

St. Clairsville, Ohio

June 22, 2011

The Board of Commissioners of Belmont County, Ohio, met this day in regular session. Present: Ginny Favede and Charles R. Probst, Jr., Commissioners and Kathy Marino, Assistant Clerk of the Board. Absent: Commissioner Matt Coffland who was attending meetings at the Ohio Department of Job & Family Services and the Ohio Emergency Management Agency.

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. Probst, seconded by Mrs. Favede, 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>
C- Pure Water Finance	Water/Mediation Fund Probate Court	79.95
K-Wells Fargo Payment Center	Visa Card/Engineer MVGT Fund	139.00
N-Poggemeyer Design Group	Professional Services/Bridge & Retaining Wall Constr. Improv. Fund	690.13
P-Avaya, Inc.	Services/BCSSD Funds	212.70
P-Ram Industrials Services	MaterialsWWS#3 Revenue Fund	1,300.72
P-Software Solutions, Inc.	Materials/BCSSD Funds	195.00
P-South Central Power Co.	Services/SSD#2 Revenue Fund	46.22
P-South Central Power Co.	Services/WWS#3 Revenue Fund	2,661.76
S-Beth A. Andes, MS, PCC	Contracted counselor/District Detention Home Fund	770.00
S-Digital Date Communications, Inc.	Upgrade/Probate Court Computer Fund	5,870.11
S-Norris Environmental, Inc.	Sample retrieval at South School/In Home Care Levy-Comm on Aging	800.00
S-PNC Bank	Program activities & meals/District Detention Home Fund	404.36
S-Postmaster	Postage/Oakview Juvenile Residential Center	600.00
S-Roscoe Court Reporting	Court reporter fee/Western Ct. Gen. Special Projects Fund	450.00
S-TSG	Data backup & date vaulting/Northern Div. Ct. Computer Fund	298.72
S-TSG	Data backup & date vaulting/Eastern Div. Ct. Computer Fund	135.42
S-TSG	Block Fee/Western Div. Court Computer Fund	236.00
T-Chase Bank	CDBG Funds	28,168.00

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

Motion made by Mr. Probst, seconded by Mrs. Favede to approve the Recapitulation of Vouchers dated for June 22, 2011 as follow:

FUND	AMOUNT
A-GENERAL	\$9,165.61; \$19,500.00; \$2,016.94
A-GENERAL/EMA	\$733.96
A-GENERAL/SHERIFF	\$3,787.37
A-GENERAL/THOBURN BLDG.	\$7,940.00
B-Dog Kennel	\$367.98
H-Job & Family, CSEA	\$64,083.77; \$9,588.62
H-Job & Family, Public Assistance	\$5,071.60; \$683.38
H-Job & Family, WIA	\$2,182.30; \$23,056.27; \$41,930.09
K-Engineer MVGT	\$33,527.12; \$632.05
M-Juvenile Ct. – Placement Services	\$2,857.24
M-Juvenile Ct. – Title IV-E Reimb.	\$6,291.06
M-Juvenile Ct. – Truant Officer Grant	\$18.90
P-Oakview Bldg.	\$181.96
P-Sanitary Sewer District	\$801.94; \$8,559.33; \$21,936.17; \$1,590.25; \$465.87
S-Certificate of Title Admn. Fund	\$481.54
S-Clerk of Courts Computer Fund	\$537.95
S-District Detention Home	\$1,836.78
S-Job & Family, Children Services	\$4,554.04; \$159,798.81
S-Juvenile Ct. Gen. Special Projects	\$125.00
S-Northern Ct. Gen. Special Projects	\$924.88
S-Oakview Juvenile Residential Center	\$19,335.00
S-Sheriff CCW	\$2,630.00
S-Sheriff Commissary	\$12.00
T-Sanitary Sewer District	\$181.67

Upon roll call the vote was as follows:

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

IN THE MATTER OF TRANSFER WITHIN FUND FOR THE
BELMONT COUNTY GENERAL FUND/BOARD OF ELECTIONS

Motion made by Mrs. Favede, seconded by Mr. Probst to approve the following transfer within the Belmont County General Fund for the Board of Elections.

FROM	TO	AMOUNT
E-0181-A003-A11.000 Other Expenses	E-0181-A003-A06.011 Contract/Services	\$35,000.00

Upon roll call the vote was as follows:

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

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

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

FROM			TO			Amount
E-8010-S030-	S68.006	Hospitalization	E-8010-S30-	S64.012	Equipment	\$ 7,658.90
E-8010-S030-	S68.006	Hospitalization	E-8010-S30-	S65.000	Indirect Costs	\$ 10,006.28
E-8010-S030-	S67.004	Workers Comp	E-8010-S30-	S51.002	Salaries	\$ 5,440.16
E-8010-S030-	S69.007	Unemployment	E-8010-S30-	S51.002	Salaries	\$ 2,500.00
E-8010-S030-	S69.007	Unemployment	E-8010-S30-	S55.010	Supplies	\$ 2,797.00
E-8010-S030-	S53.000	Medical	E-8010-S30-	S55.010	Supplies	\$ 500.00
E-8010-S030-	S56.000	Motor Vehicles	E-8010-S30-	S55.010	Supplies	\$ 300.00
E-8010-S030-	S66.003	PERS	E-8010-S30-	S51.002	Salaries	\$ 1,000.00
E-8010-S030-	S59.000	Fuel/Utilities	E-8010-S30-	S51.002	Salaries	\$ 1,000.00

Upon roll call the vote was as follows:

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

IN THE MATTER OF TRANSFER WITHIN FUND FOR THE BHJD SARGUS JUVENILE CENTER

Motion made by Mrs. Favede, seconded by Mr. Probst to approve the following transfer within fund for the BHJD Sargus Juvenile Center.

FROM	TO	AMOUNT
E-0910-S033-S70.000 Contingency GS	E-0910-S033-S69.000 Activities GS	100.00
E-0910-S033-S66.000 Medical GS	E-0910-S033-S69.000 Activities GS	120.00

Upon roll call the vote was as follows:

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

IN THE MATTER OF ADDITIONAL APPROPRIATIONS FOR THE GENERAL FUND

Motion made by Mrs. Favede, seconded by Mr. Probst to make the following additional appropriation, in accordance with the Amended Official Certificate of Estimated Resources as revised by the Budget Commission, under the date of June 16, 2011.

E-0051-A001-A50.000 Budget Stab \$17,965.00

(Advanced money from 2010 for OUE Tavern)

Upon roll call the vote was as follows:

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

IN THE MATTER OF ADDITIONAL APPROPRIATIONS FOR THE SOIL CONSERVATION FUND

Motion made by Mr. Probst, seconded by Mrs. Favede to make the following additional appropriations, in accordance with the Amended Official Certificate of Estimated Resources as revised by the Budget Commission, under the date of June 22, 2011.

E-1810-L001-L02.010	Supplies	\$ 1,000.00
E-1810-L001-L03.012	Equipment	829.00
E-1810-L001-L07.000	Service Fees	<u>1,000.00</u>
TOTAL		\$ 2,829.00

Upon roll call the vote was as follows:

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

IN THE MATTER OF ADDITIONAL APPROPRIATIONS FOR THE JUVENILE COURT ALTERNATIVE SCHOOL FUND

Motion made by Mrs. Favede, seconded by Mr. Probst to make the following additional appropriations, in accordance with the Amended Official Certificate of Estimated Resources as revised by the Budget Commission, under the date of June 22, 2011.

M-67-ALTERNATIVE SCHOOL

	Amount
Salaries	
E-0400-M067-M01.002	\$11,052.42
Worker's Comp	
E-0400-M067-M03.004	\$ 1,418.14
Medicare	
E-0400-M067-M04.005	\$ 685.44
Insurances	
E-0400-M067-M05.008	\$6,000.00
Equipment	
E-0400-M067-M06.012	\$1,000.00

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADDITIONAL APPROPRIATIONS
FOR THE BCSSD SSD #2 FUND**

Motion made by Mr. Probst, seconded by Mrs. Favede to make the following additional appropriation, in accordance with the Amended Official Certificate of Estimated Resources as revised by the Budget Commission, under the date of June 22, 2011.
SSD #2

E-3705-P053-P16.074 Transfer Out \$50,465.38

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADDITIONAL APPROPRIATIONS
FOR THE PORT AUTHORITY FUND S12**

Motion made by Mr. Probst, seconded by Mrs. Favede to make the following additional appropriation, in accordance with the Amended Official Certificate of Estimated Resources as revised by the Budget Commission, under the date of June 22, 2011.

E-9799-S012-S01.002 Salary \$ 18,400.00
E-9799-S012-S08.003 PERS 4,350.00
E-9799-S012-S03.012 Equipment 1,000.00
Total \$23,750.00

Upon roll call the vote was as follows:

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

**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 March 10, 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:

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

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

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

DJFS – Various employees to various trainings and meetings in June and July, 2011. Estimated expenses: \$592.80

Upon roll call the vote was as follows:

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

**IN THE MATTER OF RESOLUTION
AUTHORIZING THE TRANSFER AND
APPROPRIATION OF MONIES IN THE
REVOLVING LOAN FUND PROGRAM
TO THE VILLAGE OF YORKVILLE
STREET/SIDEWALK IMPROVEMENT PROJECT**

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

RESOLUTION

WHEREAS, the Belmont County Board of Commissioners have received approval from the Ohio Department of Development, Office of Housing and Community Partnerships, in the form of a waiver, to use the Revolving Loan Fund Program to complete the Village of Yorkville's street/sidewalk improvement project of the County's FY 2010 Community Development Program; and

WHEREAS, Belmont County Board of Commissioners desire to transfer Sixteen Thousand Five Hundred dollars (\$16,500.00) of the Revolving Loan Fund to assist with the completion of said project.

WHEREAS, Belmont County must abide by all Federal and State regulations of the Community Development Block Grant (CDBG) Program; and

NOW, THEREFORE, BE IT RESOLVED, The Board of Belmont County Commissioners does hereby authorize the transfer and appropriation of Sixteen Thousand Five Hundred dollars (\$16,500.00) in the Revolving Loan Fund Program to the Village of Yorkville's street/sidewalk improvement project.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ENTERING INTO A ONE-YEAR
AGREEMENT WITH DR. GEORGE L. CHOLAK, M.D./
BELMONT COUNTY JAIL**

Motion made by Mr. Probst, seconded by Mrs. Favede to enter into a one-year agreement with Dr. George L. Cholok, M.D., in the amount of \$1,500.00 per month for the position of Medical Director of the Belmont County Jail.

AGREEMENT

**MEDICAL DIRECTOR OF THE
BELMONT COUNTY JAIL**

WHEREAS, the Belmont County Board of Commissioners, hereinafter referred to as Commissioners, are desirous of contracting services for the services of Medical Director of the Belmont County Jail; and

WHEREAS, George L. Cholok, M.D., hereinafter referred to as Medical Director and individually as Dr. Cholok, is desirous of providing said services:

NOW, THEREFORE IT IS HEREIN AGREED BY AND BETWEEN THE PARTIES AS FOLLOWS,

- 1) Dr. Cholok will provide professional services to Belmont County, Ohio, as Medical Director of the Belmont County Jail. In such capacity, Dr. Cholok will be an independent contractor and not an employee of Belmont County, for all purposes, including, without

limitation, workers compensation, unemployment compensation, PERS, medical benefits, vacation, sick leave, and any and all other programs which are part of the benefit package of employees of Belmont County.

- 2) Medical Director shall abide by the rules set forth by the Sheriff, which shall be mutually agreed upon before the effective date of this agreement.
- 3) Commissioners shall pay the Medical Director the sum of \$18,000.00 per annum. Payments will be made monthly, in an amount totaling \$1500.00 per month, upon receipt of a bill. Any increase shall be negotiated at the end of each twelve (12) month period during the life of the contract.
- 4) The term of this agreement shall be one year commencing June 20, 2011. This agreement will automatically renew for an additional one year unless either party gives a written notice by certified mail sixty days in advance.
- 5) Belmont County shall be responsible for providing malpractice insurance with a minimum occurrence limit of one million dollars (1,000,000.00) for the Medical Director's service within the jail facility.
- 6) The Medical Director shall be available to perform medical services at the Belmont County Jail two (2) days per week at a time mutually agreeable between the Medical Director and the Sheriff, or as otherwise directed by Ohio Standards, or when needed by the Belmont County Jail Nursing Staff.
- 7) The Medical Director or his designee agrees to be available on a twenty-four (24) hour basis.
- 8) The Sheriff will provide a full time guard on duty and with the Medical Director while medical services are being performed at the Belmont County Jail.
- 9) It is understood and agreed that the Medical Director is the attending physician for all inmates. Should an inmate desire his/her own private physician, the Medical Director must deem the requested care necessary and advisable, and the inmate must pay his/her private physician's bill. A Medical Waiver Form shall be completed for such treatment.
- 10) Inmates who require hospitalization shall be admitted to the hospital designated by the Medical Director, Sheriff, or Jail Administrator and only Dr. Cholak or his designee shall be designated as the attending physician. In the event the Medical Director determines that consultation or medical services need be rendered by a physician other than the Medical Director, said consultation or services shall be at the Medical Director's sole discretion and the expense thereof shall be borne by Belmont County.
- 11) In the event that Dr. Cholak can not perform the services of Medical Director, he may appoint a temporary jail physician from a list of physicians mutually agreeable to the Sheriff, Jail Administrator and the Medical Director. The Medical Director will ensure such substitute will perform contractual responsibilities at no additional cost to Belmont County.
- 12) The Medical Director will further provide a review of medical care procedures as follows:
 - a. **Description of any health environmental factor(s), which are substandard.**
 - b. Changes implemented since the last reporting period.
 - c. Recommended changes.
- 13) The Medical Director will review all reports submitted from the State Department of Human Resources and Institutional Health Units, and will assist the Sheriff's office in making any corrections deemed necessary to medical care.
- 14) Health appraisals will be scheduled on the regular weekly visits to the jail by responsible Medical Director. These appraisals shall be completed for each inmate whose stay exceeds ten (10) days on or before the fourteenth (14) day.
- 15) The Medical Director or nursing staff will review the completed receiving, screening and health history records, take BP's, perform the standardized physical examinations, etc. Lab tests to detect communicable diseases will be performed only if deemed appropriate by medical staff.
- 16) The Medical Director will respond to requests for medical care made by the Sheriff's office via telephone or other various telecommunications and will instruct the on duty nurse to refer the inmate as follows:
 - a. To the doctor's office for treatment.
 - b. To the designated hospital emergency room for immediate treatment.
 - c. To the regularly scheduled sick call visit by the respective physician.
 - d. Any other instructions by the responsible physician.
- 17) The Medical Director will assist the Sheriff's office in meeting its duties to inmates as stated in the National Commission on Correctional Health Care "Standards for Health Services in Jail." The Medical Director will also assist in meeting such duties imposed by federal and state laws and regulations.
- 18) The Medical Director will assist the Sheriff's office in developing and implementing policies that will assure high quality medical and nursing care. The Medical Director will also prepare specific policies and procedures concerning the following:
 - a. Emergency treatment of inmates.
 - b. Prescriptive medicine.
 - c. Special Diets.
- 19) The Medical Director shall establish and supervise the maintenance of a listing of both prescription and non-prescription medications and supplies which are permitted for use in the facility. Any limitations on their use must be specified.
- 20) Either party may cancel this agreement by giving written notice by certified mail sixty (60) days in advance of said cancellation.
- 21) The Medical Director acknowledges and agrees that he has read and received this contract and that the medical policy contained herein is in compliance with the medical standards for full service jails found in the Minimum Standards for all Ohio Jails.

This agreement signed and executed at St. Clairsville, Belmont County, Ohio, this 22nd day of June, 2011.

George L. Cholak, M.D.
Medical Director

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

APPROVED AND ACKNOWLEDGED

I do hereby acknowledge and approve the contents hereof.

Fred A. Thompson /s/

Fred A. Thompson, Sheriff of Belmont County, Ohio

Upon roll call the vote was as follows:

Belmont County Commissioners:

Matt Coffland, President

Charles R. Probst, Jr. /s/

Charles R. Probst, Jr.

Ginny Favede /s/

Ginny Favede

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

IN THE MATTER OF ENTERING INTO A DRILLING AGREEMENT WITH AMERICAN ENERGY CORPORATION
RE: CORE DRILLING AT FORMER CHILDREN'S HOME SITE/TACOMA

Motion made by Mr. Probst, seconded by Mrs. Favede to enter into a Drilling Agreement with American Energy Corporation for the sole purpose of allowing them to drill one (1) exploratory core hole into the coal seam at the former Belmont County Children's Home property located in Warren Township, Section 10, T8, R6.

DRILLING AGREEMENT

This Drilling Agreement ("Agreement") made and entered into this 22TH day of June 2011 by and between Belmont County Board of Commissioners, of 101 W. Main Street, St. Clairsville, OH 43950 hereinafter collectively called "Owner", and AMERICAN ENERGY CORPORATION, an Ohio corporation, whose address for the purposes of this Agreement is 43521 Mayhugh Hill Road, Beallsville, OH 43716, hereinafter called "Company".

WITNESSETH:

For and in consideration of Two Hundred Dollars (\$200.00) paid by Company to Owner, the receipt of which is acknowledged, and of the mutual covenants herein contained, the parties agree as follows:

1. **Agreement.** Owner hereby permits Company, its employees, agents and contractors, to enter upon the property of Owner located at Sec. 10, Warren Twp., T8, R6, and more particularly described as same situate in Belmont or Monroe County, Ohio (the "Premises") to go upon the Premises, for the sole purpose of drilling One (1) exploratory core hole in the location identified on the attached map, and staked on the Premises.
2. **Term.** This Agreement shall expire 180 days from the date first written above.
3. **Reclamation.** Following completion of the drilling, it is understood and agreed that the drill hole will be cemented closed and the drill site and any surrounding area that are disturbed will be reclaimed, seeded and mulched by Company, as soon as weather permits. The driveway used to access will be reclaimed by Company, if damaged, to its original condition.
4. **Indemnification.** The Company Shall Indemnify and hold harmless the county, its agents and employees from any and all losses, claims, damages, lawsuits, costs, judgments, expenses or any other liabilities which may incur as a result of bodily injury, sickness, disease, or death, or injury to or destruction of tangible property including the loss of use resulting therefrom, caused in whole or in part by the negligent act or omission of the company, any subcontractor, any person directly or indirectly employed by any person for whose acts of them may be liable.
5. **Insurance.** The Company carries commercial liability insurance with limits exceeding \$1 mil. With reference available upon request.

IN WITNESS WHEREOF, the parties have executed this Agreement on the day and year first above written.

OWNER
Charles R. Probst, Jr. /s/

Ginny Favede /s/

Company: American Energy Corporation
By: David Lee /s/
Its: land agent

Owner: Belmont County Board of Commissioners
WITNESS
Kathy Marino /s/
Amanda Timko /s/

APPROVED AS TO FORM:
David K. Liberati /s/ (Assistant)
PROSECUTING ATTORNEY

Upon roll call the vote was as follows:

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

IN THE MATTER OF AUTHORIZING THE CLERK TO ESTABLISH THE DATE AND TIME AND GIVE NOTICE OF PUBLIC HEARING ON THE BUDGET FOR FISCAL YEAR ENDING DECEMBER 31, 2011

Motion made by Mr. Probst, seconded by Mrs. Favede to authorize the Clerk of the Board to establish the date and time and give Notice of Public Hearing on the Belmont County Budget for fiscal year ending December 31, 2012 pursuant to O.R.C. 5705.28.

NOTICE OF PUBLIC HEARING ON THE BELMONT COUNTY BUDGET

Notice is hereby given that on the 13th day of July, 2011 at 12:00 o'clock P.M., a public hearing will be held on the Budget prepared by the County Commissioners of Belmont County, Ohio for the next succeeding fiscal year ending December 31, 2012. Such hearing will be held at the office of the **Belmont County Commissioners, Belmont County Courthouse, 101 West Main Street, St. Clairsville, Ohio 43950.**

Kathy Marino /s/
Kathy Marino, Assistant Clerk
Belmont County Commissioners

ADVERTISE TIMES LEADER, JUNE 27, 2011 (ONE MONDAY)

Upon roll call the vote was as follows:

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

IN THE MATTER OF ENTERING CONTRACT WITH ARCHITECT LARRY A. SIEBIEDA/THOBURN CHURCH BUILDING

Motion made by Mr. Probst, seconded by Mrs. Favede to enter into contract with Architect Larry A. Siebieda for Architectural services to complete work started by Marshall Piccin regarding renovations to the former Thoburn Church building as directed by the Board of Commissioners.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF APPROVING AND SIGNING THE
2012-2013 BIENNIAL SUBGRANT AGREEMENT WITH ODJFS
ON BEHALF OF BCDJFS**

Motion made by Mr. Probst, seconded by Mrs. Favede to approve the signing and submittal of the 2012/2013 Biennial Subgrant Agreement with Ohio Department of Job & Family Services (ODJFS), on behalf of Belmont County Department of Job & Family Services, effective July 1, 2011 through June 30, 2013; Subgrant No. G-1213-11-0012.

Upon roll call the vote was as follows:

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

OPEN PUBLIC FORUM – Mary Jackson asked if the funding is going to be taken away from the Neffs Sewerage Project. Mr. Probst replied, “No.”

Richard Hord had questions regarding the Department of Job & Family Services taking over the programs of Belmont Senior Services. He asked what DJFS could do that is not being done by Belmont Senior Services. Mr. Probst stated it was the boards’ understanding there are some programs through the federal government where senior services levy monies could be matched, in some cases dollar for dollar. There are a few programs that Belmont Senior Services cannot do since they are a private company. When Mr. Hord had more questions regarding this situation, Mr. Probst said if the board had known he was going to want answers to specific questions, they could have had BCDJFS Director Dwayne Pielech present to provide the answers relating to his department. He was advised in the future it would be helpful to call ahead. Mr. Pielech is in Columbus today meeting with ODJFS to obtain information on the programs they can utilize to get match monies. Mr. Probst further explained that with the research that was done, we can do these programs just as effective, or more effective, and at a much reduced rate compared to how Belmont Senior Services is operating today. In turn that saves the taxpayers money. On BSS current spending trends, they would be in deficit spending, as they are now. The Commissioners just had to front their 3rd quarter appropriations to them. As the trend goes on, by the end of 2013, they would have been out of money. Mr. Probst continued by stating, “What that means is they would have come back to the Commissioners asking us to put another levy on to help offset the costs of senior services.” This is a way we can get our DJFS involved and in the future possibly take one of these levies off and save the taxpayers’ money instead of putting levies on. With that said, BSS will be able to put in a Request for Proposals on some of the services that DJFS is going to offer to the seniors.

Mrs. Favede said it is important to note we are the watchdogs of the taxpayer’s dollars and we are the fiduciary agents of all levy monies. It is our job to make sure those monies are spent wisely and efficiently. They are spending more money than we are providing in the contract.

Mr. Probst stated additional services will be offered to the seniors along with the current services.

Port Authority Larry Merry spoke of the opportunity he had to spend the day with representatives from OSU Extension Office and Penn State University touring a Chesapeake Energy drilling site, rig, fracking site and compressor site in Green County, West Virginia. He said it was a great tour and he gained a lot of knowledge.

Debbie Street of Otto Road, Jacobsburg, asked if anyone had gotten in touch with Congressman Bill Johnson about the comment made in his letter regarding funds being turned down. Clerk Jayne Long stated she had spoken with BCSSD Project Manager Kelly Porter who had advised he spoke to Debbie and explained everything to her. He said Debbie fully understood his explanation and that is the message Mrs. Long conveyed to the board. Debbie said she did speak with Mr. Porter last week.

BREAK

**IN THE MATTER OF ENTERING
EXECUTIVE SESSION AT 11:00 A.M.**

Motion made by Mr. Probst, seconded by Mrs. Favede to enter into executive session with Engineer Fred Bennett and Shereza O’Hara, pursuant to 121.22(G)(4) Collective Bargaining to review collective bargaining negotiations.

Upon roll call the vote was as follows:

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

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

Motion made by Mr. Probst, seconded by Mrs. Favede to adjourn executive session at 11:17 a.m.

Upon roll call the vote was as follows:

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

AS A RESULT OF EXECUTIVE SESSION – NO ACTION TAKEN TODAY. EXECUTIVE SESSION WILL RESUME TOMORROW AT 11:00 ON THE SAME MATTER.

BREAK

**IN THE MATTER OF ENTERING
EXECUTIVE SESSION AT 11:30 A.M.**

Motion made by Mr. Probst, seconded by Mrs. Favede to enter into executive session with Sue Douglass, Executive Director of the Department of Development/CIC, and Attorney Richard Myser, pursuant to Ohio Revised Code 121.22(G)(2) Property Exception, specifically to consider the sale of property.

Upon roll call the vote was as follows:

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

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

Motion made by Mr. Probst, seconded by Mrs. Favede to adjourn executive session at 11:40 a.m.

Upon roll call the vote was as follows:

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

AS A RESULT OF EXECUTIVE SESSION – NO ACTION TAKEN.

BREAK UNTIL THURSDAY, JUNE 23, 2011 AT 10:00 A.M.

RECONVENE THURSDAY, JUNE 23, 2011

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

IN THE MATTER OF ENTERING EXECUTIVE SESSION AT 10:30 A.M.

Motion made by Mr. Coffland, seconded by Mr. Probst to enter into executive session with Mark Lucas, Attorney at Law, pursuant to O.R.C. 121.22(G)(1) Personnel Exception to discuss employment of public employees. Upon roll call the vote was as follows:

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

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

Motion made by Mr. Probst, seconded by Mr. Coffland to adjourn executive session at 11:05 a.m.

Upon roll call the vote was as follows:

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

AS A RESULT OF EXECUTIVE SESSION - *The board will take a brief break for approximately 30 minutes and re-enter this executive session on this matter later today.*

IN THE MATTER OF ENTERING EXECUTIVE SESSION AT 11:07 A.M.

Motion made by Mr. Probst, seconded by Mr. Coffland to enter into executive session with Mike Kinter, HR Manager and Kelly Porter, of Belmont Co. Sanitary Sewer District, pursuant to O.R. C. 121.22(G)(1) Personnel Exception to discuss dismissal of a public employee.

Upon roll call the vote was as follows:

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

IN THE MATTER OF ADJOURNING EXECUTIVE SESSION AT 11:25 A.M.

Motion made by Mr. Coffland, seconded by Mr. Probst to adjourn executive session at 11:25 a.m.

Upon roll call the vote was as follows:

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

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

IN THE MATTER OF GRANTING DIRECTOR OF BCSSD AUTHORITY TO APPROVE OR TERMINATE PROBATIONARY EMPLOYEES OF THE SANITARY SEWER DISTRICT

Motion made by Mr. Coffland, seconded by Mrs. Favede, in regard to the current probationary employees of the Belmont County Sanitary Sewer District, the Belmont County Board of Commissioners, as the appointing authority, does hereby grant the Director, Mr. Mark Esposito, the authority to approve their continued employment or terminate them in accordance with R.C. 123.27(C). Said authority shall be based upon each probationary employee’s evaluation and work history including compliance with the Belmont County Personnel Policy Manual.

Upon roll call the vote was as follows:

Mr. Coffland	Yes
Mrs. Favede	Yes
Mr. Probst	No

IN THE MATTER OF ENTERING EXECUTIVE SESSION AT 11:30 A.M.

Motion made by Mr. Coffland, seconded by Mr. Probst to enter into executive session with Engineer Fred Bennett and Shereza O’Hara, pursuant to 121.22(G)(4) Collective Bargaining to review collective bargaining negotiations.

Upon roll call the vote was as follows:

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

IN THE MATTER OF ADJOURNING EXECUTIVE SESSION AT 11:35 A.M.

Motion made by Mr. Probst, seconded by Mr. Coffland to adjourn executive session at 11:35 a.m.

Upon roll call the vote was as follows:

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

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

IN THE MATTER OF APPROVING AND SIGNING THE LABOR AGREEMENT BETWEEN ENGINEER AND AFSCME, OC8, AFL-CIO LOCAL #3285

Motion made by Mr. Probst, seconded by Mr. Coffland to approve and sign the Agreement between Belmont County Engineer and AFSCME, OC8, AFL-CIO Local #3285. The contract is in effect from April 24, 2011 through April 23, 2014.

Upon roll call the vote was as follows:

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

IN THE MATTER OF RE-ENTERING EXECUTIVE SESSION AT 11:50 A.M.

Motion made by Mr. Probst, seconded by Mrs. Favede to re-enter into executive session with Mark Lucas, Attorney at Law, pursuant to O.R.C. 121.22(G)(1) Personnel Exception to discuss employment of public employees.

Upon roll call the vote was as follows:

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

IN THE MATTER OF ADJOURNING EXECUTIVE SESSION AT 1:35 P.M.

Motion made by Mr. Coffland, seconded by Mr. Probst to adjourn executive session at 1:35 p.m.

Upon roll call the vote was as follows:

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

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

IN THE MATTER OF ADOPTING RESOLUTION ASSIGNING THE BELMONT CO. DEPT. OF JOB AND FAMILY SERVICES THE POWERS AND DUTIES OF PROVIDING AND ADMINISTERING SENIOR CITIZEN/OLDER PERSONS SERVICES AND FACILITIES

Motion made by Mr. Coffland, second by Mr. Probst to adopt the following Resolution:

RESOLUTION

WHEREAS, the Belmont County Board of Commissioners (“Commissioners”) are authorized under R.C. 307.694, 307.85, and other applicable law to “spend moneys for the support of senior citizens services or facilities” and to participate in, give financial assistance to, and cooperate with agencies and organizations in establishing and operating programs to provide necessary social services “to meet the needs of older persons” and the like; and

WHEREAS, the Belmont County Department of Job and Family Services (BCDJFS) has advised the Commissioners that they wish to provide and administrate such services as the point agency and otherwise assist the Commissioners in providing and administrating same; and

WHEREAS, the BCDJFS and its Director are authorized by R.C. 329.04 and other applicable law to exercise powers and duties relating to family services, including but not limited to those powers and duties imposed upon them by resolution of the Commissioners or assigned to them by the Commissioners; and

WHEREAS, there is currently a non-exclusive contract (the “BSS Contract”) between the Commissioners and Belmont Senior Services, Inc. (“BSS”) until September 30, 2011 under which BSS is to provide certain services to senior citizens; and

WHEREAS, the citizens of Belmont County have approved one or more levies to provide moneys for the provision of services to senior citizens (“Levy Moneys”);

NOW THEREFORE BE IT RESOLVED, that the Commissioners have determined to assign to the BCDJFS to the fullest extent possible the powers and duties of providing and administrating senior citizen/older persons services and facilities (and to cooperate with and assist the Commissioners in providing and administrating same) – acknowledging that the BCDJFS operates under the direction and control of the Commissioners, including, but not limited to budget, appropriation, spending, and co-appointing authority controls; and

BE IT FURTHER RESOLVED that the BCDJFS and its Director are respectfully directed to do the following and assist the Commissioners in doing same; use and recruit BCDJFS staff to provide and administrate services and facilities for senior citizens/older persons; solicit proposals, bids, etc. from private and/or public entities for the provision of goods, services, and facilities; seek and/or secure state, federal, and other monies; and do other things and use the Clerk and the Commissioners’ and BCDJFS’s other advisors and assistants to assist in those things; all for the purposes set forth in the foregoing Resolution(s) and inferred herein; and

BE IT FURTHER RESOLVED that the Commissioners determine that they will not extend the current BSS Contract beyond September 30, 2011; the Commissioners thank them and their staff for their services to date; the Commissioners respectfully the Director of Belmont County Department of Job & Family Services to give due consideration to employees of Belmont Senior Services that apply for employment with the Belmont County Department of Job & Family Services and to cooperate with Belmont Senior Services in effecting an orderly transition of business.

Upon roll call the vote was as follows:

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

IN THE MATTER OF AUTHORIZING A BASE PAY ADJUSTMENT FOR DWAYNE PIELECH, DIRECTOR OF BCDJFS

Motion made by Mr. Coffland, adopting a Resolution authorizing a base pay adjustment of six dollars an hour, beginning with the pay period effective June 19, 2011, for Dwayne Pielech, Director, Belmont County Department of Job & Family Services, who has had his hourly wage frozen since 2007 and who also now is assigned the additional duties of managing all Senior Services programs in Belmont County, making him the Director of five primary divisions.

MOTION DIED FOR LACK OF A SECOND.

**IN THE MATTER OF AUTHORIZING A BASE
PAY ADJUSTMENT FOR FOUR MANAGERS WITHIN BCDJFS**

Motion made by Mr. Coffland, adopting a Resolution authorizing a base pay adjustment of three percent, beginning with the pay period effective June 19, 2011, for four Managers within Belmont Co. Dept. of Job & Family Services, namely Vince Gianangeli, Fiscal Administrator; Brenna Rocchio, Public Administration Administrator; Lori O'Grady, Human Resources Administrator; and Bob Roth, Transportation and Building and Grounds Supervisor, who are now assigned to additional duties due to the merger of the Senior Services program under the Belmont County Department of Job and Family Services.

MOTION DIED FOR LACK OF A SECOND.

BREAK

RECONVENE MONDAY, JUNE 27, 2011, AT 11:00 A.M.

PRESENT: COMMISSIONERS GINNY FAVEDE AND MATT COFFLAND

ABSENT: COMMISSIONER CHARLES R. PROBST, JR.

**IN THE MATTER OF RESOLUTION APPROVING AND AUTHORIZING
EXECUTION OF AN INTER-COUNTY ADJUSTMENT OF ALLOCATIONS
BETWEEN THE FAIRFIELD COUNTY DEPARTMENT OF JOB AND FAMILY
SERVICES AND THE BELMONT COUNTY BOARD OF COMMISSIONERS
ON BEHALF OF BELMONT COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES**

Motion made by Mr. Coffland, seconded by Mrs. Favede to adopt the following resolution:
The Board of County Commissioners, in and for Belmont County, Ohio, met this day in regular session with the following members present:

Commissioners: Matt Coffland and Ginny Favede

Commissioner Coffland presented the following resolution and moved its adoption.

**RESOLUTION APPROVING AND AUTHORIZING EXECUTION OF AN INTER-COUNTY ADJUSTMENT OF ALLOCATIONS
BETWEEN THE FAIRFIELD COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES AND THE BELMONT COUNTY
BOARD OF COMMISSIONERS ON BEHALF OF BELMONT COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES**

WHEREAS, the Board of County Commissioners hereby finds and determines that all formal actions relative to the adoption of this resolution were taken in an open meeting of this Board of County Commissioners, and that all the deliberations of this Board of County Commissioners and of its committees, if any, which resulted in formal actions, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Revised Code, and

WHEREAS, the Ohio Administrative Code Section 5101:9-6-82 permits a County Department of Job and Family Services to request an inter-county adjustment of funding for certain allocations; and

WHEREAS, due to changes in funding for State fiscal year 2011, the Belmont County Department of Job and Family Services is faced with funding deficits and shifting of costs to balance the respective agency budgets. The Ohio Department of Job and Family Services offers counties the opportunity to transfer funds to share with other counties. Because of the loss of Income Maintenance Control funds in State fiscal year 2011, the Belmont County Department of Job and Family Services can utilize additional Income Maintenance Control dollars to lessen the loss of these funds on County operations and cover projected shortfalls.

WHEREAS, the Board of Commissioners in Fairfield County and their County Department of Job and Family Services have graciously offered \$100,000 of Income Maintenance Control funding to Belmont County. The Belmont County Department of Job and Family Services will accept \$100,000 in Income Maintenance Control funding for utilization in State fiscal year 2011 as an addition to their current Income Maintenance Control allocation. All funds will be utilized in accordance to regulations for Income Maintenance Control funding and this is a one-time transfer of this type of funding.

WHEREAS, the Director of the Belmont County Department of Job and Family Services is recommending the approval of the Inter-County Agreement and Certification Release and Acceptance of Funds (JFS 02719) from the Fairfield County Department of Job and Family Services.

NOW, THEREFORE, BE IT RESOLVED, that the Board of County Commissioners, in and for Belmont County, Ohio, hereby approves and agrees to accept \$100,000 in Income Maintenance Control from Fairfield County Department of Job and Family Services on behalf of the Belmont County Department of Job and Family Services, through the Inter-County Agreement and Certification Release and Acceptance of Funds (JFS 02719) attached hereto and made a part hereof.

BE IT FURTHER RESOLVED, that the Clerk of the Board is hereby directed to forward certified copies of this resolution to the Belmont County Auditor, and the Directors of the Belmont County and Fairfield County Departments of Job and Family Services.

Commissioner Favede seconded the resolution and the roll being called upon its adoption, the vote resulted as follows:

“AYES”: Commissioners Matt Coffland and Ginny Favede

“NAYS”: None

Resolution adopted,

Kathy Marino, Assistant Clerk

BREAK

**IN THE MATTER OF ADJOURNING
COMMISSIONERS MEETING AT 12:00 P.M.**

Motion made by Mr. Coffland, seconded by Mrs. Favede to adjourn the meeting at 12:00 p.m.

Upon roll call the vote was as follows:

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

Read, approved and signed this 29th 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