements for the Belmont County Sheriff's Office Domestic Violence grant as follows:

Title: Personal Crimes Investigator

Subgrant No.: 2009-AR-VA-1257A

Award Period: 1/1/2013 to 2/28/2013

Award Amounts: AR VAWA Funds: \$3,435.75

Cash Match: 1,145.25

Inkind Match: 0.00

Project Total: \$4,581.00

Title: Personal Crimes Investigator

Subgrant No.: 2012-WF-VA2-8412

Award Period: 1/1/2013 to 12/31/2013

Award Amounts: OCJS Funds \$41,473.56

Cash Match: 0.00

Inkind Match: \$13,824.52

Project Total: \$55,298.08

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADJOURNING  
COMMISSIONERS MEETING**

Motion made by Mrs. Favede, seconded by Mr. Coffland to adjourn the meeting.

Upon roll call the vote was as follows:

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

Read, approved and signed this 6th day of March, 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