

St. Clairsville, Ohio

January 20, 2010

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

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

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

**"BILLS ALLOWED"**

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

<u>Claim of</u>	<u>Purposes</u>	<u>Amount</u>
A-A-1 Service Center	Repairs-Juvenile/General Fund	113.51
A-Draft-Co., Inc.	Web Hosting-GIS Projects/General Fund	500.00
A-Ohio AFSCME Care Plan	Dental & Drug Coverage/General Fund	552.00
A-Treasurer of State	Audit Fees/General Fund	1,927.00
C-Pure Water Finance	Water-Probate Court/Indigent Guardianship Fund	239.85
E-AT&T	Wireless phone service-911/911 Fund	1,155.46
A & J-Wayne Wallace Consulting	Consulting Services/General Fund & Real Estate Assessment Fund	10,861.67
K-Wells Fargo	Visa Card/Engineer MVGT	1,826.54
M-Gabriel Brothers	Clothing/Placement II-Juvenile Court Fund	489.68
N-Ohio-WV Excavating Co.	Project 09-9 Emergency Repair/Bridge & Retaining Wall Constr. Fund	13,804.02
N-Tri-Son Concrete	Concrete/Bridge & Retaining Wall Constr. Fund	2,736.25
P-Eastern Ohio Regional Wastewater Authority	Sewage Disposal/SSD#1 Revenue Fund	35,300.75
P-Bridgeport, Village of	Services/WWS#3 Revenue Fund	60.00
P-Bridgeport, Village of	Services/WWS#3 Revenue Fund	15,810.00
S-American Express	Travel/Juvenile Ct. Gen. Special Projects Fund	269.97
S-Beth A. Andes, MS, PCC	Contracted counselor/District Detention Home	875.00
S-Comcast	Internet/Northern Div. Ct. Computer Fund	111.87
S-Comcast	Internet/Northern Div. Ct. Computer Fund	86.61
S-CourtView Justice Solutions	2010 Maintenance Support/Eastern Div. Ct. Computer Fund	7,052.00
S-(The) Huntington Bank	Safe Deposit/Clerk of Courts Computer Fund	30.00
S-National Council of Juvenile & Family Court	Conference/Juvenile Ct. Gen. Special Projects Fund	650.00
T-Liberty Environmental Services, LLC	Disposal of Asbestos/FEMA-Hazard Mitigation	4,389.00
W-Delinquent Collectors of Ohio, Inc.	Services/DRETAC Treasurer's Office	4,114.11
W-Judy Bruney	Reimburse expenses/Prosecutor Victim Program	19.99
Y-Bridgeport, Village of	Patching various streets/County Motor Vehicle License Tax Fund	450.00

**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 January 20, 2010 as follow:

<b>FUND</b>	<b>AMOUNT</b>
A-GENERAL	\$28,035.80; \$2,468.08; \$109,617.93; \$9,533.23
A-GENERAL/AUDITOR	\$33,932.73
A-GENERAL/EMA	\$1,858.88
A-GENERAL/SHERIFF	\$2,563.41; \$6,685.40
A-GENERAL/911	\$4,824.00
B-Dog and Kennel	\$11,677.07; 1,205.30
H-Job & Family, CSEA	\$1,265.31
H-Job & Family, Public Assistance	\$18,813.56; \$414.20; \$2,883.95; \$56,283.60; \$6,975.21; \$6,203.36
H-Job & Family, WIA	\$17,299.75; \$22,460.25
K-Engineer MVGT	\$13,142.39; \$6,163.85; \$20,834.17
M-Juvenile Ct.- Title IV-E Reimb.	\$4,632.45
P-Oakview Admn. Bldg.	\$5,660.44
S-Job & Family, Children Services	\$2,349.35
S-Northern Ct. Gen. Special Projects	\$1,138.91
S-Oakview Juvenile Residential Center	\$1,096.65

Upon roll call the vote was as follows:

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

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

Motion made by Mrs. Favede, seconded by Mr. Coffland to approve the minutes of the Belmont County Board of Commissioners regular meeting of: December 22, 2009.

Upon roll call the vote was as follows:

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

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

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

<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
E-2760-H010-H13.000 Contracts	E-2760-H010-H15.000 Other	\$ 16,096.03

Upon roll call the vote was as follows:

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

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

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

<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
<b>WWS#3</b>	<b>WWS#3</b>	
E-3702-P005-P31.000 OE Oper	E-3702-P005-P24.013 Projects	4,000.00
E-3702-P005-P34.074 OE Trans Out	E-3702-P005-P18.010 Supplies	30,000.00
<b>SSD#2</b>	<b>SSD#2</b>	
E-3705-P053-P08.013 Projects	E-3705-P053-P09.000 Sew. Disposal	300,000.00

Upon roll call the vote was as follows:

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

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

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

<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
<b>SSD#1</b>	<b>SSD#1</b>	
E-3704-P051-P15.000 OE Oper	E-3704-P051-P03.012 Equipment	20,000.00
<b>SSD#2</b>	<b>SSD#2</b>	
E-3705-P053-P16.074 OE Trans Out	E-3705-P053-P07.011 Services	50,000.00
E-3705-P053-P16.074 OE Trans Out	E-3705-P053-P03.012 Equipment	20,000.00
<b>SSD#3A</b>	<b>SSD#3A</b>	
E-3706-P055-P01.002 Salaries	E-3706-P055-P03.012 Equipment	3,000.00
<b>SSD#3B</b>	<b>SSD#3B</b>	
E-3707-P056-P15.000 OE Oper	E-3707-P056-P02.012 Equipment	3,000.00

Upon roll call the vote was as follows:

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

**IN THE MATTER OF TRANSFERS WITHIN FUND FOR THE SPECIAL EMERGENCY PLANNING FUND - LEPC**

Motion made by Mr. Probst, seconded by Mr. Coffland to approve the following transfers within fund for the Special Emergency Planning Fund – LEPC.

<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
E-1720-P090-P01.010 Supplies	E-1720-P090-P03.000 Other Expenses	4,993.39
E-1720-P090-P01.010 Supplies	E-1720-P090-P07.002 Salaries	11,000.00
E-1720-P090-P01.010 Supplies	E-1720-P090-P08.003 PERS	1,400.00
E-1720-P090-P01.010 Supplies	E-1720-P090-P09.004 Workers Comp	400.00
<b>TOTAL</b>		<b>17,793.39</b>

Upon roll call the vote was as follows:

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

**IN THE MATTER OF TRANSFER WITHIN COMPUTER FUND S95**

Motion made by Ms. Favede seconded by Mr. Coffland to approve the following transfer within Computer Fund S95.

<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
E-1588-S095-S01.012 Equipment	E-1588-S095-S03.000 Other Expenses	\$5,183.76

Upon roll call the vote was as follows:

Ms. Favede	Yes
Mr. Probst	Yes
Mr. Coffland	Yes

**IN THE MATTER OF ADDITIONAL APPROPRIATION FOR THE GENERAL FUND/COMMON PLEAS COURT**

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 20, 2010.

E-0061-A002-B05.000	Intense Probation/Clerk of Courts	
	Supervisory Fees Collected	\$ 4,011.42
	(December, 2009)	

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADDITIONAL APPROPRIATION  
FOR THE 911 WIRELESS FUND**

Motion made by Mrs. Favede, 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 20, 2010.

E-2301-E011-E01.011 Contract Services \$ 11,630.41

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADDITIONAL APPROPRIATION  
FOR THE SOIL CONSERVATION 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 20, 2010.

E-1810-L001-L01.002 Salaries \$ 3,004.00

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 SOIL CONSERVATION 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 20, 2010.

E-1810-L001-L01.002 Salaries \$ 14,228.00

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 PORT AUTHORITY FUND S12**

Motion made by Ms. Favede, 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 6, 2010.

E-9799-S012-S01.002 Salary	\$ 15,771.34
E-9799-S012-S08.003 PERS	2,788.66
E-9799-S012-S02.006 Hospitalization	<u>190.00</u>
<b>Total</b>	<b>\$18,750.00</b>

(\*1<sup>st</sup> Quarter Appropriation)

Upon roll call the vote was as follows:

Ms. Favede	Yes
Mr. Probst	Yes
Mr. Coffland	Yes

**IN THE MATTER OF ADDITIONAL APPROPRIATIONS  
FOR THE S025 BELMONT CO. DJFS CHILDREN SERVICES FUND 50**

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 20, 2010.

**BELMONT COUNTY DJFS / CHILDREN SERVICES FUND 50**

E-2766-S025-S10.074 Transfers Out	\$ 74,148.47
E-2766-S025-S10.074 Transfers Out	\$ 12,565.69

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADDITIONAL APPROPRIATIONS  
FOR OAKVIEW JUVENILE REHAB S030 FUND/N.S.L.A. OAKVIEW JUVENILE S031 FUND AND  
OAKVIEW YOUTH ACTIVITY FUND S032**

Motion made by Mrs. Favede, 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 20, 2010.

**S30**

E-8010-S030-S40.000 Grant Holding Account	\$ 0.00
E-8010-S030-S51.002 Salaries	\$ 142,188.86
E-8010-S030-S53.000 Medical	\$ 5,000.00
E-8010-S030-S55.010 Supplies	\$ 2,197.00
E-8010-S030-S56.000 Motor Vehicles	\$ 1,500.00
E-8010-S030-S57.000 Travel & Staff Development	\$ 0.00
E-8010-S030-S58.000 Communications	\$ 6,000.00
E-8010-S030-S59.000 Fuel/Utilities	\$ 25,000.00
E-8010-S030-S60.000 Maintenance & Repair	\$ 3,170.78
E-8010-S030-S63.000 General	\$ 0.00
E-8010-S030-S65.000 Indirect Costs	\$ 3,780.40
E-8010-S030-S66.003 PERS	\$ 20,000.00
E-8010-S030-S67.004 Workers' Compensation	\$ 5,000.00
E-8010-S030-S68.006 Hospitalization	\$ 35,000.00
E-8010-S030-S69.007 Unemployment Compensation	\$ 0.00
E-8010-S030-S70.005 Medicare	\$ 2,000.00
	<u>\$ 250,837.04</u>

**S27**

E-8007-S027-S06.000 OVESC Program Supplies	\$
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**S31**

E-8011-S031-S02.000	Food (Meal Tickets)	\$	150.00
E-8011-S031-S02.000	Food ( NSLA)	\$	

**S32**

E-8012-S032-S00.000	Activity Fund (Evercom)	\$	190.58
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Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADDITIONAL APPROPRIATIONS  
FOR THE SPECIAL PROJECTS FUND S53**

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 4, 2010.

E-1543-S053-S05.000	Alcohol Monitoring	\$6,000.00
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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 SPECIAL PROJECTS FUND S89**

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 4, 2010.

E-1572-S089.S06.002	Salaries	\$25,000.00
E-1572-S089-S07.003	PERS	\$ 3,000.00
E-1572-S089-S08.004	Workers Comp	\$ 2,000.00
E-1572-S089-S01.000	Other Expenses	\$ 5,101.24
E-1572-S089-S02.000	Guardian Ad Litem	\$ 3,000.00

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 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 20, 2010.

**BELMONT CO. COMMISSIONERS CDBG FUND**

E-9702-T011-T01.000	Grants	\$ 65,454.00
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Draw Number 404 – Grant #B-F-09-007-1

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADDITIONAL APPROPRIATION  
FOR THE BELMONT CO. COMMISSIONERS CDBG 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 20, 2010.

**BELMONT CO. COMMISSIONERS CDBG FUND**

E-9702-T011-T03.000	CDBG Escrow Account “CHIP”	\$ 13,098.00
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Draw Number 403 – Grant #B-C-09-007-1 and #B-C-09-007-2

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 LAW LIBRARY RESOURCE W020 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 4, 2010.

E-9720-W020-W01.002	Salary Bd Members	\$ 52,500.00
E-9720-W020-W02.002	Salary – Clerk	\$ 17,500.00
E-9720-W020-W03.003	PERS	\$ 10,000.00
E-9720-W020-W04.004	Workers Comp	\$ 2,800.00
E-9720-W020-W05.005	Medicare	\$ 1,100.00
E-9720-W020-W06.000	Other Expenses	\$100,000.00
E-9720-W020-W07.010	Supplies	<u>\$103,021.09</u>
	<b>Total</b>	<b>\$286,921.09</b>

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 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 January 20, 2010.

E-1511-W080-P01.002	Salaries	1,800.00
E-1511-W080-P05.003	PERS	500.00
E-1511-W080-P07.006	Hospitalization	<u>1,073.00</u>
<b>TOTAL</b>		<b>3,373.00</b>

E-1511-W080-P02.010	Supplies	136.00
E-1511-W080-P01.002	Salaries	<u>119.00</u>
<b>TOTAL</b>		<b>255.00</b>

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 Mrs. Favede, seconded by Mr. Probst to execute payment of Then and Now Certification dated January 20, 2010, presented by the County Auditor pursuant to O.R.C. 5705.41(d) 1, and authorizing the drawing of warrant(s) in payment of amounts due upon contract or order.

Upon roll call the vote was as follows:

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

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

Motion made by Mr. Coffland seconded by Mr. Probst granting permission for county employees to travel as follows:  
**VETERANS** – Lucinda Maupin, John Burkett and Christy Taylor to attend the Quarterly Training of the Ohio State Association of County Veterans Service Officers on February 4, 2010, in Columbus, OH. Estimated expenses: \$750.00

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.  
**CDBG - \$ 13,098.00** paid into R-9702-T011-T05.501 CDBG-Grant CHIP on Jan. 20, 2010, Grant #B-C-09-007-1 and #B-C-09-007-2, Draw No. 403.  
**CDBG - \$65,454.00** paid into R-9702-T011-T01.501 CDBG – Grant FORMULA on Jan. 20, 2010, Grant #B-F-007-1, Draw No. 404.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF APPOINTMENTS AND  
REAPPOINTMENTS TO THE WORKFORCE  
INVESTMENT AREA 16 BOARD**

Motion made by Mrs. Favede, seconded by Mr. Coffland to make the following appointments and reappointments to the Workforce Investment Area 16 Board for a two-year term, effective January 1, 2010 through December 31, 2011:

**Reappointments:**

**Dean Holtsclaw**

259 E. Main St.  
St. Clairsville, OH 43950

**Larry Merry, Director**

Belmont County Port Authority  
121 Newell Ave.  
St. Clairsville, OH 43950

**Franklin Shaffer**

United Food Workers  
Union Steward  
65140 Breezy Point Ln.  
Bellaire, OH 43906

**Bill McCoy**

Rapid Response Regional Coord.-Southeast Ohio  
ODJFS Office of Local Operations/Employment Services  
PO Box 490  
Reno OH 45773-0490

**Doug Longenette, President**

United Dairy  
300 N. 5<sup>th</sup> St.  
Martins Ferry, OH 43935

**Carl Lehman**

Lehman Landscaping  
70065 Main St.  
Bannock, OH 43972

**Barb Goodwin**  
MOS  
3153 Belmont St.  
Bellaire, OH 43906

**Appointments:**  
**Holly Bennett**  
Belmont Technical College  
120 Fox-Shannon Place  
St. Clairsville, OH 43950

**Sherry Fischer**  
Vocational Rehabilitation Supervisor  
ORSC  
Suite C  
601 Underwood St.  
Zanesville, OH 43701

*Note: All counties (Belmont, Carroll, Harrison, and Jefferson) have or will soon reappoint both their WIB members and Youth Council members in order to bring uniformity to the terms of the members.*

Upon roll call the vote was as follows:

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

**IN THE MATTER OF APPOINTMENT AND REAPPOINTMENTS TO THE BELMONT CO. TRANSPORTATION IMPROVEMENT DISTRICT (TID)**

Motion made by Mrs. Favede, seconded by Mr. Coffland to make the following appointment and reappointment of trustees to serve on the Belmont County Transportation Improvement District (TID) Board as the five (5) voting members for a two year term effective January 1, 2010 through December 31, 2011:

**REAPPOINTMENTS:**

- Matt Coffland, Belmont County Commissioner
- Dennis E. Bigler, Service Director, City of St. Clairsville
- Gregory R. Bizzarri, Richland Township Trustee
- Fred F. Bennett, Belmont County Engineer

**APPOINTMENT:**

- Ginny Favede, Belmont County Commissioner

Upon roll call the vote was as follows:

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

**IN THE MATTER OF APPOINTING ROBERT BECKETT AS THE BELMONT COUNTY APIARY INSPECTOR FOR THE YEAR 2010**

Motion made by Mrs. Favede, seconded by Mr. Coffland to appoint Mr. Robert Beckett, Jacobsburg, Ohio, as the Belmont County Apiary Inspector for the year 2010 to be compensated at a flat fee of \$750.00 per year.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ENTERING INTO A THREE-YEAR SERVICE AGREEMENT WITH STANLEY CONVERGENT SECURITY SYSTEMS, INC./ BELMONT COUNTY SHERIFF**

Motion made by Mrs. Favede, seconded by Mr. Coffland to enter into a three-year Service Agreement with Stanley Convergent Security Systems, Inc., 14670 Cumberland Rd., Noblesville, IN, 46060, in the amount of \$720.00 per month for the Security Electronics System at the Belmont County Sheriff's Department, 68137 Hammond Road, St. Clairsville.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF RENEWING LEASE AGREEMENT BETWEEN COMMISSIONERS AND WIC**

Motion made by Mrs. Favede, seconded by Mr. Coffland to renew the Lease agreement between the Board of Commissioners (lessor) and WIC (lessee) in the amount of \$ 8,400.00 per year, effective January 1, 2010 through December 31, 2010, for office space located in the Oakview Administration Building, 45240 National Road, St. Clairsville.

**2010 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 **WIC, Lessee**, leases to the Lessee, the following premises:

Office space on the ground floor (1214 sq. ft.) of the building known as **Oakview Administration at 45240 National Road**, St. Clairsville. For the term of one (1) year, at Four Thousand Eight Hundred (\$8,400) Dollars payable in equal month installments of Seven Hundred (\$700.00) Dollars 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. Effective January 1, 2010 through December 31, 2010.

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. That the Lessee keep insured its demised portion of the premises against loss or damage by fire and wind storm to the amount of not less than fifteen thousand (\$15,000) dollars in insurance companies qualified to do business on Ohio, in the joint names of the Lessor and Lessee, as their interest may appear.
9. 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.
10. Lessee shall provide its own telephone connections and services upon the approval of Lessor.
11. This lease may be terminated by either party with a sixty (60) day advance written notice.
12. Lessor will provide the following amenities for the benefit of the Lessee: General housekeeping services (on a regular basis), general maintenance services.
13. The Lessee agrees to pay, in conjunction with the rent, an estimated utility cost of Two Thousand Two Hundred Fifty Eight and Four cents (2258.04), payable in equal monthly installments of One Hundred Eighty Eight and Seventeen cents (\$188.17) dollars. This amount represents the Lessees estimated share of electric, water, gas, and trash removal costs for a one year period. After each lease period (one year), the actual cost will be compared to the estimated costs. A cost will be assigned per usable square feet to each tenant. An adjustment will be made based on the reconciliation to the payment for the next lease period. In the event of termination of this lease, the same process will apply resulting in a cash settlement between parties.

If the Lessee breaches any of its agreements, or vacates the premises during the term, the Lessor may re-let the premises for the remainder of the term for the highest obtainable rent and may recover from the Lessee any deficiency between the amount obtained and the rent reserved. If the premises, without any fault to 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 this lease.

All rights and remedies under this lease shall be cumulative and not exclusive of any rights and remedies available at law or in equity. 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 20th day of January, 2010, at St. Clairsville, Ohio.

<u>Jayne Long /s/</u>	<u>Ginny Favede /s/</u>
Witness	Belmont County Commissioners
	President / Lessor
<u>Nathan Brinker /s/</u>	<u>Linda Mehl /s/</u>
Witness	WIC Director / Lessee

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

Upon roll call the vote was as follows:

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

**IN THE MATTER OF APPROVING PAYMENT OF INVOICE  
 FROM M&G ARCHITECTS & ENGINEERS/NEW EASTERN  
 DIVISION COURT BUILDING PROJECT**

Motion made by Mrs. Favede, seconded by Mr. Coffland to approve the payment of Invoice No. 10951 from M&G Architects & Engineers, Wheeling, W.V., in the amount of \$1,562.87 for the new Eastern Division Court Building project Construction Administration Phase for the period of 12/1/09 through 12/31/09

Upon roll call the vote was as follows:

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

**IN THE MATTER OF APPROVING PAY APPLICATION NO. 2  
 FOR COLAIANNI CONSTRUCTION, INC./NEW EASTERN  
 DIVISION COURT BUILDING PROJECT**

Motion made by Mrs. Favede, seconded by Mr. Coffland to approve Pay Application No. 2 in the amount of \$130,479.00 for Colaianni Construction, Inc. for the new Belmont County Eastern Division Court Building project, based upon the recommendation of M&G Architects & Engineers, project architect, and Danny Popp, Project Manager.

Upon roll call the vote was as follows:

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

**DISCUSSION HELD RE: AUDITOR'S REPORT** - Auditor Andy Satak was present to give a financial update on the county. He said the January sales tax report is in reflecting figures for November, 2009. The tax amount was up \$54,428.96 from last November. He surmised the motor vehicle payments were up about \$23,000.00 compared to last year due to the stimulus monies received from the Federal Clunker's Program and pre-Christmas sales. He is hopeful this trend will continue.

**OPEN PUBLIC FORUM** – Allen Landis, of Dover, Ohio, who is a candidate for the 96<sup>th</sup> Ohio House District, introduced himself to open a line of communication in Belmont County.

In response to Mr. Ed Jagucki's inquiry regarding the Neffs Sanitary Sewer Project, Mrs. Favede informed him that a \$400,000.00 EPA Stag Grant has been received with the county matching that with \$600,000.00 of local funds. She said the project is moving forward and with a cost of \$2.2 million. She said we have more than 50% of those funds at this time and continue to apply for other funding sources. Mr. Coffland stated we are waiting for the permit to install.

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

Motion made by Mrs. Favede, seconded by Mr. Coffland to enter Executive Session with Dwayne Pielech, Director, Belmont County Department of Job & Family Services, pursuant to ORC 121.22(G)(1) Personnel Exception to consider the compensation of a public employee.

Upon roll call the vote was as follows:

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

*\*Note: Commissioner Probst briefly stepped out of the meeting, but was present for Executive Session.*

**IN THE MATTER OF ADJOURNING EXECUTIVE SESSION AT 11:40 A.M.**

Motion made by Mrs. Favede, seconded by Mr. Probst to adjourn Executive Session with Dwayne Pielech, Director, Belmont County Department of Job & Family Services, pursuant to ORC 121.22(G)(1) Personnel Exception to consider the compensation of a public employee.

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.**

**BREAK**

**IN THE MATTER OF ENTERING EXECUTIVE SESSION AT 11:55 A.M.**

Motion made by Mrs. Favede, seconded by Mr. Probst to enter Executive Session with Director Cindy Maupin, Christy Taylor and Veterans Service Commission members pursuant to ORC 121.22(G)(2) Property Exception to consider the purchase of property for public purposes.

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 12:03 P.M.**

Motion made by Mr. Probst, seconded by Mr. Coffland to adjourn Executive Session with Director Cindy Maupin, Christy Taylor and Veterans Service Commission members pursuant to ORC 121.22(G)(2) Property Exception to consider the purchase of property for public purposes.

Upon roll call the vote was as follows:

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

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

**IN THE MATTER OF ENTERING INTO REAL ESTATE PURCHASE AGREEMENT WITH STEVE SORVALIS/VETERANS**

Motion made by Mrs. Favede, seconded by Mr. Coffland to enter into Real Estate Purchase Agreement with Steve Sorvalis, Seller, for the purchase of property located at 3326 Belmont St., Bellaire, (former Allison Mills Rec Center) in the amount of \$65,000.00 to be paid from the Veterans/Other Expenses appropriation line item.

*Note: The Veterans Service Commission Offices will be relocated to this facility.*

**REAL ESTATE PURCHASE AGREEMENT**

**STEVE SORVALIS, SINGLE**, hereinafter referred to as “Seller,” and **THE BELMONT COUNTY COMMISSIONERS**, of Belmont County, Ohio, a political subdivision of the State of Ohio, hereinafter referred to as “Buyer,” hereby agree as follows:

**I - Legal Description**

The Seller hereby agrees to sell and the Buyer hereby agrees to buy the following described real estate:

Situated in the City of Bellaire, County of Belmont and State of Ohio, and known as and being Lot Number Eighteen (18) in Block 4, a strip of land of the uniform width of 6.50 inches off the entire northerly side of Lot Number Nineteen (19) in Block 4 and a strip of land of the uniform width of 9.00 inches off the entire southerly side of Lot Number Seventeen (17) in Block 4, as said lots are shown and designated on the map of the City of Bellaire, of record in Volume 1, Page 63, 113, and 115, Record of Plats, Belmont County, Ohio.

The part of said Lot No. 19 hereby conveyed is more particularly described as follows:

Beginning at the Northwest corner of said Lot No. 19. Thence from this place of beginning, and southerly with the westerly line of said Lot No. 19, 6.50 inches to the center of the northerly wall of the brick building situated on said Lot No. 19; thence easterly, and parallel with the northerly line of said Lot No.19, and with the center line of said brick wall, 120.00 feet to the westerly line of an alley; thence northerly, and with the westerly line of said alley, 6.50 inches to the Northeast corner of said Lot No. 19; thence westerly, and with the northerly line of said Lot No. 19, 120.00 feet to the place of beginning, containing 65.00 square feet, more or less.

Giving and granting to the Grantee herein, its successors and assigns, the right and privilege to use, as a partition wall, the stone and brick wall which is the northerly wall of the building situated on said Lot No. 19; subject to the right of the owners of said building to use said wall as a partition wall, all as set forth and provided in previous conveyances of the above described real estate, to which reference is hereby made for a more complete description thereof.

Said portion of Lot No. 17, hereinabove described and hereby conveyed, being a strip of land of the uniform width of 9.00 inches off the entire southerly side of said Lot No. 17, is subject to the right of others to use and occupy the northerly half of the stone and brick wall 18.00 inches in width, the center line of which is situated for its entire length of 120.00 feet on the line dividing said Lot No. 17 and the above described Lot No. 18, all as set forth and provided in previous conveyances of the above described real estate, to which reference is hereby made for a more complete description thereof.

PRIOR DEED REFERENCE: Deed Volume 593, Page 493, Belmont County Record of Deeds.

**II - Purchase Price**

The purchase price for this property is Fourteen Thousand Three Hundred Sixty-Five Dollars (\$65,000.00) payable as follows:

- A. The entire purchase price, being the sum of Sixty Five Thousand Dollars (\$65,000.00) shall be paid by Buyer to Seller at the time of closing and upon delivery of a General Warranty Deed from Seller to Buyer.



**III - Deed and Evidence of Title**

Seller shall furnish a general warranty deed conveying marketable title of the property to Buyer subject to easements of record; to real estate taxes and assessments which are a lien, but not yet due and payable; and excepting mineral rights previously sold and conveyed. Marketability of title shall be determined in accordance with the Title Standards approved by The Ohio State Bar Association.

**IV - Title Examination**

Responsibility and expense of obtaining a title examination and title insurance policy shall be that of the Buyer.

**V - Possession**

Seller agrees to deliver possession of the real estate to Buyer on the date of closing.

**VI - Real Estate Taxes**

Real estate taxes and assessments, interest and penalty, if any, shall be prorated between the parties as of the date of closing. County Auditors' conveyance fee and transfer fee will be paid by seller.

**VII - Closing**

This Agreement shall be performed and this transaction closed within thirty (30) days from the date of this agreement or this agreement will become null and void unless the parties agree in writing to extend the agreement for an additional period of time.

**VIII - Fees Incident to Recording**

Seller shall be responsible for the payment of the Auditor's conveyance fee and transfer fee. Buyer shall be responsible for payment of the deed recording fee.

**IX - Miscellaneous**

Buyer has examined all property involved and, in signing this Agreement, is relying upon such examination with reference to the condition, character and size of land and improvements and fixtures. Buyer accepts the property "AS IS." Seller makes no warranty that the premises are either safe or suitable for the purpose for which it is intended to be used or for any other purpose or use. This provision shall survive the closing of this agreement and shall not be merged in the deed to be delivered by Seller to Buyer.

This contract constitutes the entire agreement of the parties; supersedes any prior understanding and agreements; and there are no representations, oral or written, which have not been incorporated herein. Time is of the essence of all provisions of this contract.

This contract is not assignable.

This contract is binding on the heirs, executors, administrators and assigns of the parties.

If any provision of this contract is held invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provision herein and this contract shall be construed as if such invalid, illegal or unenforceable provision had never been contained herein.

All provisions of this contract shall survive the closing and delivery of the deed.

EXECUTED this 20th day of January, 2010.

**SELLER**

By: \_\_\_\_\_  
Steve Sorvalis

**BUYER**

Belmont County Commissioners

By: Charles R. Probst, Jr. /s/  
Ginny Favede /s/  
Matt Coffland

Upon roll call the vote was as follows:

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

**DISCUSSION HELD RE: VETERANS** – Mr. Probst noted this move is long overdue and is something that should have been done years ago. He stated this board truly understands the needs of our Veterans and agreed the current leased building is not and never has been conducive for the Veterans. It is his understanding that there now will be some outreach programs which should be a major benefit for the veterans. He advised that the current Board of Commissioners is committed to the Veterans. He remarked this is a major step in the right direction. He said that when you see how the Federal government treats its Veterans, sometimes it is not what we expected it to be. We are not going to overlook our Veterans in Belmont County. He concluded by thanking the Veterans Board for purchasing this building and expressed that the Board of Commissioners is glad to do this.

Cindy Maupin stated that Chuck Probst has always been there for the Veterans and supported them in anything they have ever needed. She thought that all that it took was a better understanding of what they were asking for with the two new Commissioners because they had no idea what had happened in the past. She appreciates their understanding and taking the time to learn of what they do and how they are funded.

Mrs. Favede stated "our hearts are in the right place." She appreciates that the Veterans Board gave her and Mr. Coffland respect and allowed them to do research and learn in order to do what is right.

Mr. Coffland thanked the Veterans and told them to enjoy their "new home."

Mr. Al Parkhurst said he has worked long and hard to get this and never had the support that he's had this time. He gave his appreciation and thanks to all three Commissioners.

**Commissioner Favede noted the meeting will be left open to reconvene at 1:30 tomorrow for an Executive Session with the Port Authority Board of Directors.**

**RECONVENED THURSDAY, JANUARY 21, 2010, AT 1:43 P.M.**

**PRESENT: COMMISSIONERS GINNY FAVEDE, MATT COFFLAND AND CHARLES R. PROBST, JR.**

**PORT AUTHORITY BOARD MEMBERS: MARTIN GOULD, BILL KNOX, LISA ARMANN-BLUE AND MICHAEL SCHUCKER**

**IN THE MATTER OF ENTERING**

**EXECUTIVE SESSION AT 1:44 P.M.**

Motion made by Mrs. Favede, seconded by Mr. Coffland to enter Executive Session with the Belmont County Port Authority Board pursuant to ORC 121.22(G)(1) Personnel Exception to consider the compensation of a public employee.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADJOURNING  
EXECUTIVE SESSION AT 2:45 P.M.**

Motion made by Mr. Coffland, seconded by Mr. Probst to adjourn Executive Session with the Belmont County Port Authority Board pursuant to ORC 121.22(G)(1) Personnel Exception to consider the compensation of a public employee.

Upon roll call the vote was as follows:

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

**AS A RESULT OF EXECUTIVE SESSION – NO ACTION TAKEN.**

**IN THE MATTER OF ADJOURNING  
COMMISSIONERS MEETING AT 3:24 P.M.**

Motion made by Mr. Coffland, seconded by Mr. Probst to adjourn the meeting at 3:24 p.m.

Upon roll call the vote was as follows:

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

Read, approved and signed this 27th day of January, 2010.

\_\_\_\_\_

\_\_\_\_\_ 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