

St. Clairsville, Ohio

January 19, 2011

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

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 Mr. Coffland, 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.

Claim of	Purposes	Amount
A-Belmont Co. Prosecutor's Office	Furtherance of Justice/General Fund	57,851.50
A-First Communications	T1 Recurring Costs-EMA/General Fund	1,790.51
A-Ohio AFSCME Care Plan	Dental & Drug Coverage/General Fund	552.00
A-Raze International, Inc.	Demolition of 8 dilapidated structures/General Fund	48,100.00
A-Sheriff Fred Thompson	Furtherance of Justice Funds/General Fund	30,832.00
B-Crossroads Counseling	Northern & Western Ct. Dec. counseling/Indigent Drivers Alcohol Fund	3,205.06
G-Belmont Co. Tourism Council, Inc.	January operating expenses/Lodging Excise Tax Fund	20,000.00
K-Wells Fargo Payment Center	Visa Card/Engineer MVGT Fund	1,841.08
S-AT&T	Telephone/Certificate of Title Admn. Fund	63.12
S-Belco Works	Shredding/Certificate of Title Admn. Fund	6.16
S-Marathon Petroleum Co.	Motor vehicle expenses/Oakview Juvenile Residential Center	208.02
N-Jones-Stuckey Ltd, Inc.	Professional Services/Bridge & Retaining Wall Constr. Improv. Fund	2,812.00
N-Poggemeyer Design Group	Professional Services/Bridge & Retaining Wall Contr. Improv. Fund	900.08
O-Ohio Dept. of Development	January loan payment/Fox Commerce/Fox Commerce Park/St Loan	3,285.20
P-PNC	Application Fee Dept. of Commerce/WWS#2 Revenue Fund	327.75
S-AT&T	Dec. telephone invoice/Port Authority Fund	184.24
S-Belmont Co. DJFS-PA Fund	12/10 PCSA Reimb. to PA/Children Services	69,033.24
S-Crystal Springs	Water/Eastern Ct. General Special Projects Fund	39.06
S-Lowe's	Supplies & Materials/Oakview Juvenile Residential Center Fund	119.90
S-McGhee & Co.	Supplies/Eastern Ct. General Special Projects Fund	2,980.90
S-Quill	Toner/Probate Court Computer Fund	194.37
S-Rea & Associates, Inc.	December contract/In Home Care Levy-Comm on Aging Fund	2,625.00
S-Staples	Supplies/Certificate of Title Admn. Fund	251.86
S-Times-Leader	Ad for 2 HotShot vehicles/In Home Care Levy-Comm on Aging Fund	205.28
S-TSG	Support services/Eastern Div. Ct. Computer Fund	3,500.00
S-U.S. Postal CMRS-FP	Postage/Northern Ct. General Special Projects Fund	10,000.00
S-West Payment Group	2011 Subscription service/Western Div. Ct. Computer Fund	220.50
Y-Bridgeport, Village of	Patching Various Streets/County Motor Vehicles License Tax Fund	1,410.00

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

Motion made by Mr. Coffland, seconded by Mr. Probst to approve the Recapitulation of Vouchers dated for January 19, 2011 as follow:

FUND	AMOUNT
A-GENERAL	\$146,866.01; \$37,696.06; \$986.6477
A-GENERAL/AUDITOR	\$34,860.86
A-GENERAL/JUVENILE CT.	\$235.33
A-GENERAL/SHERIFF	\$583.22; \$49,243.84
A-GENERAL/911	\$5,651.48
B-Dog and Kennel	\$1,646.99
E-911	\$1,177.73
H-Job & Family, Public Assistance	\$69,690.33; \$453.40; \$3,782.48; \$1,179.29; \$4,749.00; \$875.00
H-Job & Family, WIA	\$21,708.40; \$45,533.20; \$1,610.60; \$19,660.22
K-Engineer MVGT Fund	\$29,718.85; \$1,231.47
M-Juvenile Ct. – Care & Custody	\$5,239.44
M-Juvenile Ct. – Placement Services	\$1,012.00
M-Juvenile Ct. – Placement II	\$246.89
M-Juvenile Ct.- Title IV-E Reimb.	\$1,301.39
M-Juvenile Ct.- Truant Officer Grant	\$117.06
S-Clerk of Courts Computer Fund	\$535.00
S-District Detention Home	\$12,660.15
S-Job & Family, Children Services	\$57,030.00
S-Eastern Ct. General Special Projects	\$1,385.68
S-Eastern Div. Ct. Computer Fund	\$1,073.64
S-Juvenile Ct. Computer Fund	\$90.60
S-Juvenile Ct. General Special Projects	\$1,438.67
S-Northern Ct. General Special Projects	\$61.30
S-Northern Div. Ct. Computer Fund	\$12,171.52
S-Oakview Juvenile Residential Center	\$2,795.84
S-Sheriff Commissary	\$9,646.06
S-Sheriff CCW	\$1,060.00
S-Western Div. Court Computer Fund	\$1,847.62
S-Western Ct. General Special Projects	\$568.24
U-Sheriff Reserve	\$620.45
W-Law Library	\$912.27

Upon roll call the vote was as follows:

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

IN THE MATTER OF TRANSFER WITHIN FUND FOR THE GENERAL FUND

Motion made by Mr. Coffland, seconded by Mr. Probst to approve the following transfer within fund for the General Fund.

FROM	TO	AMOUNT
E-0055-A004-B14.011 Contract Services	E-0055-A004-B04.012 Equipment, Maintenance	\$ 23,000.00

Upon roll call the vote was as follows:

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

IN THE MATTER OF TRANSFER WITHIN FUND FOR THE GENERAL FUND/SHERIFF

Motion made by Mr. Probst, seconded by Mr. Coffland to approve the following transfer within fund for the General Fund.

FROM	TO	AMOUNT
E-0131-A006-A02.002 Adm. Payroll	E-0131-A006-A15.007 Unemployment (Hummel, Robertson & credit)	\$2,616.42

Upon roll call the vote was as follows:

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

IN THE MATTER OF TRANSFERS WITHIN FUND FOR THE BCDJFS WIA AREA 16 FUND

Motion made by Mr. Probst, seconded by Mr. Coffland to approve the following transfers within fund for the BCDJFS WIA AREA 16 Fund.

FROM	TO	AMOUNT
E-2610-H008-H01.000 Belmont Co. DJFS-WIA	E-2610-H008-H02.000 Carroll Co. DJFS-WIA	23,450.74
E-2610-H008-H01.000 Belmont Co. DJFS-WIA	E-2610-H008-H03.000 Harrison Co. DJFS-WIA	14,207.05
E-2610-H008-H01.000 Belmont Co. DJFS-WIA	E-2610-H008.H04.000 Jefferson Co. DJFS-WIA	<u>40,083.13</u>
TOTAL		<u>77,740.92</u>

Upon roll call the vote was as follows:

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

IN THE MATTER OF TRANSFER WITHIN FUND FOR THE COUNTY HOME FUND H30

Motion made by Mr. Probst, seconded by Mr. Coffland to approve the following transfer within the County Home Fund H30.

FROM	TO	AMOUNT
E-2150-H030-H11.000 Other Exp	E-2150-H30-H10.007 Unemploy Comp	30.00

Upon roll call the vote was as follows:

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

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

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

FROM	TO	AMOUNT
E-1511-W080-P01.002 Salaries VOCA	E-1511-W080-P07.006 Hospitalization VOCA	\$510.00

Upon roll call the vote was as follows:

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

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

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

FROM	TO	AMOUNT
E-1511-W080-P09.000 Personnel (SVAA)	E-1511-W080-P01.002 Salaries (VOCA)	\$ 1,250.00

Upon roll call the vote was as follows:

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

**IN THE MATTER OF TRANSFERS BETWEEN FUNDS/
BCSSD WWS#3 REVENUE FUND TO WWS#3 BOND FUND**

Motion made by Mr. Probst, seconded by Mr. Coffland to approve the following transfers between the WWS#3 Revenue Fund to the WWS#3 Bond Fund.

FROM	TO	AMOUNT
WWS#3 REVENUE	WWS#3 BONDS	
E-3702-P005-P34.074 Transfers Out	R-9200-O003-O08.574 Transfers In	586.74
E-3702-P005-P34.074 Transfers Out	R-9201-O004-O06.574 Phase I – Transfers In	13,630.75
R-3702-P005-P34.074 Transfers Out	R-9204-O007-O06.574 Phase II – Transfers In	<u>34,994.72</u>
TOTAL		49,212.21

**Note: November transfers*

Upon roll call the vote was as follows:

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

**IN THE MATTER OF TRANSFERS BETWEEN FUNDS/
BCSSD WWS#3 REVENUE FUND TO WWS#3 BOND FUND**

Motion made by Mr. Probst, seconded by Mr. Coffland to approve the following transfers between the WWS#3 Revenue Fund to the WWS#3 Bond Fund.

FROM	TO	AMOUNT
WWS#3 REVENUE	WWS#3 BONDS	
E-3702-P005-P34.074 Transfers Out	R-9200-O003-O08.574 Transfers In	586.74
E-3702-P005-P34.074 Transfers Out	R-9201-O004-O06.574 Phase I – Transfers In	13,630.75
R-3702-P005-P34.074 Transfers Out	R-9204-O007-O06.574 Phase II – Transfers In	<u>34,994.72</u>
TOTAL		49,212.21

**Note: December transfers*

Upon roll call the vote was as follows:

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

**IN THE MATTER OF TRANSFERS BETWEEN FUNDS/
BCSSD WWS#3 REVENUE FUND TO BOND RETIREMENT –
WATERLINE EXTENSION PROJECT FUND**

Motion made by Mr. Probst, seconded by Mr. Coffland to approve the following transfers between the WWS#3 Revenue Fund to the WWS#3 Revenue To Bond Retirement – Waterline Project Fund.

FROM	TO	AMOUNT
WWS#3	BOND RETIREMENT- WATERLINE EXT. PROJ.	
E-3702-P005-P34.074 Transfers Out	R-9206-O009-O009-O08.574 Transfer In	\$ 12,650.00

**Note: November transfer*

E-3702-P005-P34.074 Transfers Out	R-9206-O009-O009-O08.574 Transfer In	\$ 12,650.00
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**Note: December transfer*

Upon roll call the vote was as follows:

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

**IN THE MATTER OF TRANSFERS BETWEEN FUNDS/
SSD#2 REVENUE FUND AND SSD#2 SEWER BOND FUND**

Motion made by Mr. Coffland, seconded by Mr. Probst to approve the following transfers between funds from the SSD#2 Revenue Fund and SSD#2 Sewer Bond Fund.

FROM	TO	AMOUNT
E-3705-P053-P16.074 Transfer Out	R-9203-O006-O08.574 Transfers In	22,068.12

**Note: November transfer*

E-3705-P053-P16.074 Transfer Out	R-9203-O006-O08.574 Transfers In	22,068.12
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**Note: December transfer*

Upon roll call the vote was as follows:

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

**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 January 19, 2011.

E-2301-E011-E01.011 Contract Services \$ 12,944.53

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADDITIONAL APPROPRIATION
FOR THE N041 ISSUE TWO MONIES 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 January 19, 2011.

N041 ISSUE TWO MONIES

E-9041-N041-N10.055 Project Payments \$ 299,702.77

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADDITIONAL APPROPRIATIONS
FOR THE P080 BELMONT COUNTY OAKVIEW BUILDING FUND**

Motion made by Mr. Probst, seconded by Mr. Coffland to approve the following additional appropriation in accordance with the Amended Official Certificate of Estimated Resources, as revised by the Budget Commission under the date January 4, 2011.

E-5000-P080-P03.000	Oakview Building, Utilities	\$ 50,000.00
E-5000-P080-P05.000	Oakview Building, Materials	\$ 25,000.00

Upon roll call the vote was as follows:

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

**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 January 19, 2011.

N.S.L.A. OAKVIEW JUVENILE S031		
E-8011-S031-S02.000	Food (Meal Tickets)	112.50
ACTIVITY FUND S032		
E-8012-S032-S00.000	Activity Fund (Evercom)	47.71

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADDITIONAL APPROPRIATIONS
FOR THE S066 MENTAL RETARDATION 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 dates of January 2, 2011 and January 19, 2011.

E-2410-S066-S53.100	Other Expenses-ARRA	\$ 4,204.25	(Jan. 2, 2011)
E-2410-S066-S53.100	Other Expenses-ARRA	\$ 4,486.40	(Jan. 19, 2011)
TOTAL		\$ 8,690.65	

Upon roll call the vote was as follows:

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

**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 January 19, 2011.

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	2,000.00
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	0.00
TOTAL		\$25,570.00

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADDITIONAL APPROPRIATION
FOR THE BELMONT CO. COMMISSIONERS CDBG 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 January 19, 2011.

BELMONT CO. COMMISSIONERS CDBG FUND		
E-9702-T011-T01.000	Grants	\$ 121,730.00
Draw Number 416 – Grant #B-F-09-1AG-1		

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADDITIONAL APPROPRIATIONS
FOR THE BELMONT COUNTY PROSECUTOR'S OFFICE
VICTIM-WITNESS ASSISTANCE PROGRAM 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 January 19, 2011.

E-1511-W080-P02.010	Supplies	410.00
E-1511-W080-P09.000	Personnel	1,250.00
E-1511-W080-P01.002	Salaries	1,800.00
E-1511-W080-P05.003	PERS	500.00
E-1511-W080-P07.006	Hospitalization	700.00
TOTAL		\$ 4,660.00

Upon roll call the vote was as follows:

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

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 - \$121,730.00** paid into R-9702-T011-T01.501 CDBG-Grant FORMULA on Jan. 11, 2011, Draw No. 416, Grant #B-F-09-1AG-1.

Upon roll call the vote was as follows:

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

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 January 19, 2011, 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	Absent

IN THE MATTER OF AUTHORIZING AUDITOR ANDREW SUTAK TO ESTABLISH NEW FUNDS

Motion made by Mr. Probst, seconded by Mr. Coffland authorizing Belmont County Auditor Andrew Sutak to establish new funds for the following:

Revolving Loan Fund / Old Sheriff's Residence
ODOT Grant Fund / Old Sheriff's Residence

Upon roll call the vote was as follows:

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

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

Motion made by Mr. Coffland, seconded by Mr. Probst to approve the minutes of the Belmont County Board of Commissioners regular meeting of December 22 and December 29, 2010.

Upon roll call the vote was as follows:

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

Commissioner Coffland Announced-The Belmont County Board of Commissioners is accepting applications for various county board appointments as positions become available. Interested parties can contact the Commissioners' Office to request an application at 740-699-2155.

IN THE MATTER OF ACCEPTING THE BELMONT COUNTY FAIR HOUSING COMMISSION YEAR-END REPORT

Motion made by Mr. Coffland, seconded by Mr. Probst to accept the Belmont County Fair Housing Commission Year-End Report for 2010 as presented by Roberta Jenkins, Fair Housing Director.

Upon roll call the vote was as follows:

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

IN THE MATTER OF REAPPOINTING JOSEPH BENCUR AND ANGELINA JOHNSON TO THE BELMONT COUNTY FAIR HOUSING BOARD

Motion made by Mr. Coffland, seconded by Mr. Probst to re-appoint Mr. Joseph Bencur and Ms. Angelina Johnson to the Belmont County Fair Housing Board for a three (3) year term commencing January 1, 2011 through December 31, 2013, based upon the recommendation of Ms. Roberta Jenkins, Director.

Upon roll call the vote was as follows:

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

IN THE MATTER OF APPOINTING AMY DIAS TO THE BELMONT COUNTY BOARD OF DEVELOPMENTAL DISABILITIES

Motion made by Mr. Coffland, seconded by Mr. Probst to appoint Amy Dias of St. Clairsville to the Belmont County Board of Developmental Disabilities per ORC 5126.022 to fill the unexpired term of Ms. Cathy Wilson, effective immediately through December 31, 2011, based upon the recommendation of Monty L. Kerr, Superintendent.

Upon roll call the vote was as follows:

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

IN THE MATTER OF APPROVING THE REAPPOINTMENT OF JAY RODAK AND MARLIN HARPER TO THE BELMONT COUNTY BOARD OF DEVELOPMENTAL DISABILITIES

Motion made by Mr. Coffland, seconded by Mr. Probst to approve the reappointment of Mr. Jay Rodak and Mr. Marlin Harper to the Belmont County Board of Developmental Disabilities effective January 1, 2009 through January 1, 2013, based upon the recommendation of said board.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF RENEWING LEASE AGREEMENT
WITH BCDJFS FOR THE MARTINS FERRY SATELLITE BUILDING**

Motion made by Mr. Coffland, seconded by Mr. Probst to renew the one year lease agreement with the Belmont County Department of Job & Family Services (lessee) for office space in the Martins Ferry Satellite Building in the amount of \$59,642.00 per year, effective January 1, 2011.

LEASE

The Board of County Commissioners of Belmont County, Ohio the Lessor, in consideration of the rents and covenants stipulated to be paid and performed by the Belmont County Department of Job & Family Services, Lessee, leases to the Lessee, the following premises:

Nine thousand eight hundred and seven (9,807) square feet of office space in the building known as the **Martins Ferry Satellite Office** and located at **302 Walnut Street, Martins Ferry, Ohio 43935**.

For the term of one (1) year commencing on January 1, 2011 at \$59,642.00 per year, payable in eleven (11) monthly installments of \$4,970.17 and one (1) monthly installment of \$4,970.13 each, on the first day of each month, in advance, all rent being payable at the office of the Lessor, Belmont County Courthouse, St. Clairsville, Ohio.

The Lessor and Lessee agree as follows:

1. That the Lessee will pay the rent at the time and place and in the manner specified above;
2. That the Lessee will occupy the premises in a safe and proper manner;
3. That the Lessee will not assign this lease, nor sublet the premises, without the written consent of Lessor;
4. That the Lessee will make no alterations or additions in the premises without the written consent of Lessor;
5. That the Lessee will permit the Lessor, or agents of the Lessor, to enter upon the premises, at all reasonable times, to examine the condition of the premises and to make repairs;
6. That the Lessee will surrender and deliver up the premises at the end of the term, in as good order and condition as the premises are at the time of occupancy, reasonable use or natural wear and tear and damage by fire or unavoidable casualty, expected;
7. That any failure of the Lessor to enforce rights or seek remedies upon any default of the Lessee with respect to the obligations of the Lessee shall not prejudice or affect rights or remedies of the Lessor in the event of any subsequent default of the Lessee.
8. Lessor shall be held harmless by Lessee from any liabilities for damages to any person or any property in or upon the premises and the adjoining side walk and parking spaces allocated to use of Lessee, including the person and property of Lessee, and its employees and all persons in the building at its or their invitation. All property kept, stored and maintained in the premises shall be so kept, stored or maintained at the risk of Lessee. Lessee shall not suffer or give cause for the filing of any liens against the premises.
9. Lessee shall provide its own telephone connections and services upon the approval of Lessor.
10. Lessee agrees to pay in conjunction with capital costs, operations costs. This cost represents the Lessee's estimated share of electric, gas, water, sewage and insurance. In the event of termination of this lease, lessee agrees to pay to the date of termination, resulting in a cash settlement between the parties. Total capital costs and operation costs are calculated from the annual Cost Allocation Plan. Effective January 2008 and for a lease term of one year rent will be calculated and collected through the indirect cost plan.
11. This agreement may be terminated by either party with a sixty (60) day written notice by certified registered mail.
12. The Lessee shall be responsible for maintenance service repairs and janitorial service.
13. Lessor shall supply adequate parking spaces for use by Lessee's employees and customers.
14. If the Lessee breaches any of its agreements, or vacates the premises during the term for the highest obtainable rent and may recover from the Lessee any deficiency between the amount obtained and the rent reserved.
15. If the premises, without any fault of the Lessee, are made unfit for occupancy by the elements, or other cause, the Lessee may surrender possession of the premises to the Lessor and terminate the lease.
16. All rights and remedies under this lease shall be cumulative and not exclusive of any rights and remedies available at law or in equity.
17. This lease and all its terms shall inure to the benefit of and be binding upon the legal successors in interest of Lessor and Lessee.

The Lessor and Lessee have signed on the 19th day of January, 2011, at St. Clairsville, Ohio.

Matt Coffland /s/
Commission President

Lessor
Dwayne Pielech /s/
Director, Department of Job and Family Services

Lessee
Approved as to form:
David K. Liberati /s/
David K. Liberati
Belmont County Assistant Prosecutor

Upon roll call the vote was as follows:

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

**IN THE MATTER OF RENEWING LEASE AGREEMENT
WITH BCDJFS FOR 310 FOX SHANNON PLACE**

Motion made by Mr. Coffland, seconded by Mr. Probst to renew the one year lease agreement with the Belmont County Department of Job & Family Services (lessee) for office space in the 310 Fox Shannon Place building in the amount of \$ 22,349.47 per year, effective January 1, 2011.

LEASE

The Board of County Commissioners of Belmont County, Ohio the Lessor, in consideration of the rents and covenants stipulated to be paid and performed by the **Belmont County Department of Job & Family Services**, Lessee, leases to the Lessee, the following premises:

Fourteen thousand two hundred twenty five (14,225) square feet of office space in the building known as the **310 Fox Shannon Place** and located at **310 Fox Shannon Place, St. Clairsville, Ohio 43950**.

For the term of one (1) year commencing on January 1, 2011 at \$22,349.47 per year, payable in 11 monthly installments of \$1,862.46 and one monthly installment of \$1,862.41 on the first day of each month, in advance, all rent being payable at the office of the Lessor, Belmont County Courthouse, St. Clairsville, Ohio. Said amount is calculated from the original amortization schedule.

The Lessor and Lessee agree as follows:

1. That the Lessee will pay the rent at the time and place and in the manner specified above;
2. That the Lessee will occupy the premises in a safe and proper manner;
3. That the Lessee will not assign this lease, nor sublet the premises, without the written consent of Lessor;
4. That the Lessee will make no alterations or additions in the premises without the written consent of Lessor;
5. That the Lessee will permit the Lessor, or agents of the Lessor, to enter upon the premises, at all reasonable times, to examine the condition of the premises and to make repairs;
6. That the Lessee will surrender and deliver up the premises at the end of the term, in as good order and condition as the premises are at the time of occupancy, reasonable use or natural wear and tear and damage by fire or unavoidable casualty, expected;

- 7. That any failure of the Lessor to enforce rights or seek remedies upon any default of the Lessee with respect to the obligations of the Lessee shall not prejudice or affect rights or remedies of the Lessor in the event of any subsequent default of the Lessee.
- 8. Lessor shall be held harmless by Lessee from any liabilities for damages to any person or any property in or upon the premises and the adjoining side walk and parking spaces allocated to use of Lessee, including the person and property of Lessee, and its employees and all persons in the building at its or their invitation. All property kept, stored and maintained in the premises shall be so kept, stored or maintained at the risk of Lessee. Lessee shall not suffer or give cause for the filing of any liens against the premises.
- 9. Lessee shall provide its own telephone connections and services upon the approval of Lessor.
- 10. Lessee agrees to pay rent for capital cost purposes at the amounts designated in the forty (40) year amortization schedule on file with the Commissioners' office. Property insurance on this facility is collected in the annual cost allocation plan as part of the Shared indirect cost amount. Other operating costs such as utilities, etc., are paid directly by Lessee.
- 11. This agreement may be terminated by either party with a sixty (60) day written notice by certified registered mail.
- 12. The Lessee shall be responsible for maintenance service repairs and janitorial service.
- 13. Lessor shall supply adequate parking spaces for use by Lessee's employees and customers.
- 14. If the Lessee breaches any of its agreements, or vacates the premises during the term for the highest obtainable rent and may recover from the Lessee any deficiency between the amount obtained and the rent reserved.
- 15. If the premises, without any fault of the Lessee, are made unfit for occupancy by the elements, or other cause, the Lessee may surrender possession of the premises to the Lessor and terminate the lease.
- 16. All rights and remedies under this lease shall be cumulative and not exclusive of any rights and remedies available at law or in equity.
- 17. This lease and all its terms shall inure to the benefit of and be binding upon the legal successors in interest of Lessor and Lessee.

The Lessor and Lessee have signed on the 19th day of January, 2011, at St. Clairsville, Ohio.

Matt Coffland /s/

Commission President

Lessor

Dwayne Pielech /s/

Director, Department of Job and Family Services

Lessee

Approved as to form:

David K. Liberati /s/

David K. Liberati

Belmont County Assistant Prosecutor

Upon roll call the vote was as follows:

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

**IN THE MATTER OF REAPPOINTING
COMMISSIONER GINNY FAVEDE TO THE
JEFFERSON/BELMONT JOINT SOLID WASTE AUTHORITY BOARD**

Motion made by Mr. Coffland, seconded by Mr. Probst to reappoint Commissioner Ginny Favede as the Commissioners designated representative on the Jefferson/Belmont Joint Solid Waste Authority Board for a one-year term commencing January 1, 2011.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF DESIGNATING COMMISSIONER
FAVEDE AS THE BOARD'S REPRESENTATIVE ON THE
BELMONT COUNTY RECORDS COMMISSION**

Motion made by Mr. Coffland, seconded by Mr. Probst to designate Commissioner Favede as the Board's representative on the Belmont County Records Commission for 2011 per O.R.C. 149.38.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF DESIGNATING COMMISSIONER
COFFLAND AS THE BOARD'S REPRESENTATIVE TO THE
BELMONT COUNTY FAMILY & CHILDREN FIRST COUNCIL**

Motion made by Mr. Probst, seconded by Mr. Coffland to designate Commissioner Matt Coffland as the Board's representative to the Belmont County Family & Children First Council for 2011 per O.R.C. 121.37.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF APPROVING AND AUTHORIZING
THE EXECUTION OF THE SUBGRANT AWARD AGREEMENT
FOR BELMONT CO. 911 2010 PORTABLE RADIO REPLACEMENT**

Motion made by Mr. Probst, seconded by Mr. Coffland to approve and authorize the President of the Board to execute the Subgrant Award Agreement for the Belmont County 911 **2010 Portable Radio Replacement**. Subgrant No. 2010-JG-E01-6844 as follows:

Subgrantee: Belmont County Commissioners

Implementing Agency: Belmont County 911

Award Periods: 1/1/2011 to 12/31/2011

Award Amounts:	JAG Funds:	\$30,424.50
	Cash Match:	0.00
	Inkind Match:	0.00
	Project Total	\$30,424.50

Upon roll call the vote was as follows:

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

IN THE MATTER OF APPROVING THE SIGNING AND SUBMITTAL OF THE COUNTY COMMISSIONER CERTIFICATION FOR THE 2011 SERC (STATE EMERGENCY RESPONSE COMMISSION) GRANT APPLICATION ON BEHALF OF LEPC

Motion made by Mr. Probst, seconded by Mr. Coffland to approve the signing and submittal of the County Commissioner Certification for the 2011 SERC (State Emergency Response Commission) grant application on behalf of the Belmont County L.E.P.C. (Local Emergency Planning Committee).

Note: The L.E.P.C. will be using the grant funds to continue their Hazardous Substances Emergency Planning Report.

COUNTY COMMISSIONER CERTIFICATION

I, THE UNDERSIGNED, REPRESENT TO THE SERC THAT ALL THE INFORMATION IS TRUE AND ACCURATE. I FURTHER REPRESENT THAT THE MONEY RECEIVED UNDER THIS GRANT PROGRAM WILL BE USED FOR THE ADMINISTRATION, DEVELOPMENT AND IMPLEMENTATION OF THE STATE SARA TITLE III PROGRAM WITHIN THE GUIDELINES MANDATED BY THE LAW AS PROVIDED IN CHAPTER 3750 OF THE REVISED CODE, FOR THE BELMONT COUNTY L.E.P.C.

Matt Coffland

Charles R. Probst, Jr.

COUNTY COMMISSIONERS' NAMES

Matt Coffland /s/

Charles R. Probst, Jr., /s/

COUNTY COMMISSIONERS' SIGNATURES

January 19, 2011

Date

Upon roll call the vote was as follows:

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

IN THE MATTER OF ACCEPTING PROPOSAL FROM DOAN FORD, INC., FOR ONE PICK UP TRUCK FOR BUILDINGS & GROUNDS DEPARTMENT

Motion made by Mr. Probst, seconded by Mr. Coffland to accept the proposal from Doan Ford, Inc. in the amount of \$23,188.50 for one 2011 Ford F-250 pickup truck for the Belmont County Buildings & Grounds Department.

Note: This is state purchase pricing

Upon roll call the vote was as follows:

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

IN THE MATTER OF APPROVING THE PAYMENT TO RAZE INTERNATIONAL, INC. FOR A NEIGHBORHOOD STABILIZATION GRANT PROJECT

Motion made by Mr. Probst, seconded by Mr. Coffland to approve the payment to Raze International, Inc. in the amount of \$48,100.00 from the Belmont County contingency appropriations for the demolition of dilapidated structures in the City of Martins Ferry, a Neighborhood Stabilization Grant Project; Belmont County will be reimbursed with NSP grant funds.

Upon roll call the vote was as follows:

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

OPEN PUBLIC FORUM – None.

10:30 Dan Speedy-Guernsey County Community Development Corp.

Re: Request for Support and Project Update for Clean Ohio Funding

Dan Speedy spoke today as the grant writer for the Belmont County and Guernsey County Community Development Corporations and gave the following project update. The Belmont Co. CDC is in the process of finalizing paperwork to be established. They are trying to build corridors to protect water sources, reconnect the rail corridors, and protect endangered species. The reason the Guernsey Co. CDC is working with Belmont Co. CDC is because their corridors match, especially the railbed between Cambridge and Bellaire. Mr. Speedy said if use of trains would come back, railways would be important for economic development. Today Mr. Speedy is requesting a resolution in support for the next round of Clean Ohio funding. With the recent changes in the administration at the state level, it is not known if funding will still be available. Mr. Speedy stated they have made everyone aware that if grant monies are not received, they will not be buying property. The deadline to file the grant application is February 1. Five upcoming projects were outlined: 1) Bellaire; 2) Lamira; 3) Fairpoint; 4) Track Rock/Shannon's Cave, Barnesville; 5) Badgersburg (outside Bethesda). Project priority may change depending on scoring and funding results. It was noted that if any township involved decided not to support the CDC's efforts, then the Board of Commissioners would also withdraw their support.

IN THE MATTER OF RESOLUTION IN SUPPORT OF GUERNSEY COUNTY COMMUNITY DEVELOPMENT CORPORATION'S EFFORTS IN PARTNERSHIP WITH THE BELMONT COUNTY COMMUNITY DEVELOPMENT CORPORATION TO SEEK CLEAN OHIO FUNDING FOR BELMONT COUNTY PROJECTS

The Board of Belmont County Commissioners met in regular session this 19th day of January, 2011 with the following members present:

Matt Coffland, President
Charles R. Probst, Jr., Vice-President

Commissioner Coffland moved to adopt the following:

RESOLUTION IN SUPPORT OF GUERNSEY COUNTY COMMUNITY DEVELOPMENT CORPORATION'S EFFORTS IN PARTNERSHIP WITH THE BELMONT COUNTY COMMUNITY DEVELOPMENT CORPORATION TO SEEK CLEAN OHIO FUNDING FOR BELMONT COUNTY PROJECTS

WHEREAS, the Guernsey County Community Development Corporation, in partnership with the Belmont County Community Development Corporation, is an organization that has as a mission to preserve and enhance riparian and green corridors in Belmont County and they must use supplemental funding through grants and donations to accomplish this task; and

WHEREAS, it is acknowledged that this program will require the Guernsey County Community Development Corporation to search out various grants and donations to assist in the acquisition and enhancement effort of said corridors; and

WHEREAS, we understand that the projects will be wholly funded via donations to the Guernsey County Community Development Corporation and grants from the Ohio Public Works Clean Ohio Fund and the projects will be administered in their entirety by the Guernsey County Community Development Corporation; and

NOW, THEREFORE, be it resolved, the Board of Belmont County Commissioners does hereby support the efforts of the Guernsey County Community Development Corporation, in partnership with the Belmont County Community Development Corporation, to seek funding from The Clean Ohio program for their projects throughout Belmont County for current round funding;

AND BE IT FURTHER RESOLVED, it is understood that should the Township Trustees not support the Guernsey County Community Development Corporation's efforts in a particular township that the Belmont County Commissioners would also withdraw their support for that particular project in that township.

Commissioner Probst seconded and upon roll call the vote was as follows:

BELMONT COUNTY COMMISSIONERS

Matt Coffland /s/ _____ Yes

Matt Coffland, President

Charles R. Probst, Jr. /s/ _____ Yes

Charles R. Probst, Jr., Vice-President

_____ Absent

Ginny Favede

Adopted this 19th day of January, 2011

11:00 Wayne Township Trustees and Captina Conservancy Group

Re: Request for support for Raven Rocks conservation easement/Clean Ohio Fund

The Commissioners listened to representatives from the Captina Conservancy Group who are requesting a resolution in support for its application for Clean Ohio funding for placement of a conservation easement on 974 acres of the Raven Rocks property in Wayne Township. The Wayne Township Trustees have some concerns and questions regarding this matter. Bill Davis, Wayne Township Trustee said the township feels it (Raven Rocks) should be more open to the public-looks like it is more private. He said there is a lot of money going in to this and people should benefit. Mary Ellen Newport, Chair of the Captina Conservancy Group explained their proposal: Designation for this property will be semi-public. Trail improvement is part of the project. They do not have any plans to develop a campground or anything of that type. They are trying to keep within the bounds of the Ohio Revised Code's requirements for conservation easements. Hiking and hunting are the basic uses. Any lands that have already been timbered will be allowed to grow back. Ms. Newport presented copies of a draft of the grant application to the board and township trustees. Grant application is due February 1.

Rich Sidwell of Raven Rocks, Inc. advised the conservation easements protects the property in perpetuity from development. Their interest is in protecting the property long term. He said the property would still be open to the public subject to restrictions on the easement. It is not to create a park, but to protect it from being damaged by development in the future. Port Authority Director Larry Merry explained this allows the area to remain pristine. He said it is not anti-development; you would be basically selling development rights to the property forever. If someone else buys, it can't be developed ever. Gabe Hays said he sits on the board that will review this application and feels it is one of the most significant project they have seen. He noted that voters chose to approve the Clean Ohio funding for farmland preservation and conservation programs. He compared this project to the Hocking Hills area where they used this for tourism. He urged the township and commissioners to support this to "preserve this significant and unique land." The township trustees still had some concerns regarding the level of public access. Mr. Sidwell said it is his desire to maintain and improve access to the area including parking. Mr. Coffland said he is all for economic development but thinks some areas need protected. Mr. Hays said statistics show that property values increase in immediate areas of these conservation properties. Mr. Sidwell said businesses are also attracted to areas like this. Mr. Probst said he has heard some concerns and thinks all need to be on the same page. Mr. Coffland stated this matter will be tabled in order to further discuss with the trustees. He said the board wants the township's support. A decision will be made no later than January 26, if not sooner.

OPEN PUBLIC FORUM – Pease Township Trustee Mike Bianconi stated he doesn't see how taxpayers benefit from Clean Ohio funding. He said, "They are keeping ownership of it (the property) and we are giving them money." Mr. Bianconi suggested just deeding the property over to them to make a park.

Mr. Bianconi questioned how the board was able to appropriate the same amount in 2011 as in 2010. He said he thought when the county nursing home was sold that the board put most of those monies towards the 2010 health insurance. Mr. Probst said that was part of the carryover balance. Mr. Coffland explained Park Health was sold for \$4.1 million; spent \$2.7 million on bills that were owed by Park Health; \$1.2 million left went for 2010 health insurance. Mr. Probst said some monies from the sale were set back for the Medicaid reimbursements that continue to come in for the county to pay.

Mr. Bianconi stated \$2 million from infrastructure fund was used for 2010 operating expenses. Mr. Coffland said no, it was for finishing out 2009. Mr. Probst questioned if Mr. Bianconi was going by sales tax or infrastructure or both. Mr. Bianconi said \$2 million in infrastructure money (which he says is sales tax money) was put into the general fund to pay bills. Mr. Coffland again stated this was for 2009. He further explained that in the beginning of 2010 is when the board called everyone in to bring the budget within \$18.4 million, and we were \$1 million too shy of making what was certified. The \$1.2 million from the sale of Park Health was used to pay the health insurance first and that brought our numbers within budget. That was January 2010. Mr. Coffland continued saying for January 2011, due to the cuts from the previous couple of years, we were able to come in at \$17.4 million. Mr. Bianconi asked if the 2011 appropriations are going to be the same as in 2010. Mr. Coffland replied, "Pretty much." Mr. Bianconi wanted to know how the board got the money to appropriate the same amount for this year and Mr. Coffland stated that it was due to the cuts that have been made in each department.

**IN THE MATTER OF RESOLUTION OF SUPPORT FOR
THE MUSKINGUM WATERSHED CONSERVANCY DISTRICT'S
APPLICATION FOR CLEAN OHIO FUNDS FOR THE PIEDMONT
MARINA SHORELINE STABILIZATION RIPARIAN CORRIDOR PROJECT**

The Board of County Commissioners of Belmont County, Ohio, met in regular session on the 19th day of January, 2011, with the following members present:

Charles R. Probst, Jr.
Matt Coffland

Mr. Coffland _____ moved the adoption of the following:

RESOLUTION OF SUPPORT

WHEREAS, The Clean Ohio Conservation Fund provides grant assistance to the State of Ohio for conservation purposes;
WHEREAS, the Muskingum Watershed Conservancy District desires grant assistance from the Clean Ohio Conservation Fund; and
WHEREAS, the Clean Ohio Conservation Fund application process requires support from the county in which the subject property is located; and
WHEREAS, the subject project is located in Belmont County; and
WHEREAS, the Muskingum Watershed conservancy District has provided the Belmont County Board of Commissioners with a description of the proposed project.
NOW, THEREFORE, BE IT RESOLVED by the Belmont County Board of Commissioners to support the **Piedmont Marina Shoreline Stabilization Riparian Corridor Project**.

Mr. Probst _____ seconded the foregoing Resolution.

Upon roll call the vote was as follows:

BELMONT COUNTY COMMISSIONERS	
<u>Matt Coffland /s/</u> _____,	<u>Yes</u>
Matt Coffland, President	
<u>Charles R. Probst, Jr., /s/</u> _____	<u>Yes</u>
Charles R. Probst, Jr., Vice President	
_____	<u>Absent</u>
Ginny Favede	

ADOPTED this 19th day of January, 2011

**IN THE MATTER OF ADJOURNING
COMMISSIONERS MEETING AT 12:47 P.M.**

Motion made by Mr. Coffland, seconded by Mr. Probst to adjourn the meeting at 12:47 p.m.

Upon roll call the vote was as follows:

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

Read, approved and signed this 26th day of January, 2011.

COUNTY COMMISSIONERS
Ginny Favede - Absent

We, Matt Coffland 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