

St. Clairsville, Ohio

July 24, 2013

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

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

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

"BILLS ALLOWED"

The following bills having been certified in the Auditor's office, on motion by Mrs. Favede, seconded by Mr. 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-Draft-Co., Inc.	Parcel Mapping-GIS Projects/General Fund	9,170.16
A-Smartbill	2 nd half billing-RE & MFH-Treasurer/General Fund	3,824.95
A-Speedway SuperAmerica	Gasoline-Adult Probation/General Fund	217.12
A-Superior Industrial Laundries, Inc.	Misc. supplies for maintenance/General Fund	251.25
A-Wex Bank	Gasoline-Maintenance Dept./General Fund	754.22
E-AP Wireless McGee	Sublease agmt for Alledonia Tower Site/911 Fund	660.00
E-PowerPhone	Robbie Carpenter retake exam/911 Wireless Fund	25.00
N-Stonegate Construction	Water line/Port Authority EORIP Water Line Construction Fund	106,828.96
P-W.W. System #3	Purchased Water/WWS#2 Revenue Fund	69,703.15
S-ACS Enterprise Solutions	Landmarc system & Landaccess.com/General Fnd-Supplement Equip.	8,266.44
S-Cardmember Service	Various supplies, materials, activities/Oakview Juvenile Residential	4,036.55
S-Glynis Valenti	Professional services/Port Authority Fund	600.00
S-McGhee & Co.	Labels/Northern Ct. – General Special Projects Fund	1,089.50
S-PNC Bank	Visa/District Detention Home Fund	583.01
S-Sam's Club	Food & Supplies/District Detention Home Fund	2,707.93
S-Shirts'N More	Supplies/Oakview Juvenile Residential Center Fund	552.53
S-Simplex Grinnell	Repairs/Oakview Juvenile Residential Center Fund	16,740.78
S-Walmart Community/GEGRB	Supplies & food/Oakview Juvenile Residential Center Fund	1,227.70
W-Matthew Bender & Co.	Books/Law Library Fund	535.94
W-Times Leader	Ad fees for foreclosure sales/DRETAC Treasurer's Office Fund	4,499.70
Y-Health Plan PPO	August 2013 Premium/Employer's Share Holding Account	388,269.28

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 July 24, 2013 as follow:

FUND	AMOUNT
A-GENERAL	\$17,399.87; \$10,708.15; \$5,640.75
A-GENERAL/AUDITOR	\$299.53
A-GENERAL/COMMON PLEAS COURT	\$406.80
A-GENERAL/EMA	\$1,204.08
A-GENERAL/JUVENILE COURT	\$114.85
A-GENERAL/PROBATE COURT	\$350.00
A-GENERAL/RECORDER	\$616.19
A-GENERAL/SHERIFF	\$860.02
A-GENERAL/911	\$820.96
B-Dog Kennel	\$426.38
H-Job & Family, CSEA	\$8,686.38
H-Job & Family, Public Assistance	\$9,748.99; \$1,785.99; \$16,335.00
H-Job & Family, WIA	\$45,790.35
J-Real Estate Assessment	\$2,500.00
K-Engineer MVGT	\$13,296.70; \$919.36
M-Juvenile Ct. – Care & Custody	\$410.00
M-Juvenile Ct. – Placement II	\$830.10
M-Juvenile Ct. – Title IV-E Reimb.	\$780.00
N-Courthouse Bldg. Repairs	\$83,850.33
P-Oakview	\$181.34
S-Certificate of Title Adm Fund	\$4,274.51
S-Clerk of Courts Computer	\$219.00
S-District Detention Home	\$1,483.57
S-Job & Family, Senior Programs	\$3,797.71; \$3,781.35
S-Juvenile Ct. Computer Fund	\$79.90
S-Oakview Juvenile Residential Center	\$4,667.47
S-Sheriff Commissary	\$605.15
U-Sheriff Reserve Account	\$1,624.59

Upon roll call the vote was as follows:

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

IN THE MATTER OF TRANSFERS WITHIN FUND

Motion made by Mrs. Favede, seconded by Mr. Coffland to approve the following transfers within the following funds:

SHERIFF/GENERAL FUND

FROM	TO	AMOUNT
E-0131-A006-A03.002 Jail Wages	E-0131-A006-A15.007 Unemployment	\$630.52

9-1-1/GENERAL FUND

FROM	TO	AMOUNT
E-0056-A006-E01.002 Salaries	E-0056-A006-E12.007 Unemployment	\$4,207.51

Re: Money Moved to cover Robyn Marshall's May/June Unemployment

BCDJFS/PUBLIC ASSISTANCE FUND H00

FROM	TO	AMOUNT
E-2510-H000-H07.000 Purchase of Services	E-2510-H000-H09.000 Facilities	\$31,000.00
E-2510-H000-H11.000 Travel	E-2510-H000-H14.007 Unemployment Comp.	\$15,000.00
E-2510-H000-H12.003 PERS	E-2510-H000-H04.000 Contracts	\$100,000.00

SOIL & WATER/WATERSHED COORD. GRANT FUND L05

FROM	TO	AMOUNT
E-1815-L005-L14.000 Other Expenses	E-1815-L005-L11.003 PERS	\$1,000.00

JUVENILE COURT/TRUANT OFFICER GRANT M79

FROM	TO	AMOUNT
E-0400-M079-M04.000 Other Expenses	E-0400-M079-M01.002 Salary	\$1,897.74
E-0400-M079-M02.008 Fringes	E-0400-M079-M03.003 PERS	\$120.45

Upon roll call the vote was as follows:

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

IN THE MATTER OF TRANSFERS BETWEEN FUND

Motion made by Mrs. Favede seconded by Mr. Probst to approve the following transfers between the following funds:

BELMONT CO. SSD/VARIOUS FUNDS

FROM	TO	AMOUNT
E-3704-P051-P16.074 O.E. Transfers Out	E-3704-P051-P05.000 Materials	\$3,000.00
E-3706-P055-P15.000 O.E. Operations	E-3706-P055-P05.000 Materials	\$ 500.00

Upon roll call the vote was as follows:

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

IN THE MATTER OF ADDITIONAL APPROPRIATIONS

Motion made by Mrs. Favede, seconded by Mr. Probst to make the following additional appropriations, in accordance with the Official Certificate of Estimated Resources as approved by the Budget Commission, under the following dates:

****June 12, 2013****

APPROPRIATIONS FOR THE GENERAL FUND

E-0257-A015-A15.074	Transfers-Out	\$914,473.53
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(Balance of N37 Fund dissolved 06/05/13—to be transferred to new Capital Projects fund.)

****July 17, 2013****

BELMONT CO. JUVENILE COURT/CARE & CUSTODY FUND M60

E-0400-M060-M20.000	Status Offender Solutions	\$ 218.92
E-0400-M060-M25.002	Salaries-CCAP	\$ 72,887.21
E-0400-M060-M26.003	PERS-CCAP	\$ 14,799.08
E-0400-M060-M27.005	Medicare-CCAP	\$ 1,142.61
E-0400-M060-M28.004	Workers' Comp.-CCAP	\$ 2,114.15
E-0400-M060-M29.008	Insurances-CCAP	\$ 30,095.31
E-0400-M060-M30.000	Other Expenses	\$ 5,000.00
E-0400-M060-M71.002	Salaries-Substance Abuse	\$ 46,834.05
E-0400-M060-M72.003	PERS-Substance Abuse	\$ 5,000.00
E-0400-M060-M73.005	Medicare-Substance Abuse	\$ 500.00
E-0400-M060-M74.004	Work. Comp.-Substance Abuse	\$ 1,576.02
E-0400-M060-M75.008	Insurances-Substance Abuse	\$ 15,000.00

**** July 24, 2013****

BCDJFS/WORKFORCE DEVELOPMENT FUND H05

E-2600-H005-H13.000	OH-NEG 27	\$ 11,800.00
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BCDJFS/WIA AREA 16 FUND H08

E-2610-H008-H010.000	Belmont Co. OH-NEG 27	\$ 11,800.00
E-2610-H008-H11.000	Carroll Co. OH-NEG 27	\$ 4,732.00
E-2610-H008-H12.000	Harrison Co. OH-NEG 27	\$ 3,236.00
E-2610-H008-H013.000	Jefferson Co. OH-NEG 27	\$ 21,553.00

BELMONT SOIL AND WATER/SOIL CONSERVATION FUND L01

E-1810-L001-L01.002	Salaries	\$ 1,000.00
E-1810-L001-L09.000	Travel & Expenses	\$ 420.00

FOR THE SSD #2 FORCE MAIN EXT CONST FUND/N18

E-9018-N018-N07.000	Issuance Fees	\$10,674.18
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FOR THE NEFFS SANITARY SEWER PROJECT FUND/N27

E-9027-N027-N07.055	WPCLF-Grant	\$40,940.18
E-9027-N027-N08.055	WPCLF-Loan	\$40,940.19

FOR THE ENGINEER'S ODOT GRANT PROJECTS N43 FUND

E-9043-N043-N03.000	ODOT PID #86170	\$ 6,871.38
E-9043-N043-N05.000	ODOT PID #79463	\$10,754.31

BELMONT CO. CDBG CHIP GRANT FUND T11

E-9702-T011-T03.000	CDBG Escrow Account "CHIP"	\$4,979.00
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FOR THE COMMISSIONERS' CDBG FUND/T11

E-9702-T011-T01.000 Grants \$14,542.00

(Draw # 161, Grant # B-W-11-1AG-1)

BELMONT CO. PROSECUTOR'S/VICTIM ASSISTANCE PROGRAM W80

E-1511-W080-P01.002 Salary \$ 882.00
 E-1511-W080-P04.000 Other Expenses \$ 466.00
 E-1511-W080-P07.006 Hospitalization \$ 1,460.00
 E-1511-W080-P05.003 PERS \$ 720.00

Upon roll call the vote was as follows:

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

IN THE MATTER OF ADDITIONAL APPROPRIATIONS FOR VARIOUS FUNDS

Motion made by Mr. Probst, seconded by Mrs. Favede 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 July 24, 2013:

CARRYOVER PO'S THAT HAVE BEEN CLOSED AND REQUIRE REAPPROPRIATION

W80 Victim's Assistance Program

E-1511-W080-P03.000 Travel 50.00

Upon roll call the vote was as follows:

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

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

Motion made by Mr. Probst, seconded by Mrs. Favede to execute payment of Then and Now Certification dated July 24, 2013, 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
 Mrs. Favede Yes
 Mr. Coffland Absent

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

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

CDBG - \$4,979.00 paid into R-9702-T011-T05.501 CDBG - Grant CHIP on July 22, 2013. Grant #B-C-12-1AG-2. Draw No. 162

CDBG - \$14,542.00 paid into R-9702-T011-T01.501 CDBG-Grant FORMULA on July 22, 2013. Draw No. 161, Grant #B-W-11-1AG-1

Upon roll call the vote was as follows:

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

IN THE MATTER OF GRANTING PERMISSION FOR COUNTY EMPLOYEES TO TRAVEL

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

AUDITOR – Don Harr and Doug DeVault to travel to Zanesville, OH, on July 30 & 31, 2013, to attend ODA Regional Training Class on Package Checking and Gravimetric Training (Weights & Measures). A county car will be used. Estimated expenses: \$100.00

BCDJFS – Lisa Fijalkowski to travel to Marysville, OH, on July 22, 2013, to attend Medicaid Readiness Meeting. Estimated expenses: \$138.99

Patricia Kinney and Senior members to travel to Moundsville, WV, on July 23, 2013, for a Bellaire Senior Center outing. Bradley Bruce, Donna Steadman and Senior members to travel to Oglebay Park, Elm Grove, WV, on July 24, 2013, for a Centerville Senior Center outing. Patricia Kinney and Senior members to travel to Moundsville, WV, on July 25, 2013, for a Bellaire Senior Center outing. Patricia Kinney and Senior members to travel to Moundsville, WV, on August 1, 2013, for a Bellaire Senior Center outing. Daisy Braun, Jack Irwin and Senior members to travel to Oglebay Park, Elm Grove, WV, on August 2, 2013, for a St. Clairsville Senior Center outing. Sue Hines, center driver, and Senior members to travel to Oglebay Park, Elm Grove, WV, on August 2, 2013, for a Bethesda Senior Center outing. Shirley Kase, Duane Kesterson and Senior members to travel to Rogers, OH, on August 2, 2013, for a Colerain Senior Center outing.

Donald Griffin to travel to Stark County, on August 2, 2013, to attend a Mandated Training for Hearing Officer Credit.

David Badia, David McFarlan, Kara Purtiman and Cindy Berry to travel to Fairfield County, OH, on August 22, 2013, to attend a Mandated Training for Hearing Officer Credit.

Patricia Kinney and Senior members to travel to Wheeling, WV, on August 8, 2013, to Moundsville, WV, on August 8, 2013, to Moundsville, WV, on August 13, 2013, for Bellaire Senior Center outings. Daisy Braun, Jack Irwin and Senior members to travel to Sugarcreek, OH, on August 15, 2013, for a St. Clairsville Senior Center outing. Sue Hines and Senior members to travel to Marietta, OH, on August 16, 2013, for a Bethesda Senior Center outing. Patricia Kinney, William Beckett and Senior members to travel to Sugarcreek, OH, on August 16, 2013, for a Bellaire Senior Center outing. Patricia Kinney and Senior members to travel to Moundsville, WV, on August 20, 2013, for a Bellaire Senior Center outing. Shirley Case, Duane Kesterson and Senior members to travel to Washington, PA, on August 20, 2013, for a Colerain Senior Center outing. Patricia Kinney and Senior members to travel to Moundsville, WV, on August 22, 2013, for a Bellaire Senior Center outing. Patricia Kinney and Senior members to travel to Moundsville, WV, on August 27, 2013, and to Moundsville, WV, on August 29, 2013, for Bellarie Senior Center outings. Estimated expenses: \$252.00

ENGINEER – Dustin Reed, Drafting Technician II, to travel to Dublin, OH, on Sept. 11-13, 2013, to attend the 2013 Ohio GIS Conference & Trade Show. Estimated expenses: \$550.00

Upon roll call the vote was as follows:

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

OPEN PUBLIC FORUM – Mrs. Favede provided an update on BCDJFS since the departure of the Director. She said the Board of Commissioners is overseeing the department and last week passed a resolution giving limited signatory authority to Fiscal Officer Vince Gianangeli. The interview process will start tomorrow for the Director's position. The interview process has already begun for the Senior

Service Director position. Monthly financial reports for the Senior Program are ready and available to the public and they are posted in all senior centers.

Jim Cook, President of the Barnesville Senior Citizens Center, was present and asked that the board pay them rent monies. He advised the center is owned by the people of Barnesville. He said they do not have a financial problem, but they are getting to the place where they are in need of more money. They are trying to keep the building in good shape. They have lost the GED classes held in the basement due to government cuts. He stated they need money for a "rainy day". He said they were told 2 years ago that someone would be hired to come in, measure the building and give them the current price per square foot. He has numbers from the Auditor that would give the board the numbers and there would be no need to send anyone out. He asked the board to consider giving them some financial aid as is done for the other centers. Mrs. Favade asked Mr. Cook if the board pays their utilities for that facility. He responded, "Yes, you do pay the utilities."

10:15 John Puskar, United Steelworkers Staff Representative

Re: Update on Ormet

Mr. Puskar gave a brief history of Ormet. They produce about 271,000 tons of aluminum per year. They use 530 megawatts of power per hour. Rule of thumb, one megawatt of power feeds about 1,000 residential homes. Ormet uses about the same amount of electricity as the City of Pittsburgh. Smelters are the biggest cost of electricity. AEP is currently on the road to \$1 billion profit this year. Ormet is a six pot line operation and have currently reduced that, because of the cost, down to four. Aluminum is a commodity and the price is controlled by the London Metals Exchange Market. Sixty percent (60%) of the cost to produce one pound of aluminum is electric costs. In February Ormet ran out of money and filed bankruptcy. A company came in and committed to purchase Ormet and put in \$30 million to operate as well as Wells Fargo, who put in \$60 million into the DIP (Debtor In Possession) Fund. This is the fund they operate on once they file bankruptcy. PUCO gave some short-term relief on electricity by deferring two months of electric payments, but requested how Ormet will deal with electric problems long-term. For another company to purchase the plant, the asset sale agreement had three items that must happen. 1) legacy costs and pension must go away. 2) the steelworkers must ratify a new contract. They did and took concessions. 3) Ormet must have new power agreement with AEP by July 31, 2013. If all items are not met, the company interested in purchasing will be able to walk away from the agreement. Mr. Puskar continued by stating, in the beginning of this process, AEP testified that Ormet, its biggest customer, will not affect them if they shut down. Currently they are testifying to the fact that Ormet shutting down will have an impact on them financially. Ormet submitted a long-term solution to PUCO. 1) to move their discounts into the year 2013. 2) to be able to go out in the open public market and purchase electricity at a reduced rate. 3) they are now in the process, if they can stay in business, to build a gas fired power plant on their property to supply them with power. That is long-term, if they do not shut down. That plant would be in the year 2015. Currently there are 144 families that reside in Belmont County that are employed by Ormet. During the July 7 week several things happened. 1) PUCO informed Ormet that they did not hear their emergency electric case on emergency schedule. It is scheduled for public hearing on August 23. They were looking to come out of bankruptcy July 31. 2) It informed Ormet that it will not fund the DIP Fund passed July 31. When the \$90 million runs out, it runs out. Ormet filed an appeal the following week to PUCO to hear their electric case in emergency session. That's before PUCO currently. Ormet filed with the bankruptcy judge of Delaware. That case was heard yesterday and their motion was requested currently they have four lines running and are asking the bankruptcy judge to shut one or up to all four down starting August 1. The judge granted that motion. If they do not get an agreement with AEP by July 31, then they will have to make a decision how to conserve funds and draw that out. Mrs. Favade thanked Mr. Puskar for this information and for making the public aware of the situation.

Mr. Probst asked Mr. Puskar if there was anything the board could do to help in this cause. He asked the board to write or contact the governor as he is in charge of PUCO and ask him how or what his plan is to save 1,000 jobs at Ormet. He said that would be very helpful.

Announcement-The board will reconvene at 9:00 a.m., Thursday, July 25, 2013, for Executive Session-ORC 121.22(G)(1) Personnel Exception.

IN THE MATTER OF AWARDING BID FOR THE ENGINEER'S PROJECT 13-3 RESURFACING VARIOUS COUNTY HIGHWAYS TO LASH PAVING, INC.

Motion made by Mrs. Favade, seconded by Mr. Probst to award the bid for the Belmont County Engineer's **Project 13-3 Resurfacing Various County Highways** to the low bidder, Lash Paving, Inc., in the amount of \$ 690,395.48, based upon the recommendation of Fred Bennett, County Engineer.

Upon roll call the vote was as follows:

Mrs. Favade	Yes
Mr. Probst	Yes
Mr. Coffland	Absent

IN THE MATTER OF ADVERTISING FOR BIDS FOR THE ENGINEER'S PROJECT 13-4, SAND HILL BRIDGE REPLACEMENT

Motion made by Mrs. Favade, seconded by Mr. Probst to advertise for bids for the Belmont County Engineer's Project 13-4, Sand Hill Bridge Replacement, based upon the recommendation of Fred Bennett, County Engineer and authorize the Clerk of the Board to proceed with the required Notice to Bidders.

Funding Source: Ohio Public Works and MVGT fund

NOTICE TO BIDDERS
BELMONT COUNTY COMMISSIONERS' OFFICE
ST. CLAIRSVILLE, OHIO 43950

Sealed bids will be received by the Belmont County Board of Commissioners at the Commissioners Office, Belmont County Courthouse, 101 West Main Street, St. Clairsville, Ohio 43950 until **10:30 A.M. (Local Time) Wednesday, August 14, 2013** for furnishing all labor, materials and equipment to complete for the Belmont County Engineer, the following project known as **Engineer's Project 13-4, BEL-4-6.51, BRIDGE REPLACEMENT PROJECT**, then at said office publicly opened and read aloud.

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

A Bid guaranty shall be provided with the bid in accordance with Section 153.54 of the Ohio Revised Code as follows:

A bid guaranty shall be provided with the bid in accordance with the Section 153.54 (B) O.R.C. for the full amount of the bid, or certified check, cashiers check or letter of credit in accordance with Section 153.54 (C) O.R.C. in an amount equal to 10% of the bid. Bid security furnished in Bond form, shall be issued by a Surety Company or Corporation licensed in the State of Ohio to provide said surety.

Each proposal must contain the full name of the party or parties submitting the proposal and all persons interested therein. Each bidder shall be pre-qualified by the Ohio Department of Transportation at the time of the bid opening and shall submit certification of said approval and pre-qualifications with bid. Each bidder must submit evidence of its experiences on projects of similar size and complexity. The owner intends and requires that this project must be completed by August 1, 2014.

All contractors and subcontractors involved with the project will, to the extent practicable use Ohio products, materials, services and labor in the implementation of their project. Additionally, contractor compliance with the equal employment opportunity requirements of Ohio Administrative Code chapter 123, the Governor's Executive Order of 1972 and Governor's Executive Order 84-9 shall be required.

Bidders must comply with the prevailing wage rates on Public Improvements in Belmont County, Ohio, as determined by the Ohio Bureau of Employment Services, Wage and Hour Division, (614) 644-2239.

Each bid must contain the full name of the party or parties submitting the proposal and all persons interested therein. "The Belmont County Commissioners reserve the right to reject any or all bids, to waive any informalities in the bids received, and to accept any bid or combination of bids which is deemed most favorable to the County at the time and under the conditions stipulated.

The Commissioners further declare that they will award the contract for this project to the lowest and best bid, which may not necessarily be the lowest bid. The Specifications contain a Bidder's Profile designed to gather certain information that may be considered in this regard. No single factor will control the Board's decision to award, and the Board reserves the right to exercise its full discretion,"

By order of the Board of Commissioners
of Belmont County, Ohio
Jayne Long /s/
Jayne Long, Clerk

Times Leader Advertisement: Two (2) Mondays: July 29, 2013 and August 5, 2013

Upon roll call the vote was as follows:

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

IN THE MATTER OF APPROVING THE ALLOCATION OF MONIES TO THE BELMONT CO. DEPT. OF DEVELOPMENT/CIC FOR 3RD QUARTER OF 2013

Motion made by Mrs. Favede, seconded by Mr. Probst to approve the allocation of \$ 18,750.00 to the Belmont County Department of Development/Community Improvement Corporation for program operation and administration for the 3rd quarter of 2013.

Upon roll call the vote was as follows:

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

IN THE MATTER OF APPROVING AND AUTHORIZING COMMISSION PRESIDENT TO EXECUTE THE SATISFACTION OF MORTGAGE BY SEPARATE INSTRUMENT FOR SHAWN SMITH/BELOMAR

Motion made by Mr. Probst, seconded by Mrs. Favede to approve and authorize Commission President Ginny Favede to execute the **Satisfaction of Mortgage By Separate Instrument** for Shawn Smith for a mortgage deed dated July 20, 2000 as recorded in Volume 774, pages 032-034 in the Belmont County Recorder's Office based upon the recommendation of A.C. Wiethe, Belomar Regional Council.

Note: Mr. Smith was a CHIP Grant recipient and the lien has been satisfied.

SATISFACTION OF MORTGAGE BY SEPARATE INSTRUMENT

The undersigned hereby certifies that a certain mortgage deed(s) dated July 20, 2000, and recorded in the Office of the Recorder of Belmont County, Ohio in Mortgage Volume 774 at pages 032-034 executed by Shawn Smith to the undersigned, has been fully paid and satisfied and the Recorder is authorized to discharge the same of record property:

July 24, 2013

Belmont County Commissioners:

By: Ginny Favede /s/
Ginny Favede

Upon roll call the vote was as follows:

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

IN THE MATTER OF AUTHORIZING COMMISSION PRESIDENT TO EXECUTE THE MEMORANDUM OF UNDERSTANDING BETWEEN BCDJFS AND TRI-COUNTY HELP CENTER, INC.

Motion made by Mr. Probst, seconded by Mrs. Favede to approve and authorize Commission President Ginny Favede to execute the Memorandum of Understanding between Belmont County Department of Jobs and Family Services and Tri-County Help Center, Inc.

Note: Belmont County DJFS has agreed to promote the Tri-County Help Center by including their toll-free number to clients for information and services related to domestic violence in their automated answering system.

MEMORANDUM OF UNDERSTANDING BETWEEN BELMONT COUNTY DEPARTMENT OF JOBS AND FAMILY SERVICES AND TRI-COUNTY HELP CENTER, INC.

Whereas it is the mission of the Tri-County Help Center, Inc. to empower individuals and families to overcome domestic violence, sexual abuse and mental illness, and it is the mission of the Belmont County Department of Jobs and Family Services to improve the well-being of Ohio's workforce and families by promoting economic self-sufficiency and ensuring the safety of Ohio's most vulnerable citizens, the Belmont County Department of Jobs and Family Services has agreed to promote the Tri-County Help Center, Inc. toll-free number to clients for information and services related to domestic violence by including this number, 1-800-695-1639, in their automated answering system, and

Tri-County Help Center, Inc. agrees to provide trained staff members to respond to calls from clients on this number 24-hours/day, and 7 days/week.

This Memorandum of Understanding will remain in effect until either partner chooses to terminate it with a written request.

Signed,

Executive Director, TCHC/Date

Ginny Favede /s/
Executive Director, BCDJFS/Date

Upon roll call the vote was as follows:

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

IN THE MATTER OF AUTHORIZING COMMISSION PRESIDENT TO EXECUTE THE FAMILY SERVICE AGENCY BUDGET ALLOCATION TRANSFER REQUEST ON BEHALF OF BCDJFS

Motion made by Mr. Probst, seconded by Mrs. Favede to approve and authorize Commission President Ginny Favede to execute the **Family Service Agency Budget Allocation Transfer Request**, on behalf of Belmont County Department of Job & Family Services, as follows:

Pass-Through Budget Increase

Grant	Budget Reference	Amount
JFSFMP13	Medicaid Child Welfare Related-JFSCPMCW	\$35,000
JFSFPF13	Post Adoption Special-JFSCPPAS	\$15,000

Upon roll call the vote was as follows:

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

**IN THE MATTER OF AUTHORIZING COMMISSION
PRESIDENT TO EXECUTE THE MONTHLY COST
REIMBURSEMENT FORM FOR THE MONTH OF JUNE
2013 ON BEHALF OF BCDJFS FOR THE BRN**

Motion made by Mr. Probst, seconded by Mrs. Favede to approve and authorize Commission President Ginny Favede to execute the Monthly Cost Reimbursement Form for the month of June 2013 on behalf of the Belmont County Department of Job & Family Services for the Business Resource Network (BRN) grant; Contract No. PY12-WIF-1204.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF AUTHORIZING COMMISSION
PRESIDENT TO EXECUTE THE ODJFS NON-EMERGENCY
TRANSPORTATION REPORT ON BEHALF OF BCDJFS**

Motion made by Mr. Probst, seconded by Mrs. Favede to approve and authorize Commission President Ginny Favede to execute the ODJFS Non-Emergency Transportation Report, on behalf of Belmont County Department of Job and Family Services, for April through June 2013.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF MAKING APPOINTMENTS TO THE
BELMONT CO. LEPC TO FILL UNEXPIRED TERMS OF
PREVIOUS MEMBERS**

Motion made by Mrs. Favede, seconded by Mr. Probst to make the following appointments to the Belmont County Local Emergency Planning Commission Committee (L.E.P.C.), effective June 18, 2013 through August 15, 2013 to fill the unexpired terms of previous members, based upon the recommendation of Dave Ivan, Belmont County LEPC Chairperson and the Local Emergency Planning Committee:

LAW ENFORCEMENT:

David Lucas, Belmont County Sheriff (replaces Sheriff Fred Thompson)
Jeremy Campbell, Bethesda Police Dept. (replaces Tim Zdanski)

HEALTH:

Robert Sproul, Bel. Co. Health Dept. (replaces Jim King)

LOCAL ENVIRONMENT:

Michael Freeman, Bel. Co. Health Dept. (replaces Robert Sproul)

Upon roll call the vote was as follows:

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

**IN THE MATTER OF REAPPOINTMENTS TO THE
BELMONT CO. LOCAL EMERGENCY PLANNING
COMMITTEE (LEPC)**

Motion made by Mrs. Favede, seconded by Mr. Probst to make the following reappointments to the Belmont County Local Emergency Planning Committee (LEPC) pursuant to Ohio Revised Code Section 3750.03 for a two-year term commencing August 15, 2013, and hereby authorize the submittal of the applications for these appointment to the Ohio EPA/SERC (State Emergency Response Committee) for approval:

BELMONT COUNTY LEPC ROSTER: TERM 8-15-13 to 8-14-15

ELECTED OFFICIALS:

Charles R. Probst, Jr. Belmont County Commissioner
Roger Weaver Pease Township Trustee

LAW ENFORCEMENT:

*David Lucas Belmont County Sheriff's Office
Lt. Jeff LaRoche Ohio Highway Patrol
*Jeremy Campbell Bethesda Police Department

FIRE FIGHTING:

Robert Smith Barnesville Fire Department
Michael Smolenak Barton Fire Department

FIRST AID:

Glenda Hollandworth American Red Cross, Disaster Director

HEALTH:

*Robert Sproul Belmont County Health Department

LOCAL ENVIRONMENT:

*Michael Freeman Belmont County Health Department

HOSPITAL:

Allen Bradley Simms East Ohio Regional Hospital & EMSTAR

EMERGENCY MANAGEMENT:

Dave Ivan Director, Belmont County EMA
Becky G. Horne Exec. Administrative Asst., Belmont County EMA

TRANSPORTATION:

Fred F. Bennett Engineer, Belmont County
David Schafer Superintendent, Ohio Dept. of Transportation

MEDIA:

Ed Polli Print, The Times-Leader

INDUSTRY:

Joseph Redinger Ohio Valley Chemical
Michael Bianconi Wheeling-Pittsburgh Steel Corporation (Retired)
Doug Longenette United Dairy, Inc.

AUDITOR FINANCIAL EXPERTISE:

Andrew L. Sutak Belmont County Auditor

ADDITIONAL GROUPS:

John R. Green Amateur Radio

Rose Gear	Barnesville Kiwanis Club
Gary Obloy	Belmont County Community Action Commission
Kurt Turner	Clergy
John A. Regis, Jr.	Belmont County Dept. of Job & Family Services

Upon roll call the vote was as follows:

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

10:30 Subdivision Hearing-Plat of Kettler’s Ridge, Richland Township

Present for the hearing were Engineer Fred Bennett, Ruth Graham, Engineer’s Drafting Technician, Richland Township Trustees Greg Bizzarri and Greg Reline and Attorney Mark Thomas who is representing the developers. Ruth stated she just received this information this morning. She said as far as the mapping goes, everything is in order. She deferred to Mark Thomas to explain what is proposed. This piece of ground is in Richland Township located directly across U.S. Route 40 from Whiteside’s. The proposed commercial development will hold a new CVS pharmacy, and Advance Auto Parts store and a Sheetz. There will also be a hotel and there is a restaurant site, which has not yet been committed. The developer is proposing this platted subdivision to effectuate its commercial development. Mr. Thomas has been talking to the trustees over a number of months. He said this has been a long and drawn out project; a couple of years to even get where we are today. The majority of the property is owned by Mr. and Mrs. Kettler. The subdivision is being proposed by the developer who is out of Portsmouth, OH. For board purposes today, the transfer of the real estate from the Kettler’s to the developer, which is going to be an LLC, which you will see down the road is St. Clair 001 LLC, which is a recently created limited liability company with the State of Ohio. They are the ones that are asking that this subdivision be approved. However, today they don’t own the property. After Mr. Bennett’s comments, the comments from Richland Township Trustees, Mr. Thomas is going to ask that the board do one of two things or a combination of the same. Under the code there is nothing that prohibits the board to do a conditional approval of the plat today, conditioned upon whatever needs to be, including that the property be transferred to the developer who would be platting the subdivision. That is under Section 711.05 of the ORC. Mr. Thomas said they are trying to get that closing scheduled ASAP, but it is such a big project and there is so much financing involved with it that they do not know if it is going to happen before the board’s next meeting or two weeks from today. The board, at this point, is not being asked to sign anything because while the plat is fine as to details, we have that one major detail in that the developer doesn’t yet own the property. If a conditional approval could be done based upon such, and then have the board put this on its agenda for next Wednesday, maybe they will be done by then. If not, Mr. Thomas would ask again for a continuance to the first meeting in August. He has expressed all these details to the Township Trustees. For the record this information was provided by Attorney Mark Thomas, representing the developers, St. Clair 001 LLC.

Engineer Fred Bennett stated the plat itself is fine. The problem is that it has to be signed by the owner, which Mr. Thomas stated the developer does not own yet. Mr. Bennett said he has no problem with a conditional approval of the plat itself and once the property has changed hands, then he can sign and the owner obviously has to sign. It can then be brought to the Commissioners to sign. He added there are no new roads involved. All the lots in the proposed subdivision front on a public road, either Rehm Road or National Road. Ruth said the plat is ready and just needs volume and page number and a signature.

Mr. Thomas said he will note for information that from U.S. Route 40 the access to the property will be directly at the traffic light. It’s a natural progression into what is now a hillside. The reason for the urgency behind this, there are thousands of cubic feet of yards of dirt to move and if we can save one hour, let alone a day, it would be eternally grateful. The CVS people want to have their store open nine months ago. He said this is going to be a great project for Richland Township and for Belmont County. The developer has an option to buy additional acreage to the north for a Phase II development in years to come. Mr. Thomas offered to answer any questions for the Township Trustees. Mr. Thomas said he is trying to avoid another full hearing, if the Commission is satisfied. Mr. Bennett noted if we reschedule another hearing, then you have to involve the time of sending out notices.

All concerned parties reviewed the maps. Township Trustee Greg Bizzarri said their concern is they don’t know how much traffic they are going to get coming out of the property onto Rehm Road. They are all for the project, but may end up with so much traffic on that road that it may not be able to adequately handle it. That road was not made to handle that kind of traffic. Mrs. Favede questioned how it also brings into account the passover from 40 to the other side of the Ohio Valley Mall with the express intention of that earmark for it to move traffic off the highway onto Route 40. Mr. Thomas said he was not sure he could answer that question because, yes, there will be additional traffic, but he doesn’t know that anyone can determine when that will be. He said there has been extensive work with the State of Ohio. There are a number of feet of State of Ohio right-of-way that is going to be released to the developer, the new owner of the property. He showed the location on the map. ODOT was happy with the plan to utilize the existing traffic signal. There is a plan in the works to build a new lane along U.S. Route 40 (Mark points to the map) that would help effectuate traffic flow. Ruth stated the traffic pattern is not depicted on the plat. Mr. Thomas said ODOT has been working from day one with the developer, the engineers and the surveyors. This can’t go forward without the release of the right-of-way. He said we have two existing public roads and not creating a new road. Mr. Thomas noted the developer would be happy to meet with the board to try to attempt to answer questions or work out some arrangement in the future to look at that portion of Rehm Road and what may be done with it and discuss potential concerns. Mr. Thomas because said because we are not asking for signatures today, we have some time to look into things. Mrs. Favede said she just likes all the parties to be informed. She said we certainly don’t want to stand in the way of development, but we also don’t want to simultaneously nix the development that is being proposed behind the Mall and Lowe’s. She said her only concern is the language in that earmark that was left by Bob Ney that it was very specific of its purpose as to move traffic off of the interstate and pushed onto 40. Mr. Bennett said the key to it is the Mall Road situation is so we create development. This is development so we don’t want to cancel this out. This is going to generate more traffic probably on Mall Road which may help the cause of the other project. Mr. Thomas asked the board to schedule for further hearing continued to July 31. He is not sure if they will close by then. He noted at this point CVS wants to open by the end of the year.

IN THE MATTER OF GRANTING CONDITIONAL APPROVAL FOR THE FINAL PLAT FOR KETTLER’S RIDGE, RICHLAND TOWNSHIP, SEC. 34, T6, R3

Motion made by Mrs. Favede, seconded by Mr. Probst to grant conditioned approval for the Final Plat for Kettler’s Ridge, Richland Township, Sec. 34, T6, R3,, pursuant to Ohio Revised Code 711.05, with the conditioned approval based upon the property being properly transferred and continue the hearing until July 31 at 10:00 a.m., based upon the recommendation of Fred Bennett, Belmont County Engineer.

Upon roll call the vote was as follows:

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

10:45 Linda Mehl, Belmont County WIC Program

Re: Proclamation In Recognition of Breastfeeding Awareness Week

Linda Mehl stated she appreciated the board taking time to do this every year. They are working very diligently to try to get their breastfeeding rates up. They are at about 30% for their WIC eligible moms, which are the lower income, high risk moms. It helps by people surrounding to change the climate of the county and the region setting an example and raising awareness. Mrs. Favade said she is very supportive of this and all mothers who choose to breastfeed. It is a healthy option and not always easy. She noted how breast feeding can help deter allergies.

**IN THE MATTER OF ADOPTING THE PROCLAMATION
IN RECOGNITION OF BREASTFEEDING AWARENESS WEEK**

Motion made by Mrs. Favade, seconded by Mr. Probst to adopt the proclamation in recognition of Breastfeeding Awareness Week.

***PROCLAMATION
IN RECOGNITION OF
BREASTFEEDING AWARENESS WEEK 2013***

WHEREAS, optimal health nutrition is of vital significance in the early months and years of life and is fundamental to the prosperity and livelihood of societies; and
WHEREAS, breastfeeding is one of the most easily utilized and cost-effective prevention strategies available worldwide for a variety of infections and many chronic and acute diseases, including diarrhea, Sudden Infant Death Syndrome, diabetes, obesity, and certain childhood cancers; and
WHEREAS, breastfeeding enriches the bonding process between mother and child, and provides women with added protection against ovarian and breast cancers; and
WHEREAS, continued support to sustain breastfeeding is the vital foundation for success and should be offered in a variety of ways; and
WHEREAS, it is recognized that there is a critical need for healthcare providers, employers, public health entities, policymakers, childcare providers, and the global community at large to offer continued support to the breastfeeding dyad; and
WHEREAS, World Breastfeeding 2013 is a time to recognize the importance of providing support and encouragement to breastfeeding mothers and celebrate the theme for 2013, **“Breastfeeding Support: Close to Mothers.”**
THEREFORE, The Board of Belmont County Commissioners, calls upon members of our community to support breastfeeding mothers and babies and do hereby proclaim August 1-7, 2013, to be World Breastfeeding Week in Belmont County and calls this observance to the attention of all our citizens.
Adopted this 24th day of July, 2013.

BELMONT COUNTY COMMISSIONERS

Ginny Favade /s/

Matt Coffland /s/

Upon roll call the vote was as follows:

Mrs. Favade	Yes
Mr. Probst	Yes
Mr. Coffland	Absent

**IN THE MATTER OF APPOINTING TOM A. ZUZAK AS THE
LAYPERSON REPRESENTATIVE TO THE BELMONT CO. 911 BOARD**

Motion made by Mrs. Favade, seconded by Mr. Probst to appoint Tom A Zuzak as the Layperson representative to the Belmont County 911 Board to fill the unexpired term of Mr. Ed Gorence, effective immediately through December 31, 2014.

Upon roll call the vote was as follows:

Mrs. Favade	Yes
Mr. Probst	Yes
Mr. Coffland	Absent

**IN THE MATTER OF AUTHORIZING COMMISSION
PRESIDENT TO EXECUTE THE GRANT APPLICATION
ON BEHALF OF BCDJFS FOR THE OHIO FAMILY AND
CHILDREN FIRST-COUNTY FAMILY AND CHILDREN
FIRST COUNCIL OPERATIONAL CAPACITY BUILDING FUNDS
FOR STATE FY 2014**

Motion made by Mr. Probst, seconded by Mrs. Favade to approve and authorize Commission President Ginny Favade to execute the grant application, on behalf of Belmont County Department of Job and Family Services, for the Ohio Family and Children First-County Family and Children First Council Operational Capacity Building Funds for state fiscal year 2014: Total budget: \$15,750.00.

Upon roll call the vote was as follows:

Mr. Probst	Yes
Mrs. Favade	Yes
Mr. Coffland	Absent

**IN THE MATTER OF ENTERING
EXECUTIVE SESSION AT 11:06 A.M.**

Motion made by Mrs. Favade, seconded by Mr. Probst to enter executive session pursuant to ORC 121.22(G)(1) Personnel Exception to consider the hiring and compensation of a public employee.

Upon roll call the vote was as follows:

Mrs. Favade	Yes
Mr. Probst	Yes
Mr. Coffland	Absent

**IN THE MATTER OF ADJOURNING
EXECUTIVE SESSION**

Motion made by Mrs. Favade, seconded by Mr. Probst to adjourn executive session.

Upon roll call the vote was as follows:

Mrs. Favade	Yes
Mr. Probst	Yes
Mr. Coffland	Absent

AS A RESULT OF EXECUTIVE SESSION, NO ACTION WILL BE TAKEN UNTIL THE BOARD GATHERS MORE INFORMATION.

RECONVENED THURSDAY, JULY 25, 2013, AT 9:10 A.M. PRESENT: COMMISSIONERS FAVEDE AND PROBST. ABSENT: COMMISSIONER COFFLAND.

**IN THE MATTER OF ADOPTING THE RESOLUTION
HONORING THE BELMONT COUNTY COMMON PLEAS COURT**

Motion made by Mrs. Favede, seconded by Mr. Probst to adopt the resolution Honoring The Belmont County Common Pleas Court.

***RESOLUTION
HONORING THE***

BELMONT COUNTY COMMON PLEAS COURT

WHEREAS, The current Belmont County Courthouse was built between 1885 and 1888 and was designed by noted Ohio architect, Joseph W. Yost; and

WHEREAS, the three floor Second Empire style building houses the Common Pleas Courtrooms on the third floor; and

WHEREAS, the Common Pleas Court holds jury trials and hears civil, criminal and domestic relations cases; and

WHEREAS, the courtroom of The Honorable John M. Solovan, II, has recently undergone much needed major renovations for the first time since the 1970's, with the Judge retaining his original bench through both projects; and

WHEREAS, Judge Solovan presides over his courtroom with wisdom, dignity, integrity, patience, fairness, courage, courtesy, and compassion. All who enter his courtroom are treated with the utmost respect with the expectation that the same respect will be returned.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Belmont County Commissioners does hereby honor the Belmont County Court of Common Pleas and the special meaning it holds for the Judges who have served on the bench, the numerous attorneys who have plead their cases within its walls, along with present and past county employees who have made their livelihood serving the residents of the county within the confines of the Belmont County Courthouse.

Adopted this 24th day of July, 2013.

BELMONT COUNTY COMMISSIONERS

Ginny Favede /s/

Charles R. Probst, Jr. /s/

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ENTERING
EXECUTIVE SESSION AT 9:12 A.M.**

Motion made by Mrs. Favede, seconded by Mr. Probst to enter executive session pursuant to ORC 121.22(G)(1) Personnel Exception to consider the hiring and compensation of a public employee.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADJOURNING
EXECUTIVE SESSION AT 11:17 A.M.**

Motion made by Mr. Probst, seconded by Mrs. Favede to adjourn executive session.

Upon roll call the vote was as follows:

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

AS A RESULT OF EXECUTIVE SESSION, NO ACTION WAS TAKEN.

RECONVENED MONDAY, JULY 29, 2013, AT 10:25 A.M.

PRESENT: COMMISSIONERS COFFLAND AND PROBST. ABSENT: COMMISSIONER FAVEDE

**IN THE MATTER OF ADJOURNING
COMMISSIONERS MEETING AT 10:30 A.M.**

Motion made by Mr. Coffland, seconded by Mr. Probst to adjourn the meeting at 10:30 a.m.

Upon roll call the vote was as follows:

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

Read, approved and signed this 31st day of July, 2013.

_____ COUNTY COMMISSIONERS

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

_____ PRESIDENT

_____ CLERK