

St. Clairsville, Ohio

February 4, 2009

The Board of Commissioners of Belmont County, Ohio, met this day in regular session. Present: Charles R. Probst, Jr., Matt Coffland and Ginny Favede, Commissioners and Jayne Long, Clerk of the Board. Minutes of the meeting of January 29, 2009, were read, approved and signed.

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. Probst, 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-ACS Enterprise Solutions | Novell Indexing/General Fund | 2,639.21 |
| A-BP | Gasoline-Coroner/General Fund | 175.66 |
| A-BP | Gasoline-Coroner/General Fund | 163.94 |
| A-Cardmember Services | Travel expenses-G. Longshaw/General Fund | 40.31 |
| A-Cardmember Services | Travel expenses-C. Probst/General Fund | 62.90 |
| A-Cardmember Services | Travel expenses-M. Thomas/General Fund | 63.40 |
| A-CCAO | Dues/Cindi Henry/General Fund | 360.00 |
| A-CDW-G, Inc. | Supplies/Engineer MVGT | 501.52 |
| A-Digital Data Communications | Contract Services/General Fund | 25,003.27 |
| A-Treasurer, State of Ohio, EPA | Annual Stormwater Fee/General Fund | 1,850.00 |
| A-U.S. Postal Service (CMRS-FP) | Postage/General Fund | 29,300.00 |
| B-Crossroads Counseling | December Counseling-Western Ct./Indigent Drivers Alcohol Fund | 2,381.66 |
| B-Crossroads Counseling | Court ordered counseling-Eastern Ct./Indigent Drivers Alcohol Fund | 851.60 |
| J-Thomas A. Schirack | Contract Services-Tri-Update/Real Estate Assessment Fund | 19,845.00 |
| M-AT&T | Utilities/Title IV-E Reimb. Fund | 106.17 |
| P-Yorkville, Bd. Of Trustees of Public Affairs | Sewage Disposal/BCSSD Funds | 1,026.58 |
| P-ZEP Manufacturing Co. | Supplies/BCSSD Funds | 249.04 |
| S-Barrett Brothers | New civil forms/Eastern Ct. Gen. Special Projects Fund | 59.25 |
| S-Beth Andes, MS, PCC | Contract Services-GS/District Detention Home | 1,470.00 |
| S-Comcast | Internet/Clerk of Courts Computer Fund | 160.00 |
| S-Court View Justice System | Services/Clerk of Courts Computer Fund | 3,618.25 |
| S-(The) Huntington Bank | Safe Deposit Box/Clerk of Courts Computer Fund | 30.00 |
| S-John Bukmir | Mileage/Juvenile Ct. Gen. Special Projects | 28.80 |
| S-Lilienthal Southeastern | Court checks/Eastern Ct. Gen. Special Projects | 295.15 |
| S-Matthew Bender & Co., Inc. | Law Books/Eastern Ct. Gen. Special Projects Fund | 638.35 |
| S-McGhee & Co. | Supplies/Eastern Ct. Gen. Special Projects Fund | 377.82 |
| Y-Health Plan, HMO | February Premium/Employer's Share Holding Account | 162,706.99 |
| Y-Health Plan, PPO | February Premium/Employer's Share Holding Account | 217,011.15 |

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

Motion made by Mrs. Favede, seconded by Mr. Probst to approve the Recapitulation of Vouchers dated for February 4, 2009 as follow:

| <u>FUND</u> | <u>AMOUNT</u> |
|---------------------------------------|--|
| A-GENERAL | \$103,526.56; \$34,845.93 |
| A-GENERAL/AUDITOR | \$40,688.98 |
| A-GENERAL/EMA | \$4,027.47 |
| H-County Home, Park Health | \$1,697.03; \$9,203.25 |
| H-Job & Family, CSEA | \$8,858.64 |
| H-Job & Family, Public Assistance | \$58,381.45; \$5,956.93; \$191.50 |
| H-Job & Family, WIA | \$18,164.85 |
| K-Engineer MVGT | \$2,899.09; \$52,478.00 |
| M-Juvenile Ct.-Intake Coordinator | \$57.00 |
| P-Sanitary Sewer District | \$495.29; \$699.66 |
| S-District Detention Home | \$5,193.38 |
| S-Job & Family, Children Services | \$23,646.00; \$25,608.82; \$584.92; \$6,321.54 |
| S-Oakview Juvenile Residential Center | \$7,763.77 |
| S-Port Authority | \$20.00 |
| S-Western Ct. Computer Fund | \$5,778.40 |
| S-Western Ct. Gen. Special Projects | \$832.92 |

Upon roll call the vote was as follows:

| | |
|--------------|-----|
| Mrs. Favede | Yes |
| Mr. Probst | Yes |
| Mr. Coffland | Yes |

IN THE MATTER OF TRANSFER
WITHIN DOG AND KENNEL B00 FUND

Motion made by Ms. Favede, seconded by Mr. Probst to approve the following transfer within Dog and Kennel Fund.

| <u>FROM</u> | <u>TO</u> | <u>AMOUNT</u> |
|------------------------------|--------------------------------------|---------------|
| E-1600-B000-B02.000 Salaries | E-1611-B000-B01.002 Auditor's Salary | \$2,100.00 |

Upon roll call the vote was as follows:

| | |
|--------------|-----|
| Ms. Favede | Yes |
| Mr. Probst | Yes |
| Mr. Coffland | Yes |

IN THE MATTER OF TRANSFER OF FUNDS WITHIN THE BELMONT COUNTY DOG AND KENNEL FUND

Motion made by Mr. Probst, seconded by Mr. Coffland to approve the following transfer of funds within the Belmont County Dog and Kennel fund.

| FROM | TO | AMOUNT |
|-------------------------------|--|---------------|
| E-1600-B000-B04.012 Equipment | E-1600-B000-B06.000 Claims, Witness Fees | \$ 302.50 |

Upon roll call the vote was as follows:

| | |
|--------------|-----|
| Mr. Probst | Yes |
| Mr. Coffland | Yes |
| Mrs. Favede | Yes |

IN THE MATTER OF ADDITIONAL APPROPRIATION FOR THE GENERAL FUND/COMMISSIONERS

Motion made by Mr. Coffland, seconded by Mr. Probst to make the following additional appropriations, in accordance with the Amended Official Certificate of Estimated Resources as revised by the Budget Commission, under the date of February 4, 2009.

| | | |
|---------------------|----------|-----------|
| E-0051-A001-A03.010 | Supplies | \$ 518.84 |
|---------------------|----------|-----------|

Upon roll call the vote was as follows:

| | |
|--------------|-----|
| Mr. Coffland | Yes |
| Mr. Probst | Yes |
| Mrs. Favede | Yes |

IN THE MATTER OF ADDITIONAL APPROPRIATIONS FOR THE GENERAL FUND

Motion made by Mrs. Favede, seconded by Mr. Probst to make the following additional appropriation, in accordance with the Amended Official Certificate of Estimated Resources as revised by the Budget Commission, under the date of January 2, 2009.

| | |
|--|---------------------|
| E-0257-A015-A14.000 Attorney Fees | \$50,000.00 |
| E-0051-A006-A16.000 Indigent Burials | \$ 1,500.00 |
| E-0250-A006-H05.000 Ambulance Services | \$78,000.00 |
| E-0257-A015-A13.000 Other Expenses | \$ 4,500.00 |
| Total | \$134,000.00 |

Upon roll call the vote was as follows:

| | |
|--------------|-----|
| Mrs. Favede | Yes |
| Mr. Probst | Yes |
| Mr. Coffland | Yes |

IN THE MATTER OF ADDITIONAL APPROPRIATIONS FOR THE SHERIFF'S DEPARTMENT VARIOUS FUNDS

Motion made by Mr. Probst, seconded by Mr. Coffland to make the following additional appropriations, in accordance with the Amended Official Certificate of Estimated Resources as revised by the Budget Commission, under the date of February 4, 2009.

General

| | | |
|---------------------|-------------|--------|
| E-0131-A006-A09.000 | Medical | 540.00 |
| E-0131-A006-A20.000 | False Alarm | 200.00 |
| E-0131-A006-A23.000 | Background | 628.00 |
| E-0131-A006-A24.000 | E-SORN | 560.00 |
| E-0131-A006-A26.000 | K-9 | 45.00 |
| E-0131-A006-A29.000 | Mounted | 45.00 |

Enforcement Education

| | | |
|---------------------|--------------------|-------|
| E-1652-B016-B02.000 | Education Expenses | 25.00 |
|---------------------|--------------------|-------|

Commissary Fund

| | | |
|---------------------|----------|-----------|
| E-5100-S000-S01.010 | Supplies | 11,935.30 |
|---------------------|----------|-----------|

Concealed Handgun License

| | | |
|---------------------|------------------|----------|
| E-5101-S001-S06.000 | License Issuance | 722.00 |
| E-5101-S001-S07.012 | Equipment | 1,220.00 |

Sheriff Reserve Account

| | | |
|---------------------|----------------|-------|
| E-9710-U010-U06.000 | Other Expenses | 15.00 |
|---------------------|----------------|-------|

Upon roll call the vote was as follows:

| | |
|--------------|-----|
| Mr. Probst | Yes |
| Mr. Coffland | Yes |
| Mrs. Favede | Yes |

IN THE MATTER OF ADDITIONAL APPROPRIATION FOR THE 911 WIRELESS FUND

Motion made by Mr. Probst, seconded by Mr. Coffland to make the following additional appropriation, in accordance with the Amended Official Certificate of Estimated Resources as revised by the Budget Commission, under the date of February 4, 2009.

| | | |
|---------------------|-------------------|--------------|
| E-2301-E011-E01.011 | Contract Services | \$ 10,896.97 |
|---------------------|-------------------|--------------|

Upon roll call the vote was as follows:

| | |
|--------------|-----|
| Mr. Probst | Yes |
| Mr. Coffland | Yes |
| Mrs. Favede | Yes |

IN THE MATTER OF ADDITIONAL APPROPRIATION FOR THE M60 CARE AND CUSTODY FUND

Motion made by Mr. Coffland, seconded by Mr. Probst to make the following additional appropriations, in accordance with the Amended Official Certificate of Estimated Resources as revised by the Budget Commission, under the date of February 4, 2009.

| Fund | Title | Amount |
|-------------------------|-----------------------|---------------|
| CARE AND CUSTODY | | |
| E-0400-M060-M50.000 | Grant Holding Account | \$ 32,137.13 |

Upon roll call the vote was as follows:

| | |
|--------------|-----|
| Mr. Coffland | Yes |
| Mr. Probst | Yes |
| Mrs. Favede | Yes |

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

Motion made by Mr. Probst, seconded by Mr. Coffland to make the following additional appropriations, in accordance with the Amended Official Certificate of Estimated Resources as revised by the Budget Commission, under the date of February 4, 2009.

M-67-ALTERNATIVE SCHOOL

| | | |
|---------------------|------------|------------------|
| E-0400-M067-M01.002 | Salaries | 10,120.88 |
| E-0400-M067-M02.003 | PERS | 1,416.93 |
| E-0400-M067-M03.004 | Works Comp | 1,850.00 |
| E-0400-M067-M04.005 | Medicare | 100.00 |
| E-0400-M067-M05.008 | Insurances | 1,886.19 |
| E-0400-M067-M08.011 | Contracts | <u>500.00</u> |
| TOTAL | | 15,874.00 |

Upon roll call the vote was as follows:

| | |
|--------------|-----|
| Mr. Probst | Yes |
| Mr. Coffland | Yes |
| Mrs. Favede | Yes |

**IN THE MATTER OF ADDITIONAL APPROPRIATIONS
FOR THE S12 PORT AUTHORITY FUND**

Motion made by Mrs. Favede, seconded by Mr. Probst to make the following additional appropriation, in accordance with the Amended Official Certificate of Estimated Resources as revised by the Budget Commission, under the date of February 4, 2009.

S12 PORT AUTHORITY FUND

| | | |
|---------------------|----------|---------------------|
| E-9799-S012-S01.002 | Salaries | \$ 19,519.22 |
| E-9799-S012-S08.003 | PERS | 4,684.61 |
| E-9799-S012-S11.005 | Medicare | 287.00 |
| E-9799-S012-S04.010 | Supplies | <u>509.17</u> |
| TOTAL | | \$ 25,000.00 |

Upon roll call the vote was as follows:

| | |
|--------------|-----|
| Mrs. Favede | Yes |
| Mr. Probst | Yes |
| Mr. Coffland | Yes |

**IN THE MATTER OF ADDITIONAL APPROPRIATION
FOR THE S017 CHILDREN SERVICES FUND**

Motion made by Mr. Coffland, seconded by Mr. Probst to make the following additional appropriation, in accordance with the Amended Official Certificate of Estimated Resources as revised by the Budget Commission, under the date of February 4, 2009.

BELMONT COUNTY CHILDREN SERVICES

| | | |
|---------------------|----------------|--------------|
| E-2765-S017-S31.000 | Other Expenses | \$ 36,563.00 |
|---------------------|----------------|--------------|

Upon roll call the vote was as follows:

| | |
|--------------|-----|
| Mr. Coffland | Yes |
| Mr. Probst | Yes |
| Mrs. Favede | Yes |

**IN THE MATTER OF ADDITIONAL APPROPRIATIONS
FOR N.S.L.A. OAKVIEW JUVENILE S031 FUND AND
OAKVIEW YOUTH ACTIVITY FUND S032**

Motion made by Mr. Probst, seconded by Mr. Coffland to make the following additional appropriation, in accordance with the Amended Official Certificate of Estimated Resources as revised by the Budget Commission, under the date of February 4, 2009.

N.S.L.A. OAKVIEW JUVENILE S031

| | | |
|---------------------|---------------------|----------|
| E-8011-S031-S02.000 | Food (Meal Tickets) | 127.50 |
| E-8011-S031-S02.000 | Food (NSLA) | 2,269.77 |

ACTIVITY FUND S032

| | | |
|---------------------|---------------------|------|
| E-8012-S032-S00.000 | Youth Activity Fund | 2.25 |
|---------------------|---------------------|------|

Upon roll call the vote was as follows:

| | |
|--------------|-----|
| Mr. Probst | Yes |
| Mr. Coffland | Yes |
| Mrs. Favede | Yes |

**IN THE MATTER OF ADDITIONAL APPROPRIATIONS
FOR THE COMM-BASED CORRECTIONS ACT GRANT FUND**

Motion made by Mr. Probst, seconded by Mr. Coffland to make the following additional appropriations, in accordance with the Amended Official Certificate of Estimated Resources as revised by the Budget Commission, under the date of February 4, 2009.

| | | |
|---------------------|-----------------|--------------------|
| E-1520-S077-S01.002 | Salaries | 17,386.75 |
| E-1520-S077-S02.005 | Medicare | 252.00 |
| E-1520-S077-S06.000 | Automobile Exp. | 0.00 |
| E-1520-S077-S08.010 | Supplies | 0.00 |
| E-1520-S077-S10.000 | Communications | 0.00 |
| E-1520-S077-S04.006 | Hospitalization | 3,184.00 |
| E-1520-S077-S03.003 | P.E.R.S. | 2,434.25 |
| E-1520-S077-S05.004 | Workers Comp | 313.00 |
| E-1520-S077-S07.000 | Rentals | <u>0.00</u> |
| TOTAL | | \$23,570.00 |

Upon roll call the vote was as follows:

| | |
|--------------|-----|
| Mr. Probst | Yes |
| Mr. Coffland | Yes |
| Mrs. Favede | Yes |

**IN THE MATTER OF ADDITIONAL APPROPRIATIONS
FOR THE BELMONT COUNTY PROSECUTOR'S OFFICE
VICTIM-WITNESS ASSISTANCE PROGRAM FUND**

Motion made by Mr. Coffland, seconded by Mr. Probst to make the following additional appropriations in accordance with the Amended Official Certificate of Estimated Resources as revised by the Budget Commission, under the date of February 4, 2009.

| | | |
|---------------------|-----------------|--------------------|
| E-1511-W080-P01.002 | Salaries | \$ 2,416.00 |
| E-1511-W080-P05.005 | PERS | 250.00 |
| E-1511-W080-P07.008 | Hospitalization | 300.00 |
| E-1511-W080-P08.005 | Medicare | <u>100.00</u> |
| TOTAL | | \$ 3,066.00 |

Upon roll call the vote was as follows:

| | |
|--------------|-----|
| Mr. Coffland | Yes |
| Mr. Probst | Yes |
| Mrs. Favede | Yes |

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

Motion made by Mr. Coffland, seconded by Mr. Probst to execute payment of Then and Now Certification dated February 4, 2009, 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. Coffland | Yes |
| Mr. Probst | Yes |
| Mrs. Favede | 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. **GENERAL - \$ 518.84** paid into R-0050-A000-A45.500 Refunds and Reimbursements on Feb. 3, 2009. This is a refund of credit balance from Staples.

Upon roll call the vote was as follows:

| | |
|--------------|-----|
| Mr. Probst | Yes |
| Mr. Coffland | Yes |
| Mrs. Favede | Yes |

OPEN PUBLIC FORUM – Mike Bianconi commented on the newspaper article in which former commissioner Mark Thomas states the county has been left in the best shape in the past eight years. Mr. Bianconi said that in the Commissioner meetings he has attended, it has been said the county is in terrible shape financially. He asked the board to comment or if they agree with this statement. Commissioner Probst stated that the board has been discussing how bad the state of the economy is for the last 18 months to two years. He noted it's not anyone's fault but the whole country is in sad shape and 2009 is going to be terrible. He said the commissioners are just trying to get a balanced budget. Commissioner Coffland stated they are working to make 2010 better than it is in 2009, noting "we have a lot of work to catch up on." Commissioner Favede stated, "It is a fact, Belmont County is in a very bad position financially." She explained the board is working every day on the budget and are faced with making cuts and trying not take away anyone's job.

Mr. Bianconi also remarked that the wish list regarding the stimulus money and the projects picked by the board were nice, but won't create jobs. He felt the picks should be looked at again and the monies directed to places such as the Burger Plant, Motor Panels or Wheeling-Pittsburgh Steel. Commissioner Favede explained that those suggestions don't fit into the category the board was asked to fill which were three water projects and three transportation projects. Mrs. Favede said the water and sewerage in Mt. Victory and Neffs are quality of life issues that are important. Commissioner Coffland added that they submitted shovel ready projects and only had four hours to put this package together. He noted the board followed the guidelines set down by Congressman Charlie Wilson. Commissioner Probst said he agreed with Mr. Bianconi that jobs are needed to stimulate the economy and said things would be totally different if the commissioners were in charge of the stimulus package. Commissioner Favede noted that projects submitted were ones that could be completed in three to six months.

Department of Development Executive Director, Sue Douglass, thanked the board for appointing her to the Eastern Ohio Development Alliance and the OMEGA board. She stated they are very important networking tools for businesses and development projects in Belmont County. She also spoke of a program through Belmont Technical College and Ohio University Eastern called "Get Training That Works". There is approximately \$100,000.00 of available monies that needs to be applied for by the end of February to help business with 100 or less employees get employee training. Mrs. Douglass stated that her office is emphasizing on retention of jobs that we have and keeping our local businesses healthy.

Commissioner Favede presented Art Thompson with an award from the Jefferson-Belmont Regional Solid Waste Authority. He had been unable to attend the banquet that was held for this presentation due to illness. He won the Litter Prevention Award for cleaning litter in his community along with his wife Dorothy.

Richard Hord asked for financial reports regarding carry over monies for 2008-2009. Fiscal Manager Cindi Henry will provide this information to him noting the General Fund monies are reduced greatly.

Mr. Hord asked how much savings is anticipated from the addition at the jail. Commissioner Probst advised the savings could be from \$200,000 to \$400,000 per year for transport and housing costs. Along with that comes the increased cost for food and utilities. He stated the jury is still out on that and the Sheriff is working on contracts to sell some of the jail space. Mr. Probst said video arraignments are also being looked into to save transportation costs.

Dave Totterdale thanked Engineer Fred Bennett for maintaining roads in the northwest portion of the county. He voiced his concerns over lack of any stimulus monies being directed to northwestern Belmont County. He said he had to drill a new well and it only provides seven gallons of water an hour. His neighbors have all had to drill for new wells. He wanted to know what happened to the three counties working together on a water project. Commissioner Coffland replied the three counties are still working together, but the project is not where they would like it to be as of yet. He further advised that Hendrysburg has not been forgotten. A possibility that Mr. Coffland has looked into is if water is brought to the Eastern Ohio Regional Industrial Park that it be extended to other areas. Commissioner Probst said Port Authority Director Larry Merry is working on this project. Mr. Merry said that they were unsuccessful in getting grant monies for the feasibility study for this project but he is still in discussion with the other 2 counties. Mr. Merry said he is hopeful that water will be extended to the Industrial Park site within a year opening up the possibility of extending it to other areas if funding can be obtained.

**IN THE MATTER OF ANNEXING TERRITORY OF
58.597 ACRES, 0.611 ACRE AND 5.244 ACRES
TO THE CITY OF MARTINS FERRY, OHIO, PEASE
TOWNSHIP/COMMISSIONERS CONSENT GRANTED**

Present: Engineer Fred Bennett, Drafting Tech Ruth Graham and Attorney Keith Sommer.

Ruth Graham presented maps to the board which the Engineer's Department had checked for accuracy. Mr. Sommer advised it is the desire to have this road annexed into the city limits which will enable the city to provide services including police protection, etc.

Motion made by Mrs. Favede, seconded by Mr. Probst to adopt the resolution granting consent for the annexation of territory consisting of 58.597 acres, 0.611 acre and 5.244 acres to the City of Martins Ferry, Ohio, Pease Township.

RESOLUTION

Pursuant to Ohio Revised Code 709.021 and 709.022, Thomas E. Ayers, President of Petitioner, Ayers Limestone Quarry, Inc., and Nick Stankovich, Superintendent of The Board of Education of the Martins Ferry City School District, filed petition praying for the Annexation of certain real estate containing 58.597 acres, 0.611 acre and 5.244 acres in Pease Township to the City of Martins Ferry, Ohio. Said petition was filed with the Clerk of the Belmont County Board of Commissioners on February 4, 2009. The Board of County Commissioners, Belmont County, Ohio, finds, upon a preponderance of the required documentation and pursuant to Section 709.021 and 709.022 of the Ohio Revised Code, that:

1. The Petition meets all the requirements as set forth in and was filed in the manner provided for in ORC 709.021 and 709.022-Expedited Type 1 Annexations. The parties stipulated that the annexation had met all procedural revised code requirements.
2. The persons who signed the petition are the authorized agents of the owner of real estate located in the territory to be annexed in the petition, and as of the time the petition was filed with the Board of County Commissioners, the signatures on the petition constituted all owners of real estate in that territory. ORC 709.02(D)
3. The municipal corporation to which the territory is proposed to be annexed has complied with ORC 709.021 and 709.022. The Board specifically finds the Ordinance No. 2008-10 of the City of Martins Ferry, Ohio, and Resolution No. November 19, 2008 (5), of the Pease Township Trustees and subsequent Annexation Agreement between City of Martins Ferry, Ohio (the City), Ayers Limestone Quarry, Inc. (Ayers), The Board of Education of the Martins Ferry City School District (School District), and the Township of Pease, Belmont County, Ohio (the Township), substantially complies with the requirements of ORC 709.021 and 709.022.

It is therefore ordered that the prayer of the petition be and is hereby granted and that the territory described in the petition be annexed to the City of Martins Ferry, Ohio.

It is further ordered that the final transcript of this Board relating thereto, together with the accompanying plat and petition and all other papers pertaining thereto, be delivered forthwith to the Auditor of the City of Martins Ferry.

Motion made by Commissioner Favede, seconded by Commissioner Probst to adopt the foregoing resolution and upon vote, the resolution was unanimously adopted.

Adopted February 4, 2009.

BELMONT COUNTY COMMISSIONERS

Charles R. Probst, Jr. /s/

Charles R. Probst, Jr., President

Ginny Favede /s/

Ginny Favede

Matt Coffland /s/

Matt Coffland

Approved as to form:

David K. Liberati /s/

Assistant Prosecutor

Upon roll call the vote was as follows:

| | |
|--------------|-----|
| Mrs. Favede | Yes |
| Mr. Probst | Yes |
| Mr. Coffland | Yes |

**IN THE MATTER OF APPROVING AND SIGNING
THE NSP (NEIGHBORHOOD STABILIZATION PROGRAM)
JOINT COOPERATING AGREEMENT**

Motion made by Mrs. Favede, seconded by Mr. Probst to approve and sign the NSP (Neighborhood Stabilization Program) Joint Cooperating Agreement between Jefferson County and the City of Cambridge, City of Steubenville, Belmont County, Guernsey County, Harrison County, Monroe County and Noble County designating Jefferson County as the Lead Community for administering the Region 19 NSP grant.

Note: Region 19 has been allocated \$1,454,364.00 from the State of Ohio Neighborhood Stabilization Program funds.

NSP Joint Cooperating Agreement

Between

Jefferson County, Ohio

And

The City of Cambridge, Ohio City of Steubenville, Ohio

Belmont County, Guernsey County, Harrison County

Monroe County, and Noble County

WHEREAS, Jefferson County, Ohio has been designated as the Lead Community responsible for administering the grant provided from the State of Ohio Department of Development to implement project activities identified in the Region 19 Neighborhood Stabilization Program (NSP), as a result of the enactment of Title III of Division B of the Housing and Economic Recovery Act of 2008 (HERA); and

WHEREAS, Region 19 include the City of Cambridge, Ohio, the City of Steubenville, Ohio, Belmont County, Ohio, Guernsey County, Ohio, Harrison County, Ohio, Jefferson County, Ohio, Monroe County, Ohio, and Noble County, Ohio; hereinafter Jefferson County referred to as Lead Community, and the other Communities as Participating Communities; and

WHEREAS, Region 19 has been allocated one million four hundred fifty four thousand three hundred sixty four (\$1,454,364.00) dollars from the State of Ohio Neighborhood Stabilization Program funds; and

WHEREAS, Jefferson County, as the Lead Community is responsible for preparing the grant application, including the selection of eligible project activities, and administering the grant in accordance with the NSP rules and regulations.

NOW, THEREFORE, Jefferson County and the Participating Communities hereby agree to the following terms of this Cooperating Agreement:

1. Jefferson County and the participating communities agree to implement the NSP in compliance with Community Development Block Grant requirements as modified by the Housing Economic and Recovery Act of 2008 (HERA), the U.S. Department of Housing and Urban Development NSP Notice, the State of Ohio Amended Consolidated Plan, and the NSP application guidelines.

2. This Cooperating Agreement is funded with funds from the State of Ohio NSP allocation. This Cooperation Agreement remains in effect until the NSP funds and program income received are expended and the funded activities completed and closed out, and that the Lead Community Grantee and the Participating Communities cannot terminate or withdraw from the Cooperation Agreement while it remains in effect.
3. Jefferson County, Ohio and the participating Communities are obligated to take all actions necessary to assure compliance with the certification required by Section 104(b) of Title I of the Housing and Community Development Act of 1974, as amended, including Title VI of the Civil Rights of 1964, the Fair Housing Act, Section 109 of the Housing and Community Development Act of 1974 and other applicable laws.
4. The Participating Communities agree that NSP funds are prohibited for activities in, or in support of, any Participating Community that does not affirmatively further fair housing within its own jurisdiction or that impedes the Lead Community actions to comply with its own fair housing certification.
5. The Participating Communities agree that they have a policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations.
6. The Participating Communities agree that they have a policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstration within jurisdictions.
7. This Cooperation Agreement does not contain a provision for veto or other restriction that allow any party obstruct the implementation of the NSP Program during the period covered by this agreement, which is April 1, 2009 to March 30, 2013.
8. The Participating Communities agrees that pursuant to 24 CFR 570.501(b), if the Participating Communities undertake assisted activities with NSP funds, that they are subject to the same requirements applicable to sub-recipients including the requirement of a written agreement as described in 24 CFR 579.503. The Participating Communities also agree that the Sub-Recipient Agreement must be executed prior to disbursement of NSP funds, and that said Sub-Recipient Agreement must remain in effect during any period that the Participating Community has control over NSP funds and activities, including program income.

Legal Form and Sufficiency

This Cooperating Agreement has been reviewed by legal counsel of Jefferson County, and it has been determined that the terms and conditions of said agreement are fully authorized under State and local law and that said agreement provides legal authority for Jefferson County, the Lead Community.

THE UNDERSIGNED REPRESENTATIVES OF THIS COOPERATING AGREEMENT HEREBY AGREE TO THE ABOVE STATED TERMS AND CONDITIONS ON THIS _____ DAY OF _____, 2009

Jefferson County:

Dr. Thomas E. Graham , President **Witness: _____**
Jefferson County Board of Commissioners

Mayor, City of Cambridge **Witness: _____**

Mayor, City of Steubenville
Charles R. Probst, Jr. /s/ **Witness: _____**

President, Belmont County Commissioners **Witness: A.C. Wiethe /s/**

President, Guernsey County Commissioners **Witness: _____**

President, Harrison County Commissioners **Witness: _____**

President, Monroe County Commissioners **Witness: _____**

President, Noble County Commissioners **Witness: _____**

Approved as to from and sufficiency: _____
Jefferson County Prosecutor
Date: _____

Upon roll call the vote was as follows:

| | |
|--------------|-----|
| Mrs. Favede | Yes |
| Mr. Probst | Yes |
| Mr. Coffland | Yes |

Discussion held: A.C. Wiethe of Belomar explained the above new program wherein monies have been set aside in a formula to address foreclosures. It was agreed Jefferson County would be the lead agency. Steubenville is the most distressed area in this group based on foreclosure rates and they already have a program in place. A target area and a proposal are being worked on. That information will be announced in approximately one week. He said the money can only be used for residential properties that are abandoned or foreclosed. The property can then be demolished or redeveloped.

IN THE MATTER OF ENTERING EXECUTIVE SESSION AT 11:30 A.M.

Motion made by Mrs. Favede, seconded by Mr. Probst to enter executive session with Douglas C. Boatwright, Esq. Of Isaac, Brant, Ledman & Teetor LLP pursuant to Ohio Revised Code 121.22(G)(3) Court Action Exception to discuss pending court action.

Upon roll call the vote was as follows:

| | |
|--------------|-----|
| Mrs. Favede | Yes |
| Mr. Probst | Yes |
| Mr. Coffland | Yes |

IN THE MATTER OF ADJOURING EXECUTIVE SESSION AT 11:48 A.M.

Motion made by Mr. Coffland, seconded by Mrs. Favede to adjourn executive session with Douglas C. Boatwright, Esq. Of Isaac, Brant, Ledman & Teetor LLP pursuant to Ohio Revised Code 121.22(G)(3) Court Action Exception to discuss pending court action.

Upon roll call the vote was as follows:

| | |
|--------------|-----|
| Mr. Coffland | Yes |
| Mrs. Favede | Yes |
| Mr. Probst | Yes |

AS A RESULT OF EXECUTIVE SESSION: NO ACTION TAKEN

**IN THE MATTER OF ENTERING
EXECUTIVE SESSION AT 11:50 A.M.**

Motion made by Mrs. Favede, seconded by Mr. Probst to enter executive session with Consultant Mark Lucas, Clemans-Nelson & Associates, Inc., and David K. Liberati, Assistant Prosecutor, pursuant to ORC 121.22(G)(1) Personnel Exception to consider the compensation of a public employee and ORC 121.22(G)(4) to prepare for collective bargaining negotiations.

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 12:20 P.M.**

Motion made by Mrs. Favede, seconded by Mr. Probst to adjourn executive session with Consultant Mark Lucas, Clemans-Nelson & Associates, Inc., and David K. Liberati, Assistant Prosecutor, pursuant to ORC 121.22(G)(1) Personnel Exception to consider the compensation of a public employee and ORC 121.22(G)(4) to prepare for collective bargaining negotiations.

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 TAKEN

**IN THE MATTER OF LIQUOR PERMIT
FOR SHAHID LLC, DBA 202 U SAVE FOOD MART
KIRKWOOD TOWNSHIP, BARNESVILLE, OH**

Motion made by Mrs. Favede, seconded by Mr. Probst to advise the Ohio Division of Liquor Control, the Board of Belmont County Commissioners does not request a hearing on the matter of a request for one new C2 liquor license for Shahid LLC, DBA 202 U Save Food Mart, 66190 Barnesville-Hendrysburg Rd., Kirkwood Twp., Barnesville, OH 43713.

Note: C2-Wine and certain prepackaged mixed drinks in sealed containers for carry out only until one a.m.

Upon roll call the vote was as follows:

| | |
|--------------|-----|
| Mrs. Favede | Yes |
| Mr. Probst | Yes |
| Mr. Coffland | Yes |

**IN THE MATTER OF APPROVING RENEWAL OF
ANNUAL SERVICE AGREEMENT WITH
SIMPLEXGRINNELL/BELMONT CO. JAIL**

Motion made by Mrs. Favede, seconded by Mr. Probst to approve the renewal of the annual service agreement with SimplexGrinnell for the Belmont County Jail fire alarm system, sprinkler and backflows, effective January 1, 2009 through December 31, 2009 as follows:

Sprinkler and Backflows-

- Coverage Type: Quarterly Wet Sprinkler Test & Inspect: \$855.40
- Annual Backflow Test \$316.00
- Total Annual Cost \$1,171.40

Fire Alarm Modified Parts & Labor with Annual Inspection

- Existing Amount \$4,515.50
- Amount for the new addition \$3,273.35
- Total Annual Amount \$7,788.85

Upon roll call the vote was as follows:

| | |
|--------------|-----|
| Mrs. Favede | Yes |
| Mr. Probst | Yes |
| Mr. Coffland | Yes |

**IN THE MATTER OF RE-APPOINTING ROBERT BECKETT
AS APIARY INSPECTOR FOR THE YEAR 2009**

Motion made by Mrs. Favede, seconded by Mr. Probst to re-appoint Mr. Robert Beckett, Jacobsburg, Ohio, as the Belmont County Apiary Inspector for the year 2009 to be compensated at a flat fee of \$750.00 per year.

Upon roll call the vote was as follows:

| | |
|--------------|-----|
| Mrs. Favede | Yes |
| Mr. Probst | Yes |
| Mr. Coffland | Yes |

**IN THE MATTER OF APPOINTING
FIRE CHIEF ED DUKE TO THE
BELMONT COUNTY 911 BOARD**

Motion made by Mrs. Favede, seconded by Mr. Probst to appoint Martins Ferry Fire Chief Ed Duke to the vacant Fire Chief seat on the Belmont County 911 Board, effective January 1, 2009 through December 31, 2009; Mr. Duke will fill the unexpired term of Mike Wallace who no longer holds the position of Fire Chief.

Upon roll call the vote was as follows:

| | |
|--------------|-----|
| Mrs. Favede | Yes |
| Mr. Probst | Yes |
| Mr. Coffland | Yes |

**IN THE MATTER OF APPOINTING COMMISSIONER
MATT COFFLAND TO THE BELMONT COUNTY
TRANSPORTATION IMPROVEMENT DISTRICT (TID) BOARD**

Motion made by Mrs. Favede, seconded by Mr. Probst to appoint Commissioner Matt Coffland to the Belmont County Transportation Improvement District (BCTID) Board effective immediately through December 31, 2009 to replace former Commissioner Mark A. Thomas per Ohio Revised Code 5540.02(D).

Upon roll call the vote was as follows:

| | |
|--------------|-----|
| Mrs. Favede | Yes |
| Mr. Probst | Yes |
| Mr. Coffland | Yes |

IN THE MATTER OF REQUEST TO INCREASE MONTHLY PAYMENT TO TOURISM COUNCIL

Motion made by Mrs. Favede, seconded by Mr. Probst to approve the request of the Belmont County Tourism Council to increase the monthly amount forwarded to them from Lodging Tax Receipts from \$20,000.00 to \$25,000.00 for 2009.

Note: The additional funds will be used to cover their commitment to the Belmont County Agricultural Society for their first building at the new fairgrounds at a cost of \$70,000.00.

DISCUSSION HELD- A discussion was held on the number of barns to be built. It was decided that clarification was needed from the Tourism Council on the number of buildings being asked for and/or the increase in their monthly allotment.

Motion made by Mrs. Favede, seconded by Mr. Probst to table prior motion until further notice from Tourism to correct language.

Upon roll call the vote was as follows:

| | |
|--------------|-----|
| Mrs. Favede | Yes |
| Mr. Probst | Yes |
| Mr. Coffland | Yes |

IN THE MATTER OF SETTING DATE AND TIME TO HOLD "TOWN HALL" MEETING IN MARTINS FERRY

Motion made by Mrs. Favede, seconded by Mr. Probst to hold a "Town Hall" meeting at 6:30 p.m. on Wednesday, March 4, 2009, in the auditorium of the Martins Ferry Public Library, 20 James Wright Place, Martins Ferry, and to notify the media of the same. The Public is welcome to attend.

Upon roll call the vote was as follows:

| | |
|--------------|-----|
| Mrs. Favede | Yes |
| Mr. Probst | Yes |
| Mr. Coffland | Yes |

IN THE MATTER OF ADJOURNING COMMISSIONERS MEETING AT 12:45 P.M.

Motion made by Mr. Probst, seconded by Mr. Coffland to adjourn the meeting at 12:45 p.m.

Upon roll call the vote was as follows:

| | |
|--------------|-----|
| Mr. Probst | Yes |
| Mr. Coffland | Yes |
| Mrs. Favede | Yes |

Read, approved and signed this 11th day of February, 2009.

_____ COUNTY COMMISSIONERS

We, Charles R. Probst, Jr., 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