

St. Clairsville, Ohio

June 1, 2011

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 Kathy Marino, Assistant 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 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.

<u>Claim of</u>	<u>Purposes</u>	<u>Amount</u>
A-Albert Parkhurst and 4 others	Salary for Officials-Veterans/General Fund	5,025.00
A-AT&T	Fax line-Magistrate/General Fund	70.38
A-Joseph A. Atkinson	Court Investigator's Fee/General Fund	635.70
A-Mine Safety Appliances Co.	Solaris repair-EMA/General Fund	325.00
B-Crossroads Counseling	April Counseling Services/Indigent Drivers Alcohol Fund	722.71
N-Huntington National Bank	Principal bond payment/SSD#2 Force Main Ext. Constr. Fund	1,800,000.00
N-Huntington National Bank	Interest/SSD32 Force Main Ext. Constr. Fund	31,412.50
O-Ohio Dept. of Development	June Loan Payment/Fox Commerce Park Fund	3,282.38
S-Beth A. Andes, MS, PCC	Contracted counselor/District Detention Home Fund	1,540.00
S-Chase Visa	Travel & Training/District Detention Home Fund	599.96
S-Digital Data Communications	Upgrade/Probate Court Computer Fund	5,870.11
S-Donna Cottage	Reimburse mileage & meals/Northern Ct. Gen. Special Projects Fund	200.60
S-Sam's Club/GEMB	Food/Oakview Juvenile Residential Center Fund	497.86

**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 June 1, 2011 as follow:

<b>FUND</b>	<b>AMOUNT</b>
A-GENERAL	\$715.84; \$24,150.96
A-GENERAL/AUDITOR	\$4,287.33
A-GENERAL/JUVENILE CT.	\$81.10
A-GENERAL/SHERIFF	\$2,692.12
A-GENERAL/911	\$289.62
B-Enforcement Education Fund	\$413.00
H-Job & Family, CSEA	\$8,035.45
H-Job & Family, Public Assistance	\$3,893.40
H-Job & Family, WIA	\$34,635.16
M-Juvenile Ct. – Care and Custody	\$2,950.00
M-Juvenile Ct. – Intake Coordinator	\$25.00
M-Juvenile Ct. – Placement Services	\$41,904.00
M-Juvenile Ct. – Title IV-E Reimb.	\$163.76
P-Special Emergency Planning Fund – LEPC	\$2,492.23
S-Certificate of Title Admn. Fund	\$109.55
S-District Detention Home	\$11,331.18
S-Job & Family, Children Services	\$160,000.00; \$288,475.51; \$83,308.82; \$4,814.29
S-Oakview Juvenile Residential Center	\$378.50
S-Sheriff Commissary	\$7,253.09
S-Western Ct. – General Special Projects	\$3,642.85

Upon roll call the vote was as follows:

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

**IN THE MATTER OF TRANSFER WITHIN**  
**THE BELMONT COUNTY GENERAL FUND**

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

<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
E0257-A017-A00.000 Contingency	E-0257-A015-A15.074 Transfers Out	\$31,412.50

Upon roll call the vote was as follows:

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

**IN THE MATTER OF TRANSFER BETWEEN THE**  
**BELMONT COUNTY GENERAL FUND AND DISTRICT**  
**DETENTION HOME FUND S33**

Motion made by Mr. Coffland, seconded by Mr. Probst to approve the following transfer between the Belmont County General Fund and the District Detention Home Fund S33.

<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
E-0051-A001-A33.000 Dist Detention Home (3rd quarter monies for 2011)	R-0910-S033-S20.574 Transfers In	\$115,000.00

Upon roll call the vote was as follows:

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

**IN THE MATTER OF TRANSFER BETWEEN THE GENERAL FUND AND N18 SSD#2 FORCE MAIN FUND**

Motion made by Mr. Probst, seconded by Mr. Coffland to approve the following transfer between the Belmont County General Fund and the SSD #2 Force Main Fund N18.

<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
GENERAL	SSD#2 FORCE MAIN	
E-0257-A015-A15.074 Transfers Out	R-9018-N018-N05.574 Transfers In	\$31,412.50

Upon roll call the vote was as follows:

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

**IN THE MATTER OF TRANSFERS BETWEEN FUNDS/ BELMONT COUNTY SANITARY SEWER DISTRICT**

Motion made by Mr. Coffland, seconded by Mr. Probst to approve the following transfers between funds from the Water and Sewer Guarantee Deposit Fund to the Revenue Receipt Fund for the month of May, 2011.

<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
E-3711-T010-T04.074 WSGDF Transfer Out	R-3701-P003-P15.574 WWS#2 01004002 Transfers In	57.00
E-3711-T010-T04.074 WSGDF Transfer Out	R-3702-P005-P15.574 WWS#3 02004002 Transfers In	326.39
E-3711-T010-T04.074 WSGDF Transfer Out	R-3704-P051-P08.574 SSD #1 03004002 Transfers In	95.15
E-3711-T010-T04.074 WSGDF Transfer Out	R-3705-P053-P08.574 SSD #2 04004002 Transfers In	68.77
E-3711-T010-T04.074 WSGDF Transfer Out	R-3706-P055-P08.574 SSD#3A 06004002 Transfers In	<u>120.70</u>
<b>TOTAL</b>		<b>668.01</b>

Upon roll call the vote was as follows:

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

**IN THE MATTER OF TRANSFER OF FUNDS FOR THE WAIVED HOSPITALIZATION CHARGEBACKS FOR THE MONTHS OF MARCH, APRIL AND MAY, 2011**

Motion made by Mr. Probst, seconded by Mr. Coffland to make the following transfer of funds for Waived Hospitalization for the months of March, April & May 2011.

<b>FROM</b>	<b>GENERAL</b>	<b>TO</b>	<b>AMOUNT</b>
<b>E-0256-A014-A09.006</b>		<b>R-9891-Y091-Y03.500</b>	<b>6,937.50</b>
E-2210-E001-E15.006	COUNTY HEALTH	R-9891-Y091-Y03.500	750.00
E-2226-T079-T01.002	WELCOME HOME	R-9891-Y091-Y03.500	0.00
E-3701-P003-P31.000	WATER & SEWER WWS#2	R-9891-Y091-Y03.500	111.65
E-3702-P005-P31.000	WATER & SEWER WWS#3	R-9891-Y091-Y03.500	224.64
E-3704-P051-P15.000	WATER & SEWER SSD#1	R-9891-Y091-Y03.500	113.23
E-3705-P053-P15.000	WATER & SEWER SSD #2	R-9891-Y091-Y03.500	86.35
E-3706-P055-P15.000	WATER & SEWER SSD #3A	R-9891-Y091-Y03.500	19.39
E-3707-P056-P15.000	WATER & SEWER SSD #3B	R-9891-Y091-Y03.500	7.24
E-8010-S030-S68.006	OAKVIEW JUVENILE REHAB	R-9891-Y091-Y03.500	187.50
E-0910-S033-S47.006	DISTRICT DETENTION	R-9891-Y091-Y03.500	562.50
E-0400-M060-M29.008	JUVENILE (Care & Custody)	R-9891-Y091-Y03.500	187.50
E-0400-M067-M05.008	JUVENILE (Alternative School)	R-9890-Y091-Y03.500	0.00
E-0400-M079-M02.008	JUVENILE (Fringes)	R-9890-Y091-Y03.500	187.50
E-4110-T075-T52.008	WIC FRINGES	R-9891-Y091-Y03.500	375.00
E-2510-H000-H16.006	PUBLIC ASSISTANCE	R-9891-Y091-Y03.500	4,750.00
E-2760-H010-H12.006	PUBLIC ASSISTANCE/CS	R-9891-Y091-Y03.500	1,000.00
E-2310-S049-S63.000	MENTAL HEALTH	R-9891-Y091-Y03.500	750.00
E-2812-K000-K20.006	MVGT-K11 ENGINEERS	R-9891-Y091-Y03.500	62.50
E-2410-S066.S80.000	DEVELOPMENTAL DISABILITIES	R-9891-Y091-Y03.500	1,687.50
E-1520-S077-S04.006	CORRECTION ACT GRANT	R-9891-Y091-Y03.500	0.00
E-1810-L001-L14.000	SOIL AND WATER	R-9891-Y091-Y03.500	187.50
E-1210-S078-S14.006	RECORDER/SUPP EQUIPMENT	R-9891-Y091-Y03.500	0.00
E-1511-W080-P07.006	VICTIM ASSISTANCE	R-9891-Y091-Y03.500	0.00
E-6010-S079-S07.006	CERT OF TITLE/CLK OF COURTS WESTERN CT. GEN. SPEC.	R-9891-Y091-Y03.500	0.00
E-1551-S088-S03.006	PROJECTS	R-9891-Y091-Y03.500	187.50
E-9799-S012-S02.006	PORT AUTHORITY	R-9891-Y091-Y03.500	<u>187.50</u>
	<b>TOTAL</b>		<b>18,562.50</b>

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 SSD #2 FORCE MAIN EXT CONST FUND N18**

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 June 1, 2011.

E-9018-N018-N05.050 Note Payment	\$1,800,000.00
E-9018-N018-N07.000 Issuance Fees	10,063.85

Upon roll call the vote was as follows:

Mr. Coffland	Yes
Mr. Probst	Yes

Mrs. Favede Yes

**IN THE MATTER OF ADDITIONAL APPROPRIATIONS FOR THE SSD #2 FORCE MAIN 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 June 1, 2011.

E-9018-N018-N06.051 Interest \$31,412.50

Upon roll call the vote was as follows:

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

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

Motion made by Mr. Probst, seconded by Mr. Coffland to execute payment of Then and Now Certification dated June 1, 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 Yes

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

Motion made by Mr. Coffland, seconded by Mr. Probst to request the Belmont Co. Budget Commission certify the following monies. **OUE BRICK TAVERN FUND - \$17,965.00** paid into R-2405-S005-S01.501 Grants on 06/01/11. *Note: This is a corrected pay-in as it was previously paid into Refunds & Reimbursements.*

Upon roll call the vote was as follows:

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

**IN THE MATTER OF APPROVING PAY APPLICATION #11223-1 FOR H.E. NEUMANN CO./AIR CONDITIONING PROJECT AT COURTHOUSE ANNEX III**

Motion made by Mr. Coffland, seconded by Mr. Probst to approve the Pay Application #11223-1 for H.E. Neumann Company, in the amount of \$62,163.00, for the Air Conditioning Project at the Courthouse Annex III, based upon the recommendation of Marshall J. Piccin, Project Manager.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF APPROVING PAY APPLICATION #11223-2 FOR H.E. NEUMANN CO./AIR CONDITIONING PROJECT AT COURTHOUSE ANNEX III**

Motion made by Mr. Coffland, seconded by Mr. Probst to approve the Pay Application #11223-2 for H.E. Neumann Company, in the amount of \$26,520.75, for the Air Conditioning Project at the Courthouse Annex III, based upon the recommendation of Marshall J. Piccin, Project Manager.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF AUTHORIZING PRESIDENT OF COMMISSIONERS TO EXECUTE A RELEASE AND ASSIGNMENT FROM WESTERN SURETY CO./BCSSD**

Motion made by Mrs. Favede, seconded by Mr. Coffland authorizing the President of the Belmont County Commissioners to execute a Release and Assignment accepting \$50,465.38 from Western Surety Company for damages incurred at the Belmont Sewer Lift Station and Force Main on August 5, 2008.

**RELEASE AND ASSIGNMENT**

This RELEASE AND ASSIGNMENT executed this 1<sup>st</sup> day of June, 2011 by the Undersigned, Board of County Commissioners of Belmont County, Ohio; **WITNESSETH:**

**WHEREAS**, the Undersigned entered into a contract with Glen James & Sons, Inc. (James) for the performance of work in connection with the construction of the Belmont Sewer Lift Station and Force Main; and

**WHEREAS**, Western Surety Company (Western), as surety, executed a Bid Guaranty and Contract Bond for James, as principal, to the Undersigned, as obligee, guaranteeing, among other things, that James would well and faithfully perform the contract between James and the Undersigned, as aforesaid; and

**WHEREAS**, the contract between the Undersigned and James required that James provide various policies of insurance, including a Commercial General Liability policy with limits of \$1,000,000.00 per occurrence of which the Undersigned was a named additional insured; and

**WHEREAS**, during the performance of the contract, James did provide a policy of Commercial General Liability insurance, issued by The Cincinnati Insurance Company which was succeeded by a policy of Commercial General Liability insurance issued by Westfield Insurance Company and the Undersigned was a named additional insured as to both policies; and

**WHEREAS**, the contract between the Undersigned and James provided a one year warranty on the work performed and material furnished by James; and

**WHEREAS**, James completed performance of the work on the contract, and the Belmont Sewer Lift Station and Force Main went into use in September, 2007; and

**WHEREAS**, on or about August 5, 2008, the force main came apart and flooded the building with four feet or more of sewerage covering the pumps, motors and electric controls in the building; and

**WHEREAS**, James had filed a petition in bankruptcy in the United States Bankruptcy Court for the Southern District of Ohio, Eastern Division and was therefore unable or refused to attend to and perform the work necessary to clean up and correct the damage occasioned by the failure of the force main, as aforesaid, and as result the Undersigned incurred costs totaling \$50,465.38; and

**WHEREAS**, the Undersigned has made claim against Western Surety Company on the aforesaid Bid Guaranty and Contract Bond claiming that James failed to “well and faithfully” perform its contract with the Undersigned in that James failed to abide by the terms of the warranty contained in the contract;

**NOW, THEREFORE**, for and in consideration of the payment to the Undersigned by Western in the sum of \$50,465.38, the Undersigned does hereby:

1. Release and forever discharge Western from and against any and all claims, demands, losses, costs, damages, expenses, actions or causes of action of whatever nature that the Undersigned had, has or may in the future have against Western arising out of, by reason of or in consequence of the aforesaid Bid Guaranty and Contract Bond and whether such claim, demand, action or cause of action is based on contract or operation of law;

2. Assign, transfer and set over to Western any and all rights, claims, demands, actions and causes of action which the Undersigned had, has or may have against The Cincinnati Insurance Company and Westfield Insurance Company, as an additional insured under the policies issued by each of such insurers, granting to Western the right to make claim and to file and prosecute an action against The Cincinnati Insurance Company and Westfield Insurance Company, as the assignee of the Board of County Commissioners of Belmont County, Ohio;

3. Agree to fully cooperate with Western should Western determine to assert a claim and prosecute an action against The Cincinnati Insurance Company or Westfield Insurance Company, such cooperation including making available to Western at reasonable times any and all documents in the possession of the Undersigned relating to the occurrence described herein and to make available to Western at reasonable times such employees or representatives of the Undersigned with knowledge or information relevant to the occurrence described herein.

Executed on the day and year first aforesaid by a representative of the Board of County Commissioners of Belmont County to whom specific authority was given to execute this document.

Board of County Commissioners of  
Belmont County, Ohio  
By Matt Coffland /s/  
Its President

Approved:

David K. Liberati /s/ (Assistant)

Prosecuting Attorney for Belmont County, Ohio

Upon roll call the vote was as follows:

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

**IN THE MATTER OF A RESOLUTION AUTHORIZING COMMISSIONER MATT COFFLAND TO APPLY FOR, ACCEPT AND ENTER INTO A WATER POLLUTION CONTROL LOAN FUND AGREEMENT ON BEHALF OF THE COUNTY OF BELMONT FOR DESIGN AND CONSTRUCTION OF WASTEWATER FACILITIES AND DESIGNATING A DEDICATED REPAYMENT SOURCE FOR THE LOAN/NEFFS SANITARY SEWER**

Whereas, the County of Belmont seeks to construct a new sanitary sewer collection system for the Neffs area; and  
Whereas, the County of Belmont intends to apply for Water Pollution Control Loan Fund (WPCLF) for the planning, design and/or construction of the wastewater facilities; and

Whereas, the Ohio Water Pollution Control Loan Fund requires the government authority to pass legislation for application of a loan and the execution of an agreement as well as designating a dedicated repayment source; now therefore,

BE IT RESOLVED by the Board of Commissioners of Belmont County, Ohio:

Section 1. That Commissioner Matt Coffland, be and is hereby authorized to apply for a WPCLF loan, sign all documents for and enter into a Water Pollution Control Loan Fund with the Ohio Environmental Protection Agency and the Ohio Water Development Authority for planning, design and/or construction of Wastewater facilities on behalf of the County of Belmont, Ohio.

Section 2. That the dedicated source of repayment shall be user fees and established assessments.

Section 3. That this resolution shall take effect and be in full force from and after the earliest period allowed by law.

Adopted this 1 day of June, 2011.

Motion made by Commissioner Favede, seconded by Commissioner Coffland to adopt the foregoing resolution and upon roll call the vote was as follows:

Commissioner Coffland Yes, Commissioner Probst Yes, Commissioner Favede Yes

Matt Coffland /s/  
President of Board of Commissioners

Attest: Kathy Marino /s/

Assistant Clerk

Upon roll call the vote was as follows:

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

**IN THE MATTER OF APPROVING PAYMENT TO RESULTS ENGINEERING FOR UPGRADE ON COUNTY’S ONBASE DOCUMENT MANAGEMENT SYSTEM**

Motion made by Mr. Coffland, seconded by Mr. Probst to approve payment to Results Engineering for 10% (\$5,483.48) of all costs not associated with AutoRedaction and WebAccess as agreed between the Clerk’s Office, Probate Court, Juvenile Court and Commissioner’s Office to upgrade the County’s OnBase Document Management System.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF AUTHORIZING THE SIGNING AND SUBMITTAL OF THE ODJFS SUBGRANT AGREEMENT ON BEHALF OF JUVENILE COURT**

Motion made by Mr. Coffland, seconded by Mr. Probst to authorize the signing and submittal of the Ohio Department of Job and Family Services Subgrant Agreement, on behalf of the Belmont County Juvenile Court, for State Fiscal Years 2012 and 2013 as follows:

Subgrant Agreement: G-1213-06-0138

Effective: July 1, 2011 through June 30, 2013

Amount: Up to four million dollars (\$4,000,000.00) total for grant period (\$2 M for each fiscal year)

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ENTERING INTO GOVERNMENT OBLIGATION CONTRACT ON BEHALF OF BELMONT CO. BOARD OF ELECTIONS WITH KANSAS STATE BANK OF MANHATTAN FOR PURCHASE OF 3 NEW ELECTRONIC VOTING SYSTEMS**

Motion made by Mr. Coffland, seconded by Mr. Probst to enter into Government Obligation Contract on behalf of the Belmont County Board of Elections with Kansas State Bank of Manhattan for the purchase of three (3) New Electronic Voting Systems including OKI Data 9650 Printers with Firmware, Precision Input-Feeders, Dell Laptops with Software/Stand and Carts in the amount of \$74,460.27 to be paid in five (5) yearly installments of \$16,671.00 each plus interest in the amount of \$8,894.73, for a total of \$83,355.00.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ENTERING INTO CONTRACT WITH LASH PAVING, INC./ENGINEER PROJECT 11-2 APPLYING LIQUID BITUMINOUS MATERIAL**

Motion made by Mr. Coffland, seconded by Mr. Probst to enter into contract with Lash Paving, Inc., on behalf of the Belmont County Engineer, in the amount of \$197,825.00 for Project 11-2 Applying Liquid Bituminous Material, based upon the recommendation of Fred Bennett, County Engineer.

**CONTRACT WITH THE BELMONT COUNTY COMMISSIONERS  
PROJECT 11-2 APPLYING LIQUID BITUMINOUS MATERIAL**

AUDITOR'S OFFICE, BELMONT COUNTY, OHIO

THIS CONTRACT, made and entered into this 1st day of June, 2011 between the **LASH PAVING, INC.**, P.O. Box 296, Colerain, Ohio 43916; and Charles Probst, Jr., Matt Coffland and Ginny Favede, Commissioners of Belmont County, WITNESSETH that the said **LASH PAVING, INC.** hereby agrees to furnish 52,500 gallons of MC-70 and 11,000 gallons of MC-3000 (Liquid Asphalt) for dust control, furnished and applied on roadway, at the rate of 0.25 gallons per square yard or as directed by the County Engineer.

The completion date for this project shall be July 15, 2011.

All work, materials and equipment shall meet the State of Ohio, Department of Transportation Construction and Material Specifications latest edition.

QUANTITY	DESCRIPTION	UNIT BID PRICE	TOTAL BID AMOUNT
52,500 GALLONS	MC-70	\$3.15	\$165,375.00
11,000 GALLONS	MC-3000	\$2.95	\$32,450.00
			\$197,825.00

And it is further understood and agreed by the parties above, that all the materials used shall be of the best kinds usually used for such purposes. That said **LASH PAVING, INC.** shall cause to be executed a bond to the satisfaction of the Commissioners for the faithful performance of the work, and for the security of the County, against pecuniary loss.

BELMONT COUNTY COMMISSIONERS

LASH PAVING, INC.

Charles R. Probst, Jr. /s/

BY: David P. Lash, Jr. /s/

Matt Coffland /s/

Ginny Favede /s/

APPROVED AS TO FORM:

David K. Liberati (s) (Assistant)

PROSECUTING ATTORNEY

Upon roll call the vote was as follows:

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

**IN THE MATTER OF APPROVING AND SIGNING THE LETTER OF ENGAGEMENT WITH MARK J. LUCAS, ATTORNEY AT LAW/BELMONT SENIOR SERVICES**

Motion made by Mr. Coffland, seconded by Mr. Probst to approve and sign the Letter of Engagement with Mark J. Lucas, Attorney at Law, for services to be performed regarding the Senior Services Project at a cost of \$140 per hour, plus reasonable and necessary expenses, the total not to exceed any limits imposed by law.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF HOLDING WHEELING TOWNSHIP  
“TOWN HALL” MEETING**

Motion made by Mr. Coffland, seconded by Mr. Probst to hold the Wheeling Township “Town Hall” meeting and to notify the media of the same. Public input is welcome and citizens are encouraged to attend: Wednesday, June 15 at 6:00 p.m., Township Garage, SR9, Fairpoint. *Note: This is the 11<sup>th</sup> Town Hall.*

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ACCEPTING THE RESIGNATION OF  
MARIE KOCHER, DEPUTY CLERK, WESTERN DIVISION COURT**

Motion made by Mr. Coffland, seconded by Mr. Probst to accept the resignation of Marie Kocher, Deputy Clerk, at Western Division Court, effective June 3, 2011.

Upon roll call the vote was as follows:

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

**OPEN PUBLIC FORUM** – Mary Jackson of Neffs asked if the Neffs Sewerage Project would be bid out soon. Mark Esposito and Kelly Porter of BCSSD had just left the Commissioners’ meeting. Mr. Coffland stated the Issue II funding, which is one funding source, becomes available July 1. He advised the BCSSD and the engineer met today and project is moving along, but it will not be before July 1. BCSSD Director Mark Esposito and Project Manager Kelly Porter will be asked to attend next week’s meeting to provide an update.

**BREAK**

**10:30 911 Board Members**

Allan Ketzell, representing the Belmont Co. 911 Board and the Belmont Co. Fire & Squad Officers Association, presented information as to why 911 is requesting a 1 mill levy be placed on the ballot. In 1994 a levy was put on and they were able to purchase radios, pagers and all the necessary backbone equipment for their system. Throughout the years they have not had money in their budget to be able to replace this equipment. At this time all backbone equipment, radios, pagers, mobiles, and portables are outdated and are in need of replacement. The cost to replace this equipment is \$9,206,304.25. The State of Ohio has come in with the Ohio MARCS System and given a cost to replace their backbone system at \$2,027,789.00. This cost can be split by four (Belmont, Harrison, Jefferson Co. and Ohio MARCS System). Belmont County’s Cost/Master Site would be \$506,947.25, a considerable cost savings. The cost for the Consoles/Nice Recording is \$731,099.00. To fix all of the tower sites and the entire microwave in the county it would cost \$2,727,630.00. 911 has five (5) channels. Right now they are getting a lot of busy signals on their radios. With any type of disaster such as a fire, any type of large incident, a bank robbery or a chase, they are getting busy signals and cannot talk. To buy two (2) channels off of Harrison County the cost would be \$634,254.00. Channels cannot be purchased from the FCC as they are sold out. To replace the mobiles and portables for everyone on the system, the cost would be \$4,606,374.00. The problem 911 is facing now is the radios currently in use may or may not have replacement parts from Motorola should they happen to need repairs. The paging system will be out of date next year. Some local fire departments have stepped up to help out. Brookside Fire Department put in for a pager grant. A grant was received to replace 650 pagers in the county at a cost of \$292,700.00. The County Commissioners then came up with \$58,040.00. This grant is the FEMA Fire Act Grant through the United States Fire Administration. It comes out once a year. The maximum amount of the grant is \$1 million. They are going to apply again in July for two grants; one is for the mobiles for every radio in every fire and EMS vehicle in the county, which equals out to \$653,904.00. Martins Ferry Fire Department is going to put in for that grant. Sunset Heights Fire Department is going to put in for the portables. Mr. Ketzell stated, “What we’re asking for today is to put on a one mill continual levy through the County Commissioners.” He then read the title of the proposed language that would appear on the ballot:

**PROPOSED TAX LEVY FOR THE**

**BELMONT COUNTY 911 PUBLIC SAFETY EMERGENCY COMMUNICATION SYSTEM AND EQUIPMENT**

**A 1 mill levy to constitute a tax for the benefit of the Belmont County 911 Public Safety Emergency Communications System and equipment TO BE UTILIZED BY POLICE, FIRE, AND EMS AGENCIES AND FOR THE PURPOSE OF REPLACEMENT, ADDITIONS, AND UPGRADES OF THE CURRENT EMERGENCY COMMUNICATIONS SYSTEM AND EQUIPMENT BY PROVIDING FUNDING FOR THE PURCHASE OF MOBILE AND PORTABLE RADIOS WITH ACCESSORIES, RADIO INFRASTRUCTURE, RADIO BACKBONE EQUIPMENT, DISPATCH RADIO CONSOLES, PAGERS AND PAGER EQUIPMENT, COMPUTERS FOR THE OPERATION OF THE BACKBONE AND PAGING EQUIPMENT, COMPUTERS FOR MOBILE DATA TERMINALS, AND/OR DEEMED EQUIPMENT NEEDED TO OPERATE THE SAID BELMONT COUNTY 911 PUBLIC SAFETY EMERGENCY COMMUNICATIONS SYSTEM AND EQUIPMENT (EXCLUDING SALARIES, MAINTENANCE, AND OPERATIONS) IN ACCORDANCE WITH SECTION 5705.19(KK) OF THE REVISED CODE OF OHIO at a rate not to exceed 1 mill for each one dollar valuation, which amounts to \$.10 for each one hundred dollars (\$100) of valuation, for a continuing period of time commencing January 1, 2012 and first due in calendar year 2012.**

Commissioner Coffland made the following comments: He advised he has sat in on many meetings with the 911 Board. The county spends almost \$1.5 million out of the general budget to maintain the operations of 911 to pay their people and for the upkeep. The equipment is outdated. We have looked for funding and they are working every source they can. We are now considering asking the public for a 1 mill levy for updates. Everyone in the county now uses the 911 system.

Mr. Ketzell advised that by going in with the MARCS System and Harrison and Jefferson Counties, they will be able to save \$1.5 million. With the four entities sharing, it can be done for \$505,946.25. When Belmont Co. did their system in 1997, we were the elite system in the state. The first 911 call was taken September 11, 1997. Only the City of Martins Ferry is running a fulltime dispatch center and St. Clairsville Police Department at this time. The St. Clairsville-Cumberland Trail Fire Department’s calls go through 911.

Commissioner Probst thanked the levy committee for all they have done to put this together. He also thanked them and the local fire departments for putting the grants together. He questioned the wording of the proposed tax levy regarding excluding maintenance. Mr. Ketzell stated that this time the Commissioners are paying the maintenance of the radio system and the 911 building. Mr. Coffland stated the levy language is not final as of yet and will need approved after it is reviewed. Mr. Probst stated it is very unfortunate that in 1997 it was not known that in 2011 they would have to come up with \$9 million in upgrades. There was no forewarning. He asked for a timeline on the six items presented. Mr. Ketzell said the portables are done and cannot be replaced. Regarding the \$506,947.25 for the backbone – Ohio MARCS has given them until December to do that. Commissioner Favede asked for all information in order to submit a formal request at the state and federal levels to see if any funding available.

### **11:00 Members of Belmont Senior Services Advisory Board**

The Commissioners meeting room was filled to capacity with senior citizens and Belmont Senior Services employees and board members who came to question the plan to have Belmont Co. Department of Job & Family Services take over the senior services programs. The majority of those in attendance were strongly opposed to this idea. Clarence Briggs had petitions signed from every community supporting Belmont Senior Services for the job they presently do. Mr. Briggs noted concerns with having DJFS take over the senior programs due to the severe funding cuts that department has recently faced. Mr. Coffland advised of the Board of Commissioners' concern when reviewing the budget of Belmont Senior Service and their spending trends which would have them in deficit spending by the year 2013. He stated, "You elected us to watch your dollars and that's what we are doing." The board also questioned why administration costs went up \$100,000.00. This was not for services, but for salaries and administrative costs. BSS also had wanted to hire an additional administrator for \$50,000.00. BSS and DJFS were asked to meet to see if they could work together to leverage more monies. The meeting never happened. DJFS was then asked to prepare a proposal. No action has been taken on their proposal. Mr. Coffland did apologize for not contacting the BSS Advisory Board or the senior centers to advise them of the proposed changes.

BSS board member Frank Carrothers stated he has been assured nothing will change immediately. He admitted being very upset to learn of BSS going under the DJFS umbrella. He wants to see all services continue and do what is best for the seniors. He hopes the transition goes smoothly and praised the currently BSS employees. He asked that they be hired by DJFS. Since BSS is a private agency and cannot get the funds DJFS can, he agreed it was time to move forward with the transition.

Dwayne Pielech, Director of BCDJFS, stated his department will be able to get state and federal match monies for the senior programs. He will be visiting all the senior centers to explain the proposed changes. In addition to the current programs, he stated they will be able to provide other services currently not in place, such as homemaker services, more transportation and education options. He assured that no senior centers would be closed. They will serve hot meals with a plan to do frozen meals on the weekends and introduce shelf stable meals. You will have a choice in the type of meal you receive. Current employees will need to interview for their positions, including drivers. Mr. Pielech stated they will enhance the services to the seniors.

Also speaking out against the change were current BSS Executive Director Tim Johnson and Kate Coe. They disagree that BSS has been fiscally irresponsible. Mr. Pielech stated he has been given a challenge and asked to take on this project.

Mrs. Favede noted the changes taking place in the State of Ohio. Decisions being made are for 1, 2 and 3 years out. The federal government is making cuts to Medicaid and Medicare programs and that trickles down here. The board is looking to maximize the federal and state dollars coming into the county. The board is also looking to help seniors who are not getting services or meals now. She further stated, "We truly are looking out for your best interests."

Mr. Probst stated, "These have been some tough decisions." He has watch BSS grow and decline over his past 12 years in office. There used to be people on waiting lists. A replacement levy was put on to help. Senior directors were layed-off for a time. On the initial budget that BSS had submitted he said that would have happened in about 1 ½ years. Those same programs would have had a decline. He agrees that BSS has very, very good employees. They are recognized in the state for being one of the best. Mr. Probst also stated, "The monetary decisions made today have nothing to do with the staff at BSS and some of the management." It is possible with the match monies that can be gained that a small tax levy may be taken off instead of increasing in the future with the projections that are coming in now. He also credited the management team at BCDJFS as being second to none.

Mr. Coffland thanked everyone for coming and asked that all "Let us do the job you elected us to do."

### **BREAK**

**RECONVENE THURSDAY, JUNE 2, 2011 AT 2:05 P.M.**

**PRESENT: COMMISSIONERS MATT COFFLAND AND GINNY FAVEDE**

**ABSENT: COMMISSIONER CHARLES R. PROBST, JR.**

### **IN THE MATTER OF RESCHEDULING REGULAR MEETING OF BOARD OF COMMISSIONERS**

Motion made by Mr. Coffland, seconded by Mrs. Favede to reschedule the regular meeting of the Board of Commissioners from Wednesday, June 15, 2011 to Thursday, June 16, 2011; the meeting will commence at 10:00 a.m.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADJOURNING  
COMMISSIONERS MEETING AT 2:08 P.M.**

Motion made by Mr. Coffland, seconded by Mrs. Favede to adjourn the meeting at 2:08 p.m.  
Upon roll call the vote was as follows:

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

Read, approved and signed this 8th day of June, 2011.

\_\_\_\_\_  
 \_\_\_\_\_ COUNTY COMMISSIONERS  
 \_\_\_\_\_

We, Matt Coffland and Kathy Marino, President and Assistant 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  
 \_\_\_\_\_ ASSISTANT CLERK