

St. Clairsville, Ohio

June 17, 2009

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

**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.

Claim of	Purposes	Amount
A-Andrew Sutak	Travel fees/General Fund	84.30
A-Quill	Supplies-Common Pleas/General Fund	468.37
A-Riesbeck's	Water-Common Pleas/General Fund	7.98
A-Treasurer of State of Ohio	Audit Fees/General Fund	28,458.23
G-Belmont Co. Tourism	June Contract Services/Lodging Excise Tax Fund	20,000.00
K-Wells Fargo Payment Center	Visa Card/Engineer MVGT Fund	51.68
O-Ohio Water Dev. Authority	Bond Payment/WWS#3 Bond Fund	2,787.14
P-Indoff	Supplies/BCSSD Funds	179.92
P-Postmaster	Postage/BCSSD Funds	5,640.00
P-WW System #3	Purchased Water/BCSSD Funds	39,169.87

**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 June 17, 2009 as follow:

FUND	AMOUNT
A-GENERAL	\$43,745.20; \$2,050.52; \$2,225.99; \$631.07
A-GENERAL/ATTORNEY FEES	\$1,751.27
A-GENERAL/AUDITOR	\$94.90
A-GENERAL/SHERIFF	\$4,002.24; \$3,068.08
A-GENERAL 911	\$3,729.79
E-911	\$577.73
H-County Home, Park Health	\$21,751.65; \$28,232.56
H-Job & Family, CSEA	\$117,983.22; \$5,418.89
H-Job & Family, Public Assistance	\$435.94; \$145,016.71; \$591.00; \$122,332.79; \$83,642.70; \$6,033.82; \$1,295.07; \$9,786.86; \$23,002.78; \$82,992.37
H-Job & Family, WIA	\$29,010.00
K-Engineer MVGT	\$24,219.04; \$312.97; \$565.50
M-Juvenile Ct. – Title IV-E Reimb.	\$117.77
M-Juvenile Ct. – Intake Coordinator	\$527.14
P-Oakview Admn. Bldg.	\$2,749.04
P-Sanitary Sewer District	\$23,044.66; \$1,565.20; \$15,370.16; \$3,122.76; \$2,543.31; \$211.85
S-Certificate of Title Admn. Fund	\$81.20
S-Clerk of Courts Computer	\$328.63
S-District Detention Home	\$3,354.25
S-Job & Family, Children Services	\$1,018.08; \$1,994.80; \$217,990.13
S-Oakview Juvenile Residential Center	\$4,022.31

Upon roll call the vote was as follows:

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

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

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

FROM	TO	AMOUNT
E-0051-A001-A50.000 Budget Stab	E-0160-A009-D10.007 Vets Unemployment	\$6,000.00
	E-0161-A009-C08.000 Vets Other Exp	\$6,000.00

Upon roll call the vote was as follows:

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

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

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

FROM	TO	AMOUNT
E-0131-A006-A09.000 Food	E-0131-A006-A03.002 Jail Salaries	\$40,000.00
E-0131-A006-A12.000 Travel	E-0131-A006-A03.002 Jail Salaries	\$19,443.06
E-0131-A006-A18.000 Radios	E-0131-A006-A03.002 Jail Salaries	\$ 556.94
E-0131-A006-A14.004 Worker's Comp	E-0131-A006-A04.002 Rd Salaries	\$22,152.34
E-0131-A006-A03.010 Supplies	E-0131-A006-A04.002 Rd Salaries	\$ 1,232.66
E-0131-A006-A06.011 Contracted Supplies	E-0131-A006-A04.002 Rd Salaries	\$ 6,600.00
E-0131-A006-A17.012 Cruisers	E-0131-A006-A04.002 Rd Salaries	<u>\$10,015.00</u>
	<b>Total</b>	<b>\$100,000.00</b>

*(Note: These represent moves of the Sheriff's Appropriations into the Jail and Road Salaries to cover payroll)*

Upon roll call the vote was as follows:

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

**IN THE MATTER OF TRANSFERS WITHIN FUND FOR THE BCDJFS PUBLIC ASSISTANCE FUND**

Motion made by Mr. Probst, seconded by Mrs. Favede to approve the following transfers within fund for the BCDJFS Public Assistance Fund.

<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
E-2510-H000-H16.006 Hospitalization	E-2510-H000-H12.003 PERS	\$ 250,000.00
E-2510-H000-H05.000 Public Assistance	E-2510-H000-H02.010 Supplies	\$ 100,000.00

Upon roll call the vote was as follows:

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

**IN THE MATTER OF TRANSFER WITHIN INFRASTRUCTURE FUND N38**

Motion made by Ms. Favede seconded by Mr. Coffland to approve the following transfer within Infrastructure Fund N38.

<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
E-9038-N038-N05.055 Contract Services	E-9038-N038-N29.000 ISIF/Port Auth	\$100,000.00

Upon roll call the vote was as follows:

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

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

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

<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
E-0051-A001-A39.000 Port Auth (This represents 3 <sup>rd</sup> Quarter Allocation)	R-9799-S012-S04.574 Transfer In	\$25,000.00

Upon roll call the vote was as follows:

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

**IN THE MATTER OF TRANSFER WITHIN FUND FOR THE PORT AUTHORITY FUND**

Motion made by Mr. Probst, seconded by Mrs. Favede to approve the following transfer within fund for the Port Authority Fund.

<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
E-9799-S012-S07.000 Professional Services	E-9799-S012-S02.006 Hospitalization	\$ 3.30

Upon roll call the vote was as follows:

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

**IN THE MATTER OF TRANSFERS WITHIN FUND FOR THE OAKVIEW JUVENILE REHABILITATION FUND**

Motion made by Mr. Probst, seconded by Mr. Coffland to approve the following transfers within fund for the Oakview Juvenile Rehabilitation Fund.

<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
E-8010-S030-S51.002 Salaries	E-8010-S030-S58.000 Communications	1,700.00
E-8010-S030-S68.006 Hospitalization	E-8010-S030-S58.000 Communications	3,200.00
E-8010-S030-S67.004 Workers Comp	E-8010-S030-S58.000 Communications	2,243.31
E-8010-S030-S62.000 Printing/Advertising	E-8010-S030-S58.000 Communications	482.09
E-8010-S030-S56.000 Motor Vehicles	E-8010-S030-S58.000 Communications	1,679.64
E-8010-S030-S60.000 Maintenance	E-8010-S030-S58.000 Communications	796.00
E-8010-S030-S60.000 Maintenance	E-8010-S030-S59.000 Fuel/Utilities	3,670.00
E-8010-S030-S60.000 Maintenance	E-8010-S030-S53.000 Medical	910.00
E-8010-S030-S60.000 Maintenance	E-8010-S030-S55.010 Supplies	1,384.62

Upon roll call the vote was as follows:

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

**IN THE MATTER OF Y-95 EMPLOYER'S SHARE PERS/HOLDING ACCOUNT CHARGEBACK FOR MAY 2009**

Motion made by Mrs. Favede seconded by Mr. Coffland to make the following transfer of funds for the Y-95 Employer's Share PERS/Holding Account for the month of May 2009.

**Gross Wages P/E 05/09/09 thru 05/23/09**

**GENERAL FUND**

AUDITOR	E-0011-A001-B09.003	R-9895-Y095-Y01.500	<b>5,029.96</b>
AUD EMPL-PERS PROP	E-0012-A001-B14.003	R-9895-Y095-Y01.500	<b>377.10</b>
AUD EMPL-REAL PROP	E-0013-A001-B18.003	R-9895-Y095-Y01.500	<b>610.01</b>
CLERK OF COURTS	E-0021-A002-E09.003	R-9895-Y095-Y01.500	<b>2,570.18</b>
CO. CT. EMPL	E-0040-A002-G08.003	R-9895-Y095-Y01.500	<b>4,218.78</b>
COMMISSIONERS	E-0051-A001-A25.003	R-9895-Y095-Y01.500	<b>5,271.60</b>
COMM-LAW LIBRARY	E-0053-A013-A02.003	R-9895-Y095-Y01.500	<b>347.12</b>
COMM-DIS SERV	E-0054-A006-F05.003	R-9895-Y095-Y01.500	<b>606.58</b>
COMM-MAINT & OP	E-0055-A004-B16.003	R-9895-Y095-Y01.500	<b>4,720.49</b>
9-1-1 DEPT	E-0056-A006-E08.003	R-9895-Y095-Y01.500	<b>5,528.20</b>
COMM PLEAS CT EMPL	E-0061-A002-B14.003	R-9895-Y095-Y01.500	<b>4,195.98</b>
MAGISTRATE	E-0063-A002-B28.003	R-9895-Y095-Y01.500	<b>1,151.32</b>

ENGINEERS EMPL	E-0070-A012-A08.003	R-9895-Y095-Y01.500	1,435.80
PROBATE CT EMPL	E-0081-A002-D10.003	R-9895-Y095-Y01.500	1,607.42
PROBATE CT JUV EMPL	E-0082-A002-C36.003	R-9895-Y095-Y01.500	7,437.26
PROSECUTING ATTNY	E-0111-A001-E09.003	R-9895-Y095-Y01.500	5,386.52
RECORDER	E-0121-A006-B09.003	R-9895-Y095-Y01.500	2,585.90
SHERIFF EMP (PERS)	E-0131-A006-A13.003	R-9895-Y095-Y01.500	6,300.94
TREASURER	E-0141-A001-C09.003	R-9895-Y095-Y01.500	2,895.68
CORONER	E-0151-A002-F07.003	R-9895-Y095-Y01.500	804.94
SOLDIER'S RELIEF	E-0160-A009-D07.003	R-9895-Y095-Y01.500	1,793.96
PUBLIC DEFENDER	E-0170-A006-G09.003	R-9895-Y095-Y01.500	1,899.20
BD OF ELECT/EMPLY	E-0181-A003-A09.003	R-9895-Y095-Y01.500	2,750.78
BUDGET COMM	E-0210-A001-F02.003	R-9895-Y095-Y01.500	84.00
T. B. SAN	E-0300-A008-B10.003	R-9895-Y095-Y01.500	<u>426.07</u>
			<b>70,035.79</b>
DOG & KENNEL	E-1600-B000-B08.003	R-9895-Y095-Y01.500	705.84
COUNTY HEALTH	E-2210-E001-E10.003	R-9895-Y095-Y01.500	2,614.68
Trailer Parks	E-2211-F069-F02.002	R-9895-Y095-Y01.500	
Sewage Program	E-2227-F074-F03.002	R-9895-Y095-Y01.500	343.00
Vital Statistics	E-2213-F075-F02.003	R-9895-Y095-Y01.500	468.00
Public Health Infrastructure	E-2214-F076-F01.002	R-9895-Y095-Y01.500	756.00
Family Planning	E-2215-F077-F01.002	R-9895-Y095-Y01.500	333.00
Women's Health	E-2217-F079-F01.002	R-9895-Y095-Y01.500	
Food Service	E-2218-G000-G06.003	R-9895-Y095-Y01.500	973.00
PARK HEALTH CENTER	E-2150-H030-H08.003	R-9895-Y095-Y01.500	21,641.48
R.E. ASSESSMENT	E-1310-J000-J04.003	R-9895-Y095-Y01.500	2,749.04
ENGINEER K-1 & K-2	E-2811-K000-K08.003	R-9895-Y095-Y01.500	3,268.96
ENG EMP-MVGT K-11	E-2812-K000-K21.003	R-9895-Y095-Y01.500	11,503.91
ENG EMP-BRIDGE K-25	E-2813-K000-K34.003	R-9895-Y095-Y01.500	5,142.84
SOIL CONSERVATION	E-1810-L001-L11.003	R-9895-Y095-Y01.500	1,247.74
Watershed Coordinator	E-1815-L005-L11.003	R-9895-Y095-Y01.500	308.00
Care and Custody-Restitution	E-0400-M060-M61.003	R-9895-Y095-Y01.500	308.65
Care and Custody-C-Cap	E-0400-M060-M26.003	R-9895-Y095-Y01.500	804.25
Care and Custody-Drug Court	E-0400-M060-M72.003	R-9895-Y095-Y01.500	600.16
Alternative School	E-0400-M067-M02.003	R-9895-Y095-Y01.500	708.46
Title IV-E	E-0400-M078-M02.008	R-9895-Y095-Y01.500	622.89
LEPC	E-1720-P090-P08.003	R-9895-Y095-Y01.500	116.46
Bel Co Port Authority	E-9799-S012-S08.003	R-9895-Y095-Y01.500	780.76
OAKVIEW-JUVENILE	E-8010-S030-S66.003	R-9895-Y095-Y01.500	5,959.21
DIST DET HOME	E-0910-S033-S44.003	R-9895-Y095-Y01.500	7,042.85
MENTAL HEALTH	E-2310-S049-S60.003	R-9895-Y095-Y01.500	2,915.08
BD. OF DEVELOP. DISAB.	E-2410-S066-S76.003	R-9895-Y095-Y01.500	25,065.40
CORRECTIONS ACT GRNT	E-1520-S077-S03.003	R-9895-Y095-Y01.500	748.96
CO RECORDER	E-1210-S078-S11.003	R-9895-Y095-Y01.500	546.35
CLRK CRTS-TITLE DEPT	E-6010-S079-S06.003	R-9895-Y095-Y01.500	2,570.14
NORTHRN CRT-SPECIAL	E-1561-S086-S02.003	R-9895-Y095-Y01.500	293.70
EASTERN CRT-SPECIAL	E-1571-S087-S02.003	R-9895-Y095-Y01.500	279.20
WEST CRT-SPECIAL	E-1551-S088-S02.003	R-9895-Y095-Y01.500	627.89
COMMON PLEAS CRT-SPEC	E-1572-S089-S07.003	R-9895-Y095-Y01.500	
WIC PROGRAM	E-4110-T075-T52.008	R-9895-Y095-Y01.500	2,327.00
IAP	E-2223-T077-T01.002	R-9895-Y095-Y01.500	200.00
Welcome Home	E-2226-T079-T01.002	R-9895-Y095-Y01.500	
PROS-VICTIM PROGRAM	E-1511-W080-P05.003	R-9895-Y095-Y01.500	499.18
DRETAC-PROSECUTOR	E-1510-W081-P05.003	R-9895-Y095-Y01.500	755.34
DRETAC-TREASURER	E-1410-W082-T05.003	R-9895-Y095-Y01.500	
WW#2	E-3701-P003-P29.003	R-9895-Y095-Y01.500	1,520.79
WW#3	E-3702-P005-P29.003	R-9895-Y095-Y01.500	6,301.31
SSD#1	E-3704-P051-P13.003	R-9895-Y095-Y01.500	462.09
SSD#2	E-3705-P053-P13.003	R-9895-Y095-Y01.500	2,399.95
SSD#3A	E-3706-P055-P13.003	R-9895-Y095-Y01.500	209.09
SSD#3B	E-3707-P056-P13.003	R-9895-Y095-Y01.500	28.30
HUMAN SERVICES	E-2510-H000-H12.003	R-9895-Y095-Y01.500	56,203.05
C.S.E.A.	E-2760-H010-H07.003	R-9895-Y095-Y01.500	<u>4,440.38</u>
		<b>TOTAL</b>	<b>247,428.17</b>

Upon roll call the vote was as follows:

Mrs. Favede	Yes
Mr. Coffland	Yes
Mr. Probst	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 June 17, 2009, presented by the County Auditor pursuant to O.R.C. 5705.41(d) 1, and authorizing the drawing of warrant(s) in payment of amounts due upon contract or order.

Upon roll call the vote was as follows:

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:

**BCDJFS** – Vincent Gianangeli and Jim Kapolka to various meetings in June and July, 2009. Estimated expenses: 32.00

**JUVENILE COURT** – Jennifer Shunk to travel to Columbus, OH, on August 25-28, 2009, to attend training with the Supreme Court for the Court Management Program.

Upon roll call the vote was as follows:

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

**OPEN PUBLIC FORUM** – Approximately 50 deputies from the Belmont County Sheriff's Department were in attendance for today's meeting.

Richard Hord asked if a levy for the Sheriff's Department has been considered. Commissioner Probst stated it could be; it's one of the options the Commissioners have thought about in the past, but with the state of the economy today, it is not known if it is worthwhile to pursue this. He also stated that recommendation would have to come from the Sheriff.

Mr. Hord asked if the County Health Department has to pay back a quarter of a million dollars, what fund would the money come out of. Commissioner Probst turned the question over to Auditor Joe Pappano. Mr. Pappano said he had people working on this issue, noting this is really federal monies passing through the state. He stated he wasn't sure if they could do anything other than having them fine the county and fight it later. Mr. Pappano said the county does not have the money to pay right now. The county is down \$3 million dollars in sales as of April. Sales are actually up except for the sale of automobiles.

Mr. Pappano asked the board if they had done anything per last weeks recommendations regarding the Sheriff's Department. Mr. Probst said he felt everyone needs to see exactly all the numbers. Mr. Pappano requested a meeting today with the Sheriff regarding payroll.

Doug Kemp of Bethesda asked if it was true all county agencies took a 10% cut, including the Auditor, Commissioners, Prosecutor, Court systems and the Public Defender. He also stated with the Sheriff's Dept. tentatively taking a 38% cut, that leaves six (6) deputies to take care of law enforcement for the county. He said as a concerned citizen he doesn't feel this will work, and asked who will be held accountable for the safety of the citizens and for the crime in the county. He feels the board and the Auditor is setting the Sheriff up for failure. He also remarked about the monies embezzled from the Health Department, people placed on administrative leave, and asked why those people aren't being sought after to get the monies returned instead of expecting the taxpayers to pay.

Commissioner Probst replied that in the beginning when working on the budget, we started at 10% across the board, went to 15% and then to 20%. Mr. Kemp again asked if everyone took that cut. Mr. Probst advised, "Yes." Mr. Kemp asked if it could be shown in black and white. Mr. Probst requested that Fiscal Manager, Cindi Henry, be brought in to the meeting to help explain the budget cuts.

In the meantime, Commissioner Coffland explained when looking at the amount of money certified this year (\$17,085 million) and seeing what was spent last year (\$22 million) it was immediately known that the county was in trouble. He said the Sheriff was asked to join in discussions with the board and it was requested that part-time deputies be cut out and 10 deputies needed to be reduced to bring his budget in line. This would have resulted in a savings of an average of \$500,000.00. If this would have been done in January as requested, it would have covered six (6) more pay periods (12 more weeks from where we are today). This would put us to the final quarter of the year (September) which is where Mr. Pappano thought we would be. We did not receive any cuts (from the Sheriff's Department). None. When we sat down with the Sheriff we made suggestions and showed where cuts could be made. Examples: We are doing double duty with dispatching. We have a 911 Center. Why couldn't we cut four (4) dispatchers? Why couldn't we cut one person per shift at the jail? Why couldn't we look at the IT person we were going to give you? We looked at possibly cutting one (1) road deputy. Not go in and hit anyone hard. Mr. Coffland continued, that we only asked for 10 jobs, noting the board does not want to see anyone laid off. It would have been a lot easier in the last quarter to find money compared to trying to find it in May. We got absolutely no help. None. The new scenario is to go in and cut every department again. It is not fair to every officeholder in Belmont County to take an additional cut and Mr. Coffland stated he could not support that. He said he will support a levy to help run the Sheriff's Department, he will support cutting back more at their department, but cannot penalize those departments who have stayed within their budgets and done well and reward those who have not. He further stated if Mr. Pappano would like to certify more money, he will gladly give it to the Sheriff's Department. The Sheriff's budget was cut more than others because it was so far over budget last year. Mr. Coffland further advised that all other elected officials have come to the board asking why they have to give up monies because of the Sheriff's Department. Mr. Coffland expressed his concerns and sympathy towards the deputies attending today. It is sad now that the cuts needed today are 20 deputies, maybe more. If we would have done the cuts in January like we suggested, we would have survived. Mr. Coffland concluded by saying: We had CORSA working for you, hired our own attorneys to help you, and this office has gone over and above the call to help support the Sheriff's Department in every way. If we don't get things in line, we are going to lose our county insurance. Lastly, he apologized to anyone who may lose their job.

In getting back to Mr. Kemp's questions, Commissioner Probst asked Fiscal Manager, Cindi Henry, if all departments had been cut 20%. She replied, "In salaries, yes. It was across the board." She stated the Sheriff's cuts were 33%. He then asked what were the actual monies spent last year at the Sheriff's Department, even though we appropriated \$3.3 million. She replied it was around the \$4 million mark. Mr. Probst asked on top of that, how much did we support the Sheriff's Department out of the General Revenue Fund. Ms. Henry replied, "Over \$1 million." That totals \$5 million that the Sheriff operated under. Mr. Probst stated, that with that said, we are trying to do our best to do what we can to meet the Sheriff's payroll. As time goes on we hope things get better, but honestly we don't see it. He further noted he did not feel a levy would pass due to the economic times. If the Sheriff asks the Commissioners to put it on the ballot, they would do so and let the voters decide. "We do want to see the Sheriff's Office operate more efficiently in whatever way it can, and we are asking the FOP and the Sheriff to work together to get us through these times," said Mr. Probst.

Also regarding Mr. Kemp's comments on the Health Dept., Mr. Probst stated he spoke with representatives from Sen. Sherrod Brown's office regarding the \$245,000.00. He explained the Health Department is run by its own governing board. The letter has come in to their board and

the Commissioners about repayment of the \$245,000.00. The Health Dept. has asked for different pay options to pay it off over 2 or 3 years so it doesn't deplete their cash flow. In talking with the Senator's office they are working through the process and they will work through the Attorney General's Office in anyway they can to see if we can make payments on that. The Ohio Department of Health cannot arbitrarily set up a payment plan for any county, but the Attorney General's Office can. That is the avenue we are taking. We will probably know more next week at this time, but right now we don't have any more information. Hopefully the 10% interest charge will be dropped. Mr. Probst doesn't think anyone is on administrative leave at the Health Dept. He believes those people have been let go. He said the department is under new direction and doing very well.

Commissioner Coffland asked to follow up on this discussion. He advised last year the Belmont County Township Association did an investigation on the Health Dept., along with their board. Probably one of the biggest reasons a lot of this came to light was through the complaints of the Township Association and Township Trustees. Through the leadership of Greg Bizzarri, Ed Good and Cindi Henry, we put together a committee that went and talked to the Ohio Dept. of Health and brought all this to a head and eliminated problems that were out there costing the taxpayers. The suggestion from the Association is to go after those two individuals for recovery. If anybody does that, we made the recommendation and it is out of our hands. Mr. Pappano did not raise what it cost each township this past year or for about the last seven years. He's held the numbers to what it cost each township and Mr. Coffland thanked him for that.

Mr. Pappano advised it was the wrong time to be hitting the townships let alone the municipalities. He knew if the townships were cut there would be no money for any type of road repairs. No stimulus monies were received. He feels it's wrong that we are being asked for the return of federal monies.

Mr. Probst advised the Sheriff's Dept. is working on getting stimulus monies and grants. He noted that since there is some time before the next agenda item, he wanted to go over some items with the deputies in attendance to let them know what is being worked on. We will revisit this issue later in the meeting when agenda items are completed. The Commissioners and Auditor's Staff continue to work on finances looking to cover the next 3 to 4 pays. Mr. Pappano noted that is if there is cooperation from all the officeholders.

Mr. Pappano then wanted to explain what has gone on: He had a meeting last year stating we would be lucky to get through 2008. Everyone cooperated and cut out overtime the best they could, all but Sheriff Fred Thompson. The Sheriff instead hired nine (9) people after he was told he was broke. There would not be lay offs if he hadn't hired to start with. Also the temporaries whose sole job was to transport to Steubenville, Newark, Woodsfield, Barnesville, etc., were supposed to be let go when there was no longer any need to transport when the jail addition was opened. Mr. Pappano said he realizes it is hard to let people go. He reported he lost an accountant and the Clerk of Courts lost two (2) people, which can be attributed to the Sheriff not watching his budget. Sheriff Thompson is not an administrator and has not handled his budget. Mr. Pappano stressed he cannot certify money unless the county collects it. He said he felt the deputies should know they have the largest Sheriff's Department per capita in the entire State of Ohio. He reiterated how hard he and the Commissioners have worked to try and not have lay offs at the Sheriff's Department.

Commissioner Favade asked to make a comment before moving on. She wanted to make sure everyone was aware that in addition to the \$4 million for the Sheriff's Dept. in 2008, there was \$1,090,116.23 out of the general fund budget that is paid for the Sheriff's Dept., that are considered non-Sheriff budget items. The \$2.2 million dollar figure is actually much higher. There is still \$1.9 million in addition to the \$2.2 million that will come out of the General Fund to cover such items as nurses, garbage pick up, cruiser lease, maintenance, housekeeping, kitchen, bonds, utilities at the jail, liability insurance and health insurance.

**IN THE MATTER OF BID OPENING FOR ENGINEER'S PROJECT 09-5 BEL-5-27.75 (CRESCENT-PLEASANT GROVE ROAD) SUPPLYING PRE-CAST PRESTRESSED CONCRETE BOX BEAMS**

This being the day and 11:00 a.m. being the hour that bids were to be on file in the Commissioners' Office for the Belmont County Engineer's Project 09-5 BEL-5-27.75 (Crescent-Pleasant Grove Road) Supplying Pre-Cast Prestressed Concrete Box Beams they proceeded to open the following bids: (Engineer's Estimate: \$30,000.00)

NAME	BID BOND	BID AMOUNT
CARR CONCRETE CORP. PO Box 265 Waverly, WV 26184	X	\$ 32,909.00
UNITED PRECAST, INC. PO Box 991 Mount Vernon, OH 43050	X	\$ 46,427.00

Present for the bid opening were Engineer Fred Bennett, Eric Ayres of The Times Leader, and Al Molnar of The Intelligencer.

Motion made by Mr. Probst, seconded by Mrs. Favade to turn over all bids received for the Belmont County Engineer's Project 09-5 BEL-5-27.75 (Crescent-Pleasant Grove Road) Supplying Pre-Cast Prestressed Concrete Box Beams, to Fred Bennett, County Engineer, for review and recommendation.

**Note: This is for a new bridge over Falls Run on County Highway 5, Colerain Township**

Upon roll call the vote was as follows:

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

**DISCUSSION CONTINUED REGARDING SHERIFF'S DEPT. BUDGET** – Mr. Pappano advised that Kitty Jo Paboucek of the Sheriff's Dept. needs to work with the Commissioners' Clerk to transfer over \$100,000.00 using an open purchase order to cover payroll. The Auditor is asking for this to be done early due to direct deposits. Mr. Probst advised the Board is asking Kitty to transfer all non-salary items (such as food, maintenance, utilities, workers comp, etc.) to come up with monies to meet payroll. Mr. Probst said the Board is prepared to do this, but down the road there will not be money for those things. This will buy us time. We are robbing Peter to pay Paul right now. There is a purchase order in place for a match to renovate the old county jail in the amount of \$140,000.00. With the transfer of the Sheriff's non-salary items and this purchase order combined we can cover the first pay, possibly pay and one-half for now. Fiscal Manager Cindi Henry advised an average payroll is in the \$90,000.00 range with no overtime.

Mr. Probst advised to keep in mind we are using our match monies for the old jail renovations. A grant of over \$800,000.00 was received for the old jail renovations and Commissioner Favade is looking at other options so we don't lose the grant by the end of this year. The other expenses at the Sheriff's Dept., that we have been talking about that are going to be moved into the salary line item total \$128,548.78.

To cover the 2<sup>nd</sup> payroll Mr. Probst explains the following: It has been suggested that the Commissioners use the \$150,000.00 that we have in contingencies. We use contingencies for unforeseen things, overages, housing of prisoners (which we won't have anymore) and payroll expenses that may occur. Keep in mind as we give you these figures, we are also in the process of a lease/purchase at our Park Health Center.

The outstanding bills at Park Health Center that we have to cover is over \$500,000.00 at this point. Once we begin the lease next month, we have to come up with over one-half million dollars to pay off all the bills at Park Health before we turn the agency over to the new operators. Keep that in mind as we go down the finances: \$150,000.00 to cover the 2<sup>nd</sup> payroll. Also we will be taking money out of workers comp to help cover payroll (\$49,625.00 minus \$22,000.00 from the Sheriff's Dept.).

Mr. Probst explained Scenario #3: It is suggested we pull from all overages, if any, from other county agencies. From the spreadsheets we have, it looks like most agencies will be needing money in the 4<sup>th</sup> quarter of this year. Mr. Pappano stated most of the courts are short of money right now. Mr. Pappano said he gave up money in the computer line item. There is no need to upgrade computers right now. There are some departments that have extra money. Mr. Pappano states the only thing that scares him is the overtime at the Sheriff's Dept. He finds it unbelievable to use 467 hours overtime. He said he had someone from their union explain how they receive overtime and it has to do with the ways their hours are scheduled and apparently they can get overtime for regular time. That is killing us. The overtime has already used up to pay periods for the Sheriff's Office and it's only June. Remember that is time and one-half. If we could cut the overtime, we could probably stretch all the way to October. Mr. Pappano wanted the deputies to know the Commissioners cooperated 100% in getting them paid and they are cooperating now to get you paid the next several pay periods. This county lives and dies with sales tax money. That is what we live on. Commissioner Probst explained that it's not that we don't want to pay; we are just trying to find the money. Commissioner Coffland noted that when Mr. Pappano leaves, many department heads will come in and complain against him and why we are doing this. It is not over today. It's just the start, because now we have to deal with the other departments that we are going in and cutting. Mr. Wilson, attorney for the FOP, took offense to this and stated the deputies are just coming in when they are scheduled. Mr. Coffland stated, "There is no one who understands that more than we do." Commissioner Favede said, "There is one thing we acknowledge. You are all caught in the middle. I understand that you have children, you have wives, you have car payments, insurance, mortgage payments, and no one wants to see any of you hurt. That is the difficulty in this situation; the humanity of it."

Commissioner Coffland again advised we were cut \$5 million from last year. "We do not sell anything, we employ people. The only place you can make up \$5 million when you employ people is cutting people." He explained the County Auditor certified \$5 million less than what was spent last year. He said that's what the County Auditor gave us to work with. If anyone in this county has a solution on how to make up \$5 million dollars, when all you do is employ people, Mr. Coffland ask they call him or e-mail him as there is nothing left to do to make up the difference.

Commissioner Probst said, "You are all very important to us. We are doing what we can to maintain the level of services that we have now. We are asking the Sheriff to do what he can to run his office more efficiently. If the misnomer is out there that the Commissioners are against the deputies and Sheriff's Department and vice versa, that is not happening in our eyes." Mr. Probst said he hoped that was not happening in theirs. He said, "Whatever the rumor is, we want it to stop here."

Mr. Wilson asked that it be explained that if the board cut 20% across the board, why was the Sheriff cut 38%? "That is the difficulty from the union's perspective that we haven't had explained," stated Mr. Wilson. Mr. Coffland said, "If you remember when I started in the beginning, I said we could run until September, if five (5) jobs were cut. We were going to bring in some more money, but those jobs had to be cut to make it to September. Ten (10) jobs, \$500,000.00, six (6) pays would have put us to the last quarter. At that time we would have found the additional money which would have put you back up to just about 20% like everyone else. But we have had no cooperation." Mr. Wilson stated, "That is a carrot stick, not from us. Each of the things you outline as cost saving measures were what I included to your representative in a letter from us. What you stated are what we stated as cost saving measures to this county. Do not profess that these things came from your representative. We have worked hard as a union to ensure the safety of the citizens by maintaining services through the cuts."

Mr. Coffland replied to Mr. Wilson that a lot of these suggestions were discussed back in January with your Sheriff. Long before anyone discussed it, these cuts were done by this board and your Sheriff. We made these suggestions long before we called anybody in. When we got to April and May, nothing had been done. That is when we brought in a law firm to get someone to try and help us, because we knew today was coming.

Mr. Wilson asked if we are anticipating the certification that Mr. Pappano issued is going to come in correctly. Is it tracking to be \$800,000 or to be more or less? Mr. Probst stated, "No, less. It is going to be hard to meet that certification at this point in time." Cindi Henry advised that as of this point, as of June 30, the Sheriff's year to date expenditures were \$1,826,000.00. We are close to spending \$4 million dollars again. Mr. Wilson remarked it was never professed to them that they would be given more money in September. Mr. Probst advised that we don't know for sure, it is hoped that the 2<sup>nd</sup> half of the year would be better. Mrs. Favede said the additional money that is being added to the Sheriff's Dept. should bring them closer to the 20% cut.

**11:15 Jane Keyser and Michelle Fehr, Belmont Co. OSU Extension  
Re: 4-H Camp Presentation**

Jane Keyser thanked the board for their continued support of OSU Extension and Belmont County's 4-H Program. A handout was presented regarding "An Army of Fun at 4-H Camp Piedmont." She reported that this year the 4-H Junior Camp will be held June 26-June 29, 2009. There are eight (8) Ohio counties that camp at Piedmont and one (1) West Virginia county. This year the camp focus's on a military theme. There are approximately 100 participants this year.

Michelle Fehr presented information on the Clover Bud Camp which is for Kindergarten thru 2<sup>nd</sup> Grade. She said last years theme was "Fun In The Sun" with a Hawaiian theme. Various crafts were made, there was swimming, putt-putt golfing, a nature hike and a campfire was enjoyed. This year the camp is scheduled for August 14 with a Safari theme.

**DISCUSSION HELD** - Mike Bianconi asked if the new jail addition was full and if contract inmates were in there? Are we making any money off of it? Commissioners said they do not know the answer to those questions. It has not been communicated to them. Mr. Probst stated the only money know about is the money generated from phone use at the jail. Mr. Wilson stated he thinks a federal contract has been secured on a per diem per day basis. He did not know if any prisoners are in there now.

Commissioner Probst said he wanted to go over a list of anticipated needs that have not been budgeted. He reported the following are monies that we have to come up with: **\$594,377.51** for various bond payments; **\$150,00.00** is an estimate for Health Insurance; Liability Insurance is short **\$18,000.00**; utilities are probably going to be an increase of **\$50,000.00** (some of which are for expansion of the jail); the Veterans are probably going to be short about **\$12,000.00**; Prosecutor's Victim Assistance is short **\$5,000.00**; on our Fox Commerce Loan payment we are going to owe **\$19,500.00**; Attorney Fees are **\$50,000.00** short; Public Defender **\$40,000.00** short; 911 salaries approximately **\$20,000.00** short; the capital murder trial expenses that are going to come up for Judge Solovan are estimated at **\$150,000.00**. Commissioner Probst said these are all monies we have to come up with besides the Park Health **\$500,000.00**, payroll and various other things. The above are all General Fund.

Mr. Probst continued, "The following are Non-General Fund expenses we are going to have to come up with: An additional **\$70,000.00** for Sargus Juvenile Center; Unemployment for the individuals at Park Health Center once they are layed off is estimated at **\$145,000.00**; Eastern Court Construction **\$300,000.00**; and the Health Department still hangs in limbo at **\$245,342.00**."

Fiscal Manager, Cindi Henry, noted there are some corrections to the above figures. The Health Insurance is more than \$150,000.00 and the Liability Insurance is going to be a little more than \$18,000.00.

Mr. Probst said these are all monies that we have to come up with. He noted that regarding the Sheriff's 4<sup>th</sup> pay, the County Auditor has money in his salary line item he is willing to pull to cover the 4<sup>th</sup> pay. "We are hoping things pick up and we can see what direction we are going with to continue the operations of the Sheriff's Department."

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

Motion made by Mrs. Favede, seconded by Mr. Probst to approve the minutes of the Belmont County Board of Commissioners regular meeting of: May 27, 2009.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF CANCELING REGULAR BOARD OF COMMISSIONERS MEETING SCHEDULED FOR JULY 8, 2009**

Motion made by Mrs. Favede, seconded by Mr. Probst to cancel the regular meeting of the Board of Commissioners scheduled for July 8, 2009.

Upon roll call the vote was as follows:

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

Note: Commissioner Probst explained that 2 commissioners will be on vacation that week.

**IN THE MATTER OF APPROVING APPLICATION FOR USE OF MUNICIPAL STREET FUNDS/CITY OF MARTINS FERRY**

Motion made by Mrs. Favede, seconded by Mr. Probst to approve the City of Martins Ferry's application in accordance with O.R.C. Section 4504.04 for the use of Municipal Street Fund/Vehicle License Tax in the amount of \$47,200.00, based upon the recommendation of Belmont County Engineer, Fred Bennett, for proposed improvements to the following:

Center Street (N. 7 <sup>th</sup> to N. Zane Highway)	Catawba St. (Elm St to Clinton St)
9 <sup>TH</sup> Street (Mackey Street to Ohio Ave)	Niehart Ave. (Seabrights Ln to Delia Ave)

**Note: The total estimated cost of \$47,200.00 will come from the Municipal Street Fund/Vehicle License Tax.**

Upon roll call the vote was as follows:

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

<b><u>IN THE MATTER OF</u></b>	] [Belmont Co. Commissioners
<b><u>BLAIR 4<sup>TH</sup> ADDITION</u></b>	] [Courthouse
<b><u>WHEELING TOWNSHIP, SEC 8, T-9, R-5</u></b>	] [St. Clairsville, Ohio 43950
	] [Date <u>June 17, 2009</u>

Motion made by Mrs. Favede, seconded by Mr. Probst to authorize the Clerk of the Board to establish a date and time for the Subdivision Hearing in regards to the Plat of Blair 4<sup>th</sup> Addition, Wheeling Township Sec. 8, T9, R5, pursuant to the Ohio Revised Code Section 711.05 and proceed with the required notifications

**NOTICE OF NEW SUB-DIVISION**  
Revised Code Sec. 711.05  
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To: Michael L. Butler, F.O., Wheeling Township Trustees, 71240 Main St., PO Box 6, Fairpoint, OH 43927

You are hereby notified that the 1st day of July, 2009, at 11:30 o'clock A. M., has been fixed as the date, and the office of the Commissioners, in the Courthouse, St. Clairsville, Ohio, as the place where the Commissioners will act on the above stated matter.

By order of the Belmont County Commissioners.

Jayne Long /s/  
Clerk of the Board

- Mail by certified return receipt requested
- cc: Wheeling Township Trustees  
Upon roll call the vote was as follows:

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

**IN THE MATTER OF ACCEPTING THE APPLICATION FOR BRINE PERMIT-OXFORD MINING COMPANY, INC.**

Motion made by Commissioner Favede, seconded by Commissioner Probst to adopt the following resolution:

**RESOLUTION**

BE IT RESOLVED, that the Board of County Commissioners of Belmont County, Ohio does hereby accept the application from Oxford Mining Company, Inc., P.O. Box 427, Coshocton, Ohio 43812-0427 for applying brine to haul roads and land surfaces on surface mine lands permitted by the Ohio Department of Natural Resources located in Flushing Township, T9N, R5W, Sections 13, 14 & 15; Goshen Township, T7N, R5W, Sections 30 & 36; Richland Township, T7N, R4W, Sections 17, 18 & 23; Union Township, T8N, R5W, Sections 17, 23, 24, 25, & 31; Warren Township, T8N, R6W; Sections 20, 21, 22, 26, 27, 28, 32, 33 & 34; Wheeling Township 7N, R4W, Section 24; Wheeling Township T8N, R4W, Sections 2,3,8,9 & 15; Wheeling Township T9N, R5W, Sections 7 & 8; Belmont County, Ohio pursuant to Chapter 1509, Ohio Revised Code, for dust control.

Oxford Oil Company will be the supplier and spreader.

It is further ordered that the Board authorizes the Clerk to establish a date and time for a public hearing on said application and to advertise said established date and time in the Times Leader on June 23, 2009.

The public hearing will be held at 11:15 a.m., on Wednesday, July 1, 2009 in the office of the Belmont County Commissioners, 101 W. Main Street, St. Clairsville, Ohio.

Upon roll call the vote was as follows:

Mrs. Favede	<u>Yes</u>
Mr. Probst	<u>Yes</u>

Mr. Coffland Yes

**NOTICE OF PUBLIC HEARING**

Having been petitioned by Oxford Mining Company, Inc. 544 Chestnut St., P.O. Box 427, Coshocton, OH 43812-0427, for the surface application of Salt Brine to be applied to roads on their property, a Public Hearing will be held in the Belmont County Commissioners Office, 101 W. Main Street, St. Clairsville, Ohio on Wednesday, July 1, 2009 at 11:15 a.m.

By Order of the Board of Belmont County Commissioners

Jayne Long /s/  
Jayne Long, Clerk

Times Leader Legal Ad-(1) Tuesday, June 23, 2009

**IN THE MATTER OF ENTERING RENEWAL OF VENDOR AGREEMENT WITH MARTINS FERRY EMS ON BEHALF OF BCDJFS TO PROVIDE TRANSPORTATION SERVICES**

Motion made by Mrs. Favede, seconded by Mr. Probst to enter into a renewal of the Vendor Agreement with Martins Ferry EMS, on behalf of the Belmont County Department of Job and Family Services, to provide transportation services for eligible Title XIX (Title Nineteen) clients, effective July 1, 2009 through June 30, 2010 in the maximum billable amount or \$24,500.00.

*Note: To provide transportation for Medicaid recipients who have no other means of transportation to various medical facilities.*

**BELMONT COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES  
VENDOR AGREEMENT**

This agreement to provide transportation is made and entered into this 26th day of May, 2009 by and between the Belmont County Department of Job and Family Services, hereinafter referred to as Department, and Martins Ferry EMS, a provider of Title XIX Services, hereinafter referred to as Provider. This agreement will be effective from July 1, 2009 through June 30, 2010 inclusive, unless otherwise terminated.

**GENERAL REGULATIONS**

- A. Provider agrees that the use or disclosure of any information concerning qualified recipients for any purpose not directly related to the delivery of purchased services is prohibited except upon written consent of the recipients or their guardians.
- B. The Provider understands that this written agreement supersedes all oral agreements.
- C. The Provider agrees to hold harmless the County Department of Job and Family Services, the Board of County Commissioners of the county in which the Department is located, and the Ohio Department of Job and Family Services against all liability, loss, damage, and/or related expenses incurred through the provision of services under this agreement.
- D. The Provider agrees that in the performance of this agreement there shall be no discrimination against any client because of race, color, sex, religion, national origin, or handicapped conditions as specified in the Civil Rights Act of 1964 and the Rehabilitation Act of 1973 and all subsequent amendments. It is further agreed discrimination and the right to and method of appeal will be made available to all persons served under this agreement.
- E. In the event Provider receives an overpayment, Provider agrees to repay the Belmont County Department of Job and Family Services the amount to which he/she was not entitled.
- F. In the event that state and/or federal reimbursement is no longer available to the Department, therefore, requiring changes or termination of this agreement, such changes or termination will be effective on the date that state and/or federal reimbursement is no longer available, or, later as otherwise stipulated by the Department.
- G. This agreement may be terminated by the Provider or the Department upon seven (7) days written notice. Failure to honor the terms of this agreement and/or related state, federal, or local regulations shall result in the immediate termination of this agreement. If any of the terms of this agreement change, the Provider must notify the Department immediately.
- H. Policy that the Provider agrees to adhere to all applicable rules and regulations in the Administrative Code governing service delivery, including insurance.
- I. Eligibility for Services: The County Department of Job and Family Services will determine eligibility for all service recipients directly. Eligibility of individuals to receive purchase services shall be determined in accordance with the policy and procedures established by the Ohio Department of Job and Family Services in the Administrative Code.
- J. Amendment of Agreement: This agreement may be amended at any time by a written amendment signed by both parties and submitted to the Belmont County Department of Job and Family Services in the manner required by state regulations.

**PAYMENT PROCEDURES**

- A. The Department of Job and Family Services agrees to pay the Provider \$ 2.00 per mile and \$10.00 per hour wait time that the driver needs to wait for a client. Wait time will only be charged for any time that exceeds the actual and reasonable driving time for the applicable trip.
- B. The maximum amount billable under this agreement is \$ 24,500.00.
- C. The Provider understands that the payment for all services provided in accordance with the provisions of this agreement depends upon the availability of county, state, and federal matching funds.
- D. The Provider understands that a recipient, for whom services are provided, may be required by the Department of Job and Family Services. Other than this fee set by the Department, no additional fees may be charged for services rendered under this agreement.
- E. The Provider agrees to submit an invoice to the Department monthly within five (5) working days following the last working day of the month. The Department agrees to review the invoices and authorize with adjustments, if needed, reimbursement for services provided within fifteen (15) to twenty (20) working days of the receipt of the invoice.
- F. Duplicate Billing: Provider warrants that claims made to the County Department of Job and Family Services for payment for purchased services shall be for actual services rendered to eligible individuals and do not duplicate claims made by provider to other sources of funds for the same service.

I hereby understand and agree to the terms of this agreement.

This agreement signed on the 11th day of June, 2009.

Signature Dwayne Pielech per Tom King /s/  
Dept. of Job and Family Services

Signature Edward L. Duke /s/  
Provider Signature

Belmont County Department of Job and Family Services  
Division of Social Services  
310 Fox-Shannon Place  
St. Clairsville, Ohio 43950  
(740) 695-1074

Date 6-15-09  
Signature Matt Coffland /s/  
Signature Charles R. Probst, Jr. /s/  
Signature Ginny Favede /s/

Date 6-11-09  
Date 6/17/09  
Date 6/17/09  
Date 6/17/09

Belmont County Commissioners  
Approved as to form David K. Liberati /s/ Date 6-15-09  
Prosecutor (Assistant)

Upon roll call the vote was as follows:

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



**IN THE MATTER OF APPROVING PAYMENT OF INVOICE  
FROM EMERGITECH, INC./BELMONT CO. 911**

Motion made by Mrs. Favede, seconded by Mr. Probst, on behalf of Belmont County 911, to approve the payment of Invoice #23477 in the amount of \$43,133.00 for the renewal of the annual hardware and software maintenance and support agreement with EmergiTech, Inc., effective July 1, 2009 through June 30, 2010; this is for maintenance on all CAD equipment associated with Belmont County 911 and will be charged to line item E-0056-A006-E05.000.

Upon roll call the vote was as follows:

Mrs. Favede	Yes
Mr. Probst	Yes
Mr. Coffland	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. Probst to approve payment of Invoice #10859 in the amount of \$4,811.42 for M&G Architects & Engineers for the new Eastern Division Court Building project for the period of 5/1/09 through 5/31/09.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ENTERING INTO A VEHICLE MAINTENANCE  
AGREEMENT WITH BELMONT CO. BOARD OF DEVELOPMENTAL  
DISABILITIES ON BEHALF OF BELMONT CO. EMA**

Motion made by Mrs. Favede, seconded by Mr. Probst to enter into a Vehicle Maintenance Agreement with Belmont County Board of Developmental Disabilities, on behalf of Belmont County Emergency Management Agency, effective June 1, 2009 through May 31, 2010, based upon the recommendation of Dave Ivan, EMA Director.

**VEHICLE MAINTENANCE AGREEMENT  
BETWEEN  
BELMONT COUNTY BOARD OF DEVELOPMENTAL DISABILITIES  
AND  
BELMONT COUNTY EMERGENCY MANAGEMENT AGENCY**

**I. PURPOSE**

This Agreement is made this 17<sup>th</sup> day of June, 2009 by and between the Belmont County Board of Developmental Disabilities (hereinafter County Board) and **BELMONT COUNTY EMERGENCY MANAGEMENT AGENCY** (hereinafter **EMA**) for the purpose of the County Board providing vehicle maintenance for vehicles owned by **EMA**.

**II. TERM**

This agreement shall be in effect from June 1, 2009 through May 31, 2010.

**III. TERMINATION**

This Agreement may be terminated by either party, with or without cause, by giving thirty (30) days advance written notice.

**IV. COUNTY BOARD RIGHTS AND RESPONSIBILITIES**

- A. The County Board shall provide routine maintenance on **EMA** vehicles (based on a schedule developed by **EMA** Director and County Board Mechanic Supervisor) at the rate of \$25.50 per hour plus cost of any necessary parts.
- B. The County Board shall provide other than routine maintenance on **EMA** vehicles (based on **EMA** need) at the rate of \$49.00 per hour plus cost of any necessary parts.
- C. The County Board reserves the right to refuse to provide services depending on the nature of the repair.

**V. EMA RESPONSIBILITIES**

- A. **EMA** shall adhere to the routine maintenance schedule developed by the Parties and deliver the vehicles scheduled for maintenance to the County Board Transportation grounds.
- B. **EMA** may schedule other than routine maintenance with the County Board Mechanic Supervisor.

**VI. BILLING AND PAYMENT**

- A. The County Board shall bill **EMA** for vehicle maintenance services at the end of the month if services have been provided during that month.
- B. **EMA** shall submit payment to the County Board for vehicle maintenance services provided within thirty (30) days of receipt of the bill.
- C. Any missed scheduled appointment that is not canceled in advance may result in a charge amounting to one hour of the applicable labor rate.

**VII. ROUTINE MAINTENANCE SCHEDULE**

- A. The County Board Mechanic Supervisor and **EMA** Director shall develop a routine maintenance schedule that will include dates on which maintenance will be performed and a list of those procedures that will be considered "routine maintenance" for the purpose of this Agreement.
  - B. A copy of the routine maintenance schedule shall be attached and become part of this Agreement.
  - C. Any maintenance procedures not included on the routine maintenance schedule shall be considered "other than routine maintenance" and shall be billed at the higher rate.
- Procedures that are other than routine maintenance shall not be performed by the County Board without prior written instruction from the **EMA** Director.

**VIII. NONDISCRIMINATION POLICY**

Both parties agree that they shall prohibit discrimination in the execution of this Agreement on the basis of race, color, sex, creed, disability, or national origin.

**IX. SIGNATURES**

Monty L. Kerr, Superintendent /s/

Monty L. Kerr, Superintendent

Belmont County Board of DD

5/19/2009

Belmont County Board of Commissioners

Matt Coffland /s/ Date 6/17/2009

Charles R. Probst /s/ Date 6/17/2009

Ginny Favede /s/ Date 6/17/2009

**APPROVED AS TO FORM:**

David K. Liberati /s/ Assistant

PROSECUTING ATTORNEY

Upon roll call the vote was as follows:

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

**IN THE MATTER OF APPROVING AND SIGNING  
THE EXHIBITOR'S LICENSE AGREEMENT BETWEEN THE OHIO  
VALLEY MALL COMPANY AND THE BELMONT COUNTY COMMISSIONERS/  
BELMONT CO. EMA**

Motion made by Mrs. Favede, seconded by Mr. Coffland to authorize Commission President Charles R. Probst, Jr. to approve and sign the Exhibitor's License Agreement between the Ohio Valley Mall Company and the Belmont County Commissioners, effective June 19, 2009 through June 22, 2009, for the purpose of allowing the Belmont County EMA to set up the Fire Safety House for the Ohio Valley Mall's "Kids Fest" event.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ACCEPTING AND SIGNING  
ARRANGEMENT LETTER FROM REA & ASSOCIATES, INC.,  
TO PROVIDE CONSULTING SERVICES TO BELMONT SENIOR SERVICES, INC.**

Motion made by Mrs. Favede, seconded by Mr. Coffland to authorize Commission President Charles R. Probst, Jr. to accept and sign the Arrangement Letter from Rea & Associates, Inc. to provide consulting services relating to Belmont Senior Services, Inc.

June 13, 2009

Belmont County Commissioners

Courthouse

101 West Main Street

St. Clairsville, OH 43950

RE: Arrangement Letter To Provide Consulting Services Relating to the Belmont Senior Services, Inc.

Attention: BELMONT COUNTY COMMISSIONERS

This letter is to explain our understanding of the arrangements for, and the nature and limitations of, the services we are to perform for Belmont County Commissioners with respect to certain records and transactions of Belmont Senior Services, Inc., a Not-For-Profit Agency receiving property tax revenues under contract with the Belmont County Commissioners for the purpose of assisting the Belmont County Commissioners in the understanding of the current financial condition of the Belmont Senior Services, Inc., their financial needs to continue serving the senior citizens of Belmont County and their monthly property tax drawdown amounts requested in 2009. The specific procedures to be performed are included as an attachment to this letter.

**Engagement Services**

Our engagement will be conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. Because the procedures included in the attachment to this letter do not constitute an audit made in accordance with generally accepted auditing standards, we will not express an opinion on any of the specific elements, accounts, or items referred to in our report or on the financial statements of Belmont Senior Services, Inc. taken as a whole.

At the conclusion of our engagement, we will submit a report in letter form outlining the procedures performed and our findings resulting from the procedures performed.

Our report will contain a statement that it is intended solely for the use of Belmont County Commissioners and should not be used by those who have not agreed to the procedures and taken responsibility for the sufficiency of the procedures for their purposes. Should you desire that others be added to our report as specified parties, please contact us as it will be necessary to obtain their agreement with respect to the sufficiency of the procedures for their purpose.

Our report will also contain a paragraph pointing out that if we had performed additional procedures or if we had conducted an audit in accordance with generally accepted auditing standards, matters in addition to any findings that may result from the procedures performed might have come to our attention and been reported to you.

The services that we will perform are not designed and cannot be relied upon to disclose errors, fraud, or illegal acts, should any exist. However, we will inform the appropriate level of management of any material errors that come to our attention and any fraud or illegal acts that come to our attention, unless they are clearly inconsequential.

Furthermore, the services were not designed to provide assurance on internal control or to identify significant deficiencies or material weaknesses. However, we will communicate to management and the Belmont County Commissioners any significant deficiencies or material weaknesses that become known to us during the course of the engagement.

**Belmont County Commissioner's Responsibilities**

We ask that you either confirm or amend our understanding regarding the procedures included in the attachment to this letter. The sufficiency of these procedures is solely the responsibility of Belmont County Commissioners. We make no representation regarding the sufficiency of the procedures described above either for the purpose for which these services have been requested or for any other purpose.

Our professional standards require that we perform certain additional procedures, on current and previous years' engagements, whenever a partner or professional employee leaves the firm and is subsequently employed by or associated with a client. Accordingly, the Belmont County Commissioners agrees it will compensate Rea & Associates, Inc. for any additional costs incurred as a result of the Belmont County's employment or a partner or professional employee of Rea & Associates, Inc.

The assistance to be supplied by Senior Services, Inc. personnel, including the preparation of schedules and analysis of accounts, will be discussed and coordinated with Tim Johnson, Fiscal officer of the Belmont Senior Services, Inc. The timely and accurate completion of this work is an essential condition to our completion of our services and issuance of our report.

**Other Terms of Our Engagement**

Belmont County Commissioners hereby indemnifies Rea & Associates and its partners, principals, and employees and holds them harmless from all claims, liabilities, losses and costs arising in circumstances where there has been a known misrepresentation by a member of Belmont County Commissioner's management and Belmont Senior Services, Inc. regardless of whether such person was acting in Belmont County Commissioner's or Belmont Senior Services, Inc.'s interest. This indemnification will survive termination of this letter.

Any claim arising out of services rendered pursuant to this agreement shall be resolved in accordance with the laws of Ohio. It is agreed by Belmont County Commissions and Rea & Associates, Inc. or any successors in interest that no claim arising out of services rendered pursuant to this agreement by or on behalf of Belmont County Commissioners shall be asserted more than two years after the date of the last audit report issued by Rea & Associates, Inc.

In the event we are requested or authorized by Belmont County Commissioners or are required by government regulation, subpoena, or other legal process to produce our documents or our personnel as witnesses with respect to our engagements for Belmont County Commissioners, Belmont County Commissioners will, so long as we are not a party to the proceeding in which the information is sought, reimburse us for our professional time and expense, as well as the fees and expenses of our counsel, incurred in responding to such requests.

Our fees for the services described above are based on the time required by the individuals assigned to the engagement, plus direct expenses. Interim billings will be submitted as work progresses and as expenses are incurred. Billings are due upon submission. We anticipate the fee range to be \$7,000 to \$13,000. This fee estimate will be subject to adjustments based on unanticipated changes in the scope of our work and/or incomplete or untimely receipt by us of the information on the client participation list. All other provisions of this letter will survive any fee adjustment.

From time to time and depending upon the circumstances, we may use third-party service providers to assist us in providing professional services to you. In such circumstances, it may be necessary for us to disclose confidential client information to them. We enter into confidentiality agreements with all third-party service providers and we are satisfied that they have appropriate procedures in place to prevent the unauthorized release of your confidential information to others.

If circumstances arise relating to the condition of the Belmont Senior Services, Inc.'s records, the availability of appropriate evidence, or indications of a significant risk of material misstatement of the financial statements because of error, fraudulent financial reporting, or misappropriation of assets, which in our professional judgment prevent us from completing the engagement or forming an opinion, we retain the unilateral right to take any course of action permitted by professional standards, including declining to express an opinion or issue a report, or withdrawal from the engagement.

The working papers for this engagement are the property of Rea & Associates, Inc. and constitute confidential information.

This letter constitutes the complete and exclusive statement of agreement between Rea & Associates, Inc. and Belmont County Commissioners, superseding all proposals, oral or written, and all other communications, with respect to the terms of the engagement between the parties.

If this letter defines the arrangements as the Belmont County Commissioners understands them, please sign and date this letter and return it to us. A copy is enclosed for your records. We appreciate your business.

Sincerely,

**Rea & Associates, Inc.**

Confirmed on behalf of the addressee:

Charles R. Probst, Jr., /s/

Signature

PRESIDENT

Title

June 17, 2009

Date

Upon roll call the vote was as follows:

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

DISCUSSION-Commissioner Probst explained that REA is a CPA firm that was hired to help the commissioners set up a new contract with Belmont Senior Services and to review their finances.

**IN THE MATTER OF ACCEPTING NOTICE OF RETIREMENT FROM JAMES TEASDALE, BELMONT COUNTY BUILDINGS AND GROUNDS DEPARTMENT**

Motion made by Mrs. Favede, seconded by Mr. Probst to accept the notice of retirement from James Teasdale, Belmont County Buildings and Grounds Department. Mr. Teasdale's last day of work will be June 19, 2009.

Upon roll call the vote was as follows:

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

*Note: Commissioner Probst remarked that Mr. Teasdale has been a great employee, a hard worker and congratulated him on his retirement.*

**DISCUSSION HELD** – Mr. Jagucki asked if the county has the money for the old jail (renovations). Commissioner Favede stated the money discussed was for the grant. She explained the local match is now being given to the Sheriff's Department. Mr. Jagucki asked if the money was to restore or demolish the building. Mr. Probst advised it was to restore. Mr. Jagucki wanted to know when this project will start. Mrs. Favede explained that we need local match monies and now those monies are going to the Sheriff's Department. She said she has asked Tourism if they would consider donating monies for the match for renovations of Sheriff's residence only. She explained that the grant was to be used for a Tourism Center in that building. There are no monies to tear down the building. Mike Bianconi said it is his opinion that the old jail should be forgotten about, torn down, and the money given back to ODOT for roads and bridges.

Mr. Bianconi thanked the Board for the CDBG monies for the Wolfhurst area. Mrs. Favede read over a list of CDBG allocations: Bellaire - \$30,000.00; Bridgeport - \$43,000.00; Colerain Twp. - \$20,000.00; Pease Twp. - \$44,000.00; Pultney Twp. - \$23,000.00; and Somerton Fire Dept. - \$42,000.00.

Mr. Pappano returned and advised he met with the Sheriff and he is in agreement for the next four (4) pay periods. They will meet again. This allows another month to work on situation. Mr. Coffland asked if workforce will be reduced. If not, he said feels we are fighting the same battle. Cuts are needed and it is not right to penalize the other departments who are doing well.

Mr. Bianconi asked the Sheriff if the new jail addition is rented out to Federal prisoners. Sheriff Thompson said there is just one (1) prisoner now at \$65/day. Mr. Bianconi asked if it looked like he would be getting more. Sheriff replied it depends on the Federal Drug Task Force under the U.S. Marshall's jurisdiction. He said the Task Force is quiet right now.

Chief Mike Kovalyk of Bellaire thanked the board for supporting his village and said he attended today to show support for all law enforcement. He stated this situation affects all law enforcement and his budget cannot support picking up slack for Sheriff's Department.

Richard Hord asked if closing the jail is being considered. Mr. Coffland stated it is not the Board's suggestion. Sheriff Thompson stated that Attorney David Kessler has suggested closing the jail.

**1:30 RECONVENE-**

**IN THE MATTER OF ENTERING EXECUTIVE SESSION AT 1:30 P.M.**

Motion made by Mrs. Favede, seconded by Mr. Coffland to enter executive session with Attorney David Kessler of Blaugrund, Herbert & Martin, Inc. and Sheriff Fred Thompson pursuant to O.R.C. 121.22(G)(4) Collective Bargaining for the purposes of "preparing for, conducting, or reviewing the negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment."

Upon roll call the vote was as follows:

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

*Note: Commissioner Probst was absent when entering executive session, and joined in after session in progress.*

**IN THE MATTER OF ADJOURNING  
EXECUTIVE SESSION AT 3:34 P.M.**

Motion made by Mr. Probst, seconded by Mrs. Favede to adjourn executive session with Attorney David Kessler of Blaugrund, Herbert & Martin, Inc. and Sheriff Fred Thompson pursuant to O.R.C. 121.22(G)(4) Collective Bargaining for the purposes of "preparing for, conducting, or reviewing the negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment."

Upon roll call the vote was as follows:

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

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

**RECONVENED-1:35 P.M., WEDNESDAY, JUNE 18, 2009**

**PRESENT: COMMISSIONERS FAVEDE AND COFFLAND. ABSENT: COMMISSIONER PROBST.**

**IN THE MATTER OF APPROVING  
ANNUAL ALLOCATION FOR  
BELMONT COUNTY REGIONAL AIRPORT AUTHORITY**

Motion made by Mrs. Favede, seconded by Mr. Coffland to approve the annual allocation of fifteen thousand dollars (\$15,000.00) from the Belmont County General Fund to the Belmont County Regional Airport Authority for Fiscal Year 2009.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADJOURNING  
COMMISSIONERS MEETING AT 1:36 P.M.**

Motion made by Mrs. Favede, seconded by Mr. Coffland to adjourn the meeting at 1:36 p.m.

Upon roll call the vote was as follows:

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

Read, approved and signed this 24th day of June, 2009.

\_\_\_\_\_

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

\_\_\_\_\_

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

\_\_\_\_\_ PRESIDENT

\_\_\_\_\_ CLERK