

St. Clairsville, Ohio

March 25, 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.

<u>Claim of</u>	<u>Purposes</u>	<u>Amount</u>
A-Belmont Co. Dept. of Job & Family Services	April Mandated Share/General Fund	30,625.75
A-Charles Probst	Reimburse Mileage/General Fund	93.60
A-Comcast	Internet-Recorder/General Fund	166.81
A-Comcast	Internet-Juvenile/General Fund	59.00
A-Digital Data Communications	Video conference-courts/General Fund	9,378.14
A-Ohio Weights & Measures Assoc.	Conference Fees/General Fund	150.00
A-Simplex Grinnell	Yearly maintenance-Jail/General Fund	7,788.85
A-Thomson West	ORC subscription/General Fund	110.50
A-Thomson West	ORC subscription/General Fund	220.50
A-United Postal Service-CMRS-FP	Postage-Northern Ct./General Fund	9,600.00
B-Crossroads Counseling	February counseling-Western Ct./Indigent Drivers Alcohol Fund	2,210.82
C-Laura L. Edwards-Conrad	Guardian's Fee/Indigent Guardianship Fund	1,152.52
C-Lisa Bauer	Attorney Fees/Indigent Guardianship Fund	487.50
C-Pure Water Finance	Water/Mediation Fund/Probate Court	79.95
G-Belmont Co. Tourism Council	March expenses & Grant Program/Lodging Excise Tax Fund	50,000.00
H-National City	Lodging-meals/D. Pielech/Public Assistance Fund	1,348.98
K-Staples Credit Plan	Supplies/Engineer MVGT Fund	183.33
M-1 Step Detect	Supplies-Juvenile/Title IV-E Reimb. Fund	570.00
N-U S Bridge	Bridge Beams/Rd. & Bridge Improvement Fund	21,952.00
N-U S Bridge	Bridge Beams/Rd. & Bridge Improvement Fund	22,934.00
O-Ohio Dept. of Development	April payment/Fox Commerce Park/St. Loan Repayment	3,296.54
P-American Electric Power	Feb. service/WWS#1 Revenue Fund	120.28
P-Belmont Co. Sanitary Sewer	Feb. service/WWS#1 Revenue Fund	2,902.43
P-Eastern Ohio Regional Wastewater Authority	Sewage Disposal/BCSSD Funds	342.90
P-Mark Esposito	Reimburse expenses/BCSSD Funds	27.14
P-Sewer Bond Retirement Fund	Transfer/BCSSD Funds	17,046.08
P-Village of Morristown	Transfer out/BCSSD Funds	214.66
S-AT&T	Telephone/Certificate of Title Admn Fund	61.41
S-Crystal Springs	Water/Western Ct. Gen. Special Projects Fund	37.69
S-Dolby & Company, Inc.	Annual Service Renewal/Probate Court Computer Fund	1,536.00
S-Iron Mountain Intellectual Property Mgt.	Backup/Clerk of Courts Computer Fund	210.00
S-Staples	Supplies/Certificate of Title Admn Fund	26.99
W-Delinquent Collectors of Ohio, Inc.	Contract services/DRETAC Treasurer's Office Fund	620.90
W-Delinquent Collectors of Ohio, Inc.	Contract services/DRETAC Treasurer's Office Fund	1,761.31
W-Reliable Office Supply	Supplies/Prosecutor Victim Program Fund	161.67

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 March 25, 2009 as follow:

FUND	AMOUNT
A-GENERAL	\$26,891.39; \$716.99; \$12,388.28; \$1,669.09
A-GENERAL/ATTORNEY FEES	\$2,387.00
A-GENERAL/AUDITOR	\$220.13
A-GENERAL/SHERIFF	\$2,916.17; \$4,997.17
A-GENERAL/911	\$85,408.26
B-Dog & Kennel	\$1,119.71
E-911	\$768.82
H-Job & Family, CSEA	\$129.96
H-Job & Family, Public Assistance	\$600.00; \$1,692.58; \$6,671.02; \$84.75; \$5,005.37
H-Job & Family, WIA	\$19,772.83
K-Engineer MVGT	\$1,337.63; \$22,577.03; \$2,402.23
M-Juvenile Ct.-Placement II	\$411.31
P-Oakview Admn Bldg.	\$799.98
P-Sanitary Sewer District	\$15,763.48; \$5,743.67; \$2,152.91; \$1,295.03; \$10,302.24; \$375.20; \$191.88; \$800.85
	\$295.66
S-District Detention Home	\$1,505.97
S-Job & Family, Children Services	\$703.19; \$299.63
S-Oakview Juvenile Residential Center	\$7,761.04
S-Western Div. Ct. Computer Fund	\$2,873.71
U-Sheriff Reserve Account	\$72.00

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-0257-A015-A15.074 Transfer Out (DOD/CIC First & Second Quarter 2009 Allocation)	E-0051-A001-A28.000 Other Expenses	\$50,000.00

Upon roll call the vote was as follows:

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

**IN THE MATTER TRANSFER BETWEEN THE
GENERAL FUND AND HOSPITALIZATION Y091 FUND**

Motion made by Ms. Favede, seconded by Mr. Probst to approve the following transfer from the Belmont County General Fund into the Hospitalization Fund.

FROM	TO	AMOUNT
E-0256-A014-A06.006 Group Liab.	R-9861-Y091-Y01.500 Hosp.	\$150,000.00

Upon roll call the vote was as follows:

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

**IN THE MATTER OF TRANSFER OF FUNDS FOR HOSPITALIZATION
CHARGEBACKS-MARCH AND APRIL, 2009**

Motion made by Mr. Probst, seconded by Mr. Coffland to make the following transfer of funds for Hospitalization Chargebacks for March and April 2009.

FROM		TO	
E-0041-A002-H05.006	PROBATION OFFICER	R-9891-Y091-Y01.500	0.00
E-0054-A006-F08.006	DISASTER SERVICES	R-9891-Y091-Y01.500	0.00
E-0056-A006-E11.006	911 FUND	R-9891-Y091-Y01.500	15,186.80
E-0170-A006-G11.000	PUBLIC DEFENDER	R-9891-Y091-Y01.500	7,848.76
E-0181-A003-A11.000	BD OF ELECTIONS	R-9891-Y091-Y01.500	12,189.76
E-0300-A008-B01.002	CHEST CLINIC	R-9891-Y091-Y01.500	1,038.00
E-0910-S033-S47.006	DETENTION HOME	R-9891-Y091-Y01.500	22,330.05
E-1210-S078-S14.006	COUNTY RECORDER	R-9891-Y091-Y01.500	746.75
E-1310-J000-J06.000	REAL ESTATE	R-9891-Y091-Y01.500	5,325.96
E-1410-W082-T07.006	DRETAC-TREAS	R-9891-Y091-Y01.500	0.00
E-1511-W080-P07.006	PROS-VICTIM	R-9891-Y091-Y01.500	2,050.92
E-1520-S077-S04.006	CORRECTIONS ACT	R-9891-Y091-Y01.500	1,743.92
E-1600-B000-B13.006	DOG & KENNEL	R-9891-Y091-Y01.500	2,987.00
E-1600-B000-B13.006	D/K AUDITOR CLERK	R-9891-Y091-Y01.500	0.00
E-1810-L001-L14.000	SOIL CONSERVATION	R-9891-Y091-Y01.500	5,561.90
E-2150-H030-H11.000	PARK HEALTH CENTER	R-9891-Y091-Y01.500	90,206.20
E-2310-S049-S63.000	MENTAL HEALTH	R-9891-Y091-Y01.500	580.56
E-2410-S066-S80.000	BOARD OF DD	R-9891-Y091-Y01.500	81,661.37
E-2510-H000-H16.006	HUMAN SERVICES	R-9891-Y091-Y01.500	157,189.25
E-2760-H010-H12.006	CHILD SUPPORT	R-9891-Y091-Y01.500	12,144.20
E-2811-K200-K10.006	K-1	R-9891-Y091-Y01.500	1,493.50
E-2811-K200-K10.006	K-2	R-9891-Y091-Y01.500	0.00
E-2812-K000-K20.006	K-11	R-9891-Y091-Y01.500	34,099.98
E-2813-K000-K39.006	K-25	R-9891-Y091-Y01.500	13,319.74
E-4110-T075-T52.008	WIC	R-9891-Y091-Y01.500	4,400.78
E-6010-S079-S07.006	CLRK OF COURTS	R-9891-Y091-Y01.500	6,975.68
E-1561-S086-S03.006	Northern Court-Special	R-9891-Y091-Y01.500	597.28
E-1571-S087-S03.006	Eastern Court - Special	R-9891-Y091-Y01.500	1,453.64
E-1551-S088S03.006	Western Court-Special	R-9891-Y091-Y01.500	580.56
E-8010-S030-S68.006	OAKVIEW JUVENILE	R-9891-Y091-Y01.500	16,664.80
E-9799-S012-S02.006	Port Authority	R-9891-Y091-Y01.500	0.00
WATER DEPARTMENT			
E-3701-P003-P31.000	WWS #2 Revenue	R-9891-Y091-Y01.500	4,732.06
E-3702-P005-P31.000	WWS #3 Revenue	R-9891-Y091-Y01.500	13,767.92
E-3704-P051-P15.000	SSD #1 Revenue	R-9891-Y091-Y01.500	3,103.76
E-3705-P053-P15.000	SSD #2 Revenue	R-9891-Y091-Y01.500	3,045.84
E-3706-P055-P15.000	SSD #3A Revenue	R-9891-Y091-Y01.500	525.80
E-3707-P056-P15.000	SSD #3B Revenue	R-9891-Y091-Y01.500	181.40
COUNTY HEALTH			
E-2210-E001-E15.006		R-9891-Y091-Y01.500	3,219.10
E-2227-F074-F03.002	Sewage Program	R-9891-Y091-Y01.500	2,325.00
E-2213-F075-F01.002	Vital Stats	R-9891-Y091-Y01.500	1,925.00
E-2214-F076-F01.002	PH infrastructure	R-9891-Y091-Y01.500	1,640.00
E-2215-F077-F01.002	Family Planning	R-9891-Y091-Y01.500	145.00

E-2216-F078-F02.002	Tobacco	R-9891-Y091-Y01.500	0.00
E-2217-F079-F01.002	Women's Health	R-9891-Y091-Y01.500	145.00
E-2218-G000-G01.002	Food Services	R-9891-Y091-Y01.500	2,925.00
E-2223-T077-T01.002	IAP	R-9891-Y091-Y01.500	0.00
E-2226-T079-T01.002	Welcome Home	R-9891-Y091-Y01.500	145.00
Juv Court/Grants			
E-0400-M067-M05.008	Alternative Schools	R-9891-Y091-Y01.500	1,493.50
E-0400-M060-M64.008	Care and Custody	R-9891-Y091-Y01.500	597.28
E-0400-M060-M29.008	Care and Custody	R-9891-Y091-Y01.500	1,493.50
E-0400-M060-M75.008	Care and Custody	R-9891-Y091-Y01.500	2,076.57
E-0400-M077-M02.008	Supreme Court	R-9891-Y091-Y01.500	0.00
E-0400-M078-M02.008	Title IV-E	R-9891-Y091-Y01.500	1,467.85
TOTALS			543,331.94

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

IN THE MATTER OF GRANTING PERMISSION FOR COUNTY EMPLOYEES TO TRAVEL

Motion made by Mr. Probst, seconded by Mr. Coffland granting permission for county employees to travel as follows:
BCDJFS – Dwayne Pielech to Washington, DC, on March 8-11, 2009, for NACO Conference. Vincent Gianangeli to Canton, OH, on April 3, 2009, to attend Quarterly Fiscal Meeting. Total estimated expenses: \$1,416.30

Upon roll call the vote was as follows:

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

OPEN PUBLIC FORUM - Gene Joseph, Ed Bell, Mick Zingo and a group of citizens who reside in the Colerain area came to the board requesting help for the rising cost of water provided them by the City of Martins Ferry. A discussion was held concerning the \$46.00 per month rate being charged for 3000 gallons or less and the discrepancies in billing rates between city residents and residents of the Colerain area. Residents also related ongoing problems with waterline breaks and the lack of shut off valves and blow-outs which results in all water being turned off for extended periods and mud clogging their lines. They asked if it would be possible for someone else to supply their water. Commissioner Probst advised a meeting could be set up with city officials and Mark Esposito of the Belmont Co. Sanitary Sewer District to see what could be done, but any decision would have to be a mutual agreement with the City of Martins Ferry.

11:00 Proclamation – Belmont County Board of Developmental Disabilities

Attending the Proclamation presentation from the Board of Developmental Disabilities were Superintendent Monty Kerr, Pam McCort and members of the People First Committee including Yvette Gray (President), Cindy Armstrong (Vice-President) and Michael Parkinson (Secretary). They encouraged all to log on to www.r-word.org on March 31, 2009, to show their support in ending the use of the word “retard(ed)”. Michael Parkinson, who is also a Special Olympic Athlete, read the following speech and thanked the board for their help in spreading the word:

“On behalf of everyone involved, I want to thank the Board for helping us Spread the Word to End the Word. We appreciate your support of language that promotes dignity, respect, and acceptance. People with disabilities are co-workers, neighbors, classmates and friends. We are working, learning, and being successful all across Belmont County. We’re just like you and we want the same things, including respect. Your support shows that you understand the power of words. It shows that you are a fan of respect. Thank you very much.” – Michael Parkinson

IN THE MATTER OF ADOPTING PROCLAMATION TO “SPREAD THE WORD TO END THE WORD”

Motion made by Mrs. Favede, seconded by Mr. Probst to adopt the following Proclamation to “Spread the Word to End the Word”

PROCLAMATION

Whereas, **SPREAD THE WORD TO END THE WORD** is a National Awareness Day to raise the consciousness of society about the dehumanizing and hurtful effects of the word “retard(ed)” and encourage people to pledge to stop using the word; and
 Whereas, the Belmont County Board of Developmental Disabilities has joined in this effort to rally forces on March 31, 2009 to spread the word throughout our communities and encourage people to stop saying the R-word ; and
 Whereas, everyone can join in this effort and show their support by taking a pledge at www.r-word.org; and
 Whereas, respectful and inclusive language is essential to the movement for the dignity and humanity of people with intellectual disabilities;
 Now, Therefore Be It Resolved, the Belmont County Board of Commissioners pledge their support and encourage others to join the efforts to raise the consciousness of society to the hurtful effects of the R-word.

Adopted March 25, 2009

Upon roll call the vote was as follows:

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

DISCUSSION-Mr. Ed Jagucki asked if there was any news from D.C. yet regarding funding for the Neffs Sewer Project as a result of the Board’s recent trip to Washington and their meetings with legislators. Commissioner Probst said “not yet but we will keep calling until we get an answer.”

IN THE MATTER OF APPROVING MINUTES OF EMERGENCY BOARD OF COMMISSIONERS MEETING

Motion made by Mrs. Favede, seconded by Mr. Probst to approve the minutes of the Emergency Meeting of the Belmont County Board of Commissioners of March 23, 2009.

Upon roll call the vote was as follows:

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

- **Amendments:** The CSEA or Contractor may amend any information in the insertable fields in the first paragraph of the IV-D Contract or IV-D Contract Terms 1 through 7, provided that both the CSEA and Contractor agree to the amendments, the CSEA submits the amendments to OCS on the JFS 07037 (IV-D Contract Amendment), and OCS accepts the JFS 07037; or
- **Modifications:** The CSEA or Contractor may modify the language in this IV-D Contract, provided that both the CSEA and the Contractor agree to the modifications, the CSEA submits the proposed modifications to OCS, and OCS accepts the modifications. If the CSEA or Contractor modifies the language in this IV-D Contract without the agreement of both parties to the IV-D Contract and acceptance from OCS, the modified IV-D Contract will have no force or effect of law.

9. **Billing Requirements:** When the Contractor is a private entity, the Contractor shall ensure that the JFS 07035 (IV-D Contract Invoice) is submitted to the CSEA no later than thirty (30) days after the last day of the month in which services were provided.

When the Contractor is a governmental entity, the Contractor shall ensure that the JFS 07034 (Governmental Contactor Monthly Expense Report) and the JFS 07035 are submitted to the CSEA no later than thirty (30) days after the last day of the month in which services were provided. If the Contractor neglects or refuses to submit the JFS 07034 or JFS 07035 to the CSEA for payment within the appropriate time frame, the CSEA reserves the right to refuse payment.

If the Contractor neglects or refuses to submit the JFS 07035 to the CSEA for payment within the appropriate time frame, the CSEA reserves the right to refuse payment.

10. **Expensed Equipment:** Equipment that has been included in the unit rate on the JFS 07020 and expensed rather than depreciated during the IV-D Contract period shall be transferred to the CSEA or the appropriate residual value shall be paid to the CSEA when the equipment is no longer needed to carry out the work under this IV-D Contract or a succeeding IV-D contract.
11. **Monitoring and Evaluation:** The CSEA and the Contractor shall monitor and evaluate the extent to which services described in the IV-D Contract are being performed. The CSEA shall evaluate the performance of the Contractor on the JFS 02151 (IV-D Contract Evaluation) and provide a copy of the completed JFS 02151 to the Contractor.
12. **Recordkeeping:** The Contractor shall maintain accounting procedures and practices that sufficiently and properly reflect all direct and indirect costs of any nature expended in the performance of this IV-D Contract. All books, records, payroll, and documents related to this IV-D Contract that are in the possession of the Contractor or of a third party performing work related to this IV-D Contract shall be maintained and preserved by the Contractor for a period of three years after final payment, unless otherwise directed by the CSEA. Such records shall be subject at all reasonable times for inspection, review, or audit by duly authorized federal, state, and CSEA personnel or their designees. If an audit, litigation, or other action involving the records is started before the end of the three-year period, the records must be retained until all issues arising from the action are resolved or until the end of the three-year period, whichever is later.
13. **Responsibility for Review or Audit Findings and Recommendations:** The Contractor agrees to accept responsibility for replying to and complying with any review or audit findings and recommendations by an authorized state or federal review or audit that are directly related to the provisions of this IV-D Contract.
14. **Indemnity:** When the Contractor is a private entity, the Contractor shall certify that it will at all times during the existence of this IV-D Contract indemnify and hold harmless the CSEA, the Ohio Department of Job and Family Services, and the Board of County Commissioners or county administrator in the same county as the CSEA against any and all liability, loss, damage, and/or related expenses incurred through the provision of services under this IV-D Contract.
15. **Insurance:** When the Contractor is a private entity, the Contractor shall contract for such insurance as is reasonably necessary to adequately secure the persons and estates of eligible individuals against reasonable, foreseeable torts that could cause injury or death.
16. **Declaration Regarding Material Assistance or Non-assistance to a Terrorist Organization:** When the Contractor is a private entity, the Contractor agrees to complete a declaration regarding material assistance or non-assistance to a terrorist organization, pursuant to section 2909.32 of the Ohio Revised Code. Additional information may be obtained from the Ohio Department of Public Safety at www.homelandsecurity.ohio.gov.
17. **Finding for Recovery:** The Contractor certifies that the Contractor is not subject to a finding for recovery or it has taken the appropriate remedial steps required under section 9.24 of the Ohio Revised Code or it otherwise qualifies to contract with the State of Ohio under section 9.24 of the Ohio Revised Code.
18. **Licenses:** The Contractor certifies that all approvals, licenses, or other qualifications necessary to conduct business or, if applicable, practice law in Ohio have been obtained and are operative. If at any time during the IV-D Contract period the Contractor becomes disqualified or suspended from conducting business or, if applicable, practicing law in Ohio, the Contractor must immediately notify the CSEA of the disqualification or suspension and the Contractor will immediately cease performance of any obligations under this IV-D Contract.
19. **Independent Capacity for the Contractor:** The Contractor and its agents, employees, and subcontractors will act in performance of this IV-D Contract in an independent capacity and not as officers or employees or agents of the State of Ohio or the CSEA.
20. **Confidentiality:** The Contractor agrees that information regarding an individual shall only be used for purposes related to the IV-D program, in accordance with rules 5101:12-1-20 to 5101:12-1-20.2 of the Ohio Administrative Code. Disclosure of information for any other purpose is prohibited.
21. **Americans with Disabilities Act (ADA) Compliance:** The Contractor certifies that it is in full compliance with all statutes and regulations pertaining to the ADA of 1990 and with section 504 of the Rehabilitation Act of 1973.
22. **Civil Rights:** The Contractor certifies compliance with rule 5101:9-2-01 of the Ohio Administrative Code.
23. **Equal Employment Opportunity:** In carrying out this IV-D Contract, the Contractor shall not discriminate against any employee or applicant for employment because of race, religion, national origin, ancestry, color, sex, age, disability, or veteran status. The Contractor shall ensure that applicants are hired and that employees are treated during employment without regard to their race, religion, national origin, ancestry, color, sex, age, disability, or veteran status. Such action shall include but not be limited to the following: employment, upgrading, demotion, transfer, recruitment, recruitment advertising, layoff, termination, rates of pay or other forms of compensation, and selection for training including apprenticeship.
24. **Termination:** This IV-D Contract may be terminated:
- 24A. By mutual agreement at any time after the date on which the two parties reach their decision.
- 24B. If FFP reimbursement or the non-federal share designated for the purchase of services under this IV-D Contract is not available to the CSEA in an amount adequate to support the IV-D Contract as determined by the CSEA. When termination

of the IV-D Contract occurs under this paragraph, the termination date is the date upon which the FFP reimbursement or non-federal share is no longer available; however, the CSEA may determine a later termination date. The CSEA shall provide the Contractor written notice of the termination but is not required to provide written notice in advance of the termination. Reimbursement to the Contractor will cease on the date of termination of the IV-D Contract.

- 24C.** If the CSEA has discovered any illegal conduct on the part of the Contractor, immediately upon delivery of written notice to the Contractor by the CSEA.
- 24D.** If the Contractor does not faithfully and promptly perform its responsibilities and obligations under this IV-D Contract as determined by the CSEA. If the CSEA elects to terminate the IV-D Contract, the CSEA shall provide the Contractor with written notice thirty days in advance of the termination date.
- 24E.** If the CSEA does not faithfully and promptly perform its responsibilities and obligations under this IV-D Contract, as determined by the Contractor. If the Contractor elects to terminate the IV-D Contract, the Contractor shall provide the CSEA with written notice thirty days in advance of the termination date.
- 24F.** If the IV-D Contract is for legal services and the Contractor becomes disqualified or suspended from conducting business or practicing law in Ohio, all obligations under this IV-D Contract shall immediately terminate and the Contractor shall immediately notify the CSEA and cease the performance of any obligations under this IV-D Contract.

When the IV-D Contract terminates, the Contractor shall be entitled to compensation upon submission of the appropriate form(s), as described in paragraph 9, for the work performed prior to:

- The date on which the parties reached their decision, in accordance with paragraph 24A;
- The receipt of the written notice of termination, in accordance with paragraphs 24B through 24E; or
- The Contractor being disqualified or suspended from conducting business or practicing law, in accordance with paragraph 24F.

The CSEA shall calculate the compensation based on the Total IV-D Contract Cost less any funds previously paid by or on behalf of the CSEA. The Contractor shall not exceed the Total IV-D Contract Cost. The CSEA shall not be liable for any further claims.

IV-D Contract Signatures:

<u>Dwayne Pielech /s/</u> Signature of CSEA's Representative 3-23-09 Date of Signature	<u>Dwayne Pielech, Director</u> Printed Name of CSEA's Representative
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<u>Chris Berhalter /s/</u> Signature of Contractor's Representative 3-23-09 Date of Signature Prosecuting Attorney Printed Title of Contractor's Representative	<u>Christopher Berhalter</u> Printed Name of Contractor's Representative <u>147 W. Main St.</u> Printed Street Address of Contractor <u>St. Clairsville, OH 43950</u> Printed City, State, and Zip Code of Contractor
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<u>Matt Coffland /s/</u> Signature of County Commissioner or Representative Date of Signature 3/25/09 <u>Charles R. Probst, Jr. /s/</u> Signature of County Commissioner or Representative 3/25/09 Date of Signature	<u>Ginny Favede /s/</u> Signature of County Commissioner or Representative Date of Signature 3/25/09 Signature of Prosecutor, if required by County Commissioners Date of Signature
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Upon roll call the vote was as follows:

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

IN THE MATTER OF APPROVING AMENDMENT TO THE VENDOR AGREEMENT WITH BARNESVILLE TAXI ON BEHALF OF BCDJFS

Motion made by Mrs. Favede, seconded by Mr. Probst to approve and sign the following Amendment to the Vendor Agreement with Barnesville Taxi, on behalf of Belmont County Department of Job & Family Services, to increase the maximum amount of the agreement from \$20,000.00 to \$24,900.00 due to increases in the cost of fuel and usage. All other terms of the agreement remain unchanged.

AMENDMENT TO VENDOR AGREEMENT WITH BARNESVILLE TAXI

The parties agree to increase the maximum amount of the agreement from \$20,000.00 to \$24,900.00 due to increases in the cost of fuel and usage. All other terms of the agreement remain unchanged. This amendment takes effect upon signature of all parties.

<u>Dwayne Pielech /s/</u>	<u>3-17-09</u>
Dwayne Pielech, Director	Date
<u>Aaron Wildman /s/</u>	<u>3/10/09</u>
Authorized Vendor	Date
<u>Matt Coffland /s/</u>	<u>3/25/09</u>
Belmont County Commissioner	Date
<u>Charles R. Probst, Jr. /s/</u>	<u>3/25/09</u>
Belmont County Commissioner	Date
<u>Ginny Favede /s/</u>	<u>3/25/09</u>
Belmont County Commissioner	Date
<u>Chris Berhalter /s/</u>	<u>3-23-09</u>
Belmont County Prosecutor	Date

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADOPTING RESOLUTION
TO ESTABLISH VOLUNTARY DIRECT DEPOSITS
FOR THOSE IN RECEIPT OF OWF, DFA AND/OR
RCA BENEFITS/BCDJFS**

Motion made by Mrs. Favede, seconded by Mr. Probst to adopt the following resolution:

RESOLUTION

WHEREAS, the Belmont County Department of Job & Family Services provides Public assistance benefits to eligible county residents who are in need; and

WHEREAS, these benefits include Ohio Works First (OWF) Cash Assistance to needy Families, Disability Financial Assistance (DFA) to individuals, or both, and Refugee Cash Assistance (RCA); and

WHEREAS, Ohio Revised Code 329.03 and Cash Assistance Manual Section 5101:1-2-80(B) allows a County Board of Commissioners to adopt a resolution to establish a voluntary direct deposit system for distribution of cash assistance payments for OWF, DFA, and/or RCA;

THEREFORE, BE IT RESOLVED, that on 3-25-09 the Belmont County Board of Commissioners hereby establish voluntary direct deposit for those in receipt of OWF, DFA, and/or RCA; and

BE IT FURTHER RESOLVED that all fees and charges imposed by financial institutions for establishing and maintaining these accounts will not be incurred by the Belmont County Department of Job and Family Services or the Belmont County Board of Commissioners.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ACCEPTING THE JUVENILE
COURT 2008 ANNUAL REPORT**

Motion made by Mrs. Favede, seconded by Jr. Probst to accept the Belmont County Juvenile Court 2008 Annual Report per O.R.C. 2151.18 as submitted by Judge J. Mark Costine.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF APPROVING THE HIRING
OF KATHERINE MARIE LEE AS THE "SPRING
INTERN CLERK" FOR WESTERN DIVISION COURT**

Motion made by Mrs. Favede, seconded by Mr. Probst to approve the hiring of Katherine Marie Lee as the "Spring Intern Clerk" for the Belmont County Western Division Court at the rate of \$7.30 per hour (35 hours per week) commencing March 23, 2009 through March 27, 2009, based upon the recommendation of Judge Harry W. White; this is a temporary position to be paid from the court's Special Projects Fund.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF RESOLUTION REGARDING
UNEMPLOYMENT COMPENSATION AND ACCRUED VACATION
IN THE EVENT OF LAYOFFS**

Motion made by Mrs. Favede, seconded by Mr. Probst to adopt the following resolution regarding unemployment benefits and accrued vacation in the event of layoffs:

RESOLUTION

WHEREAS, the Belmont County Board of Commissioners recognize that there is a serious budget crisis facing county government; and

WHEREAS, the Belmont County Board of Commissioners do not have additional funds to supplement department appropriations for salary items; and

WHEREAS, Belmont County would have the obligation to pay unemployment compensation benefits and accrued vacation time to any eligible employee who was laid off for lack of funds; and

WHEREAS, unemployment compensation benefits and accrued vacation benefits are not budgeted items;

NOW, THEREFORE, BE IT RESOLVED that in the event that any Belmont County employee is laid off from a county department or agency, the unemployment compensation benefits and accrued vacation benefits shall be assessed against the salary fund(s) and/or other funds appropriated for said department in the year in which said benefit or accrued vacation is paid.

Each elected official or other person who has responsibility for department budgets must use the funds appropriated to their department in a manner which will make lay offs unnecessary or will allow the department to meet all expense incurred as a result of lay offs within that department.

Adopted this 25th day of March, 2009.

Charles R. Probst, Jr., /s/
Charles R. Probst, Jr., President
Ginny Favede /s/
Ginny Favede, Vice-President
Matt Coffland /s/
Matt Coffland

**IN THE MATTER OF ACKNOWLEDGING
ROAD NAME CHANGE FOR OLDE CUMBERLAND
DRIVE/RICHLAND TOWNSHIP SEC 15, T7, R4**

Ruth Graham, Engineer’s Drafting Technician, explained this road name change is different in that it is a private roadway and not a township. She said she discussed the matter with Assistant Prosecutor David Liberati. The road will still be on the inventory even though it’s not a township road.

Motion made by Mrs. Favede, seconded by Mr. Probst to adopt the following:

RESOLUTION

Whereas, the owners of Windemere Properties, Inc. have petitioned the Belmont County Board of Commissioners to change the name of a private road located in the subdivision known as “The Ridges of Olde Cumberland (The Estates)” from **Cumberland Drive** to **Olde Cumberland Drive**; and

Whereas, Belmont County 911 has approved the road name change; and

Now, Therefore Be It Resolved, the Belmont County Board of Commissioners hereby accepts the petition and acknowledges that the name of Cumberland Drive, a private roadway located in Richland Township Section 15, T-7, R-4 and recorded in Cabinet F, Slide 26 of the Belmont County Recorder’s Office, will now be changed to Olde Cumberland Drive; and

Now, Therefore Be It Further Resolved, the Belmont County Commissioners agree and understand that the road name change will be recorded in the Belmont County Recorder’s Office at the expense of the property owners.

Adopted March 25, 2009

Upon roll call the vote was as follows:

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

BREAK UNTIL 11:30 AGENDA ITEM

**11:30 a.m. Larry Elliott, Superintendent of Switzerland of Ohio Schools
Re: School Levy**

Mr. Elliott attended today’s meeting in an effort to bring awareness of the upcoming bond issue to be placed on the May 5 ballot for school construction and renovation. He asked the board for their support along with county employees and officials. Mr. Elliott explained the plans for this \$88 million project noting construction of a new school in Powhatan Point, which is in Belmont County, is planned. He said a project of this size will also provide short term employment for the next few years for the local labor force.

BREAK UNTIL 12:00 P.M.

**IN THE MATTER OF ENTERING
EXECUTIVE SESSION/PARK HEALTH CENTER**

Motion made by Mr. Probst, seconded by Mr. Coffland to enter executive session at 12:13 p.m. with Assistant Prosecutor David Liberati and Consultant Mark Lucas pursuant to ORC 121.22(G)(1) Personnel Exception to discuss the compensation of public employees and ORC 121.22(G)(4) Collective Bargaining to prepare for negotiations with public employees in regards to Park Health Center.

Upon roll call the vote was as follows:

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

Note: Commissioner Coffland exited the meeting prior to the end of executive session.

**IN THE MATTER OF ADJOURNING
EXECUTIVE SESSION/PARK HEALTH CENTER**

Motion made by Mr. Probst, seconded by Mrs. Favede to adjourn executive session at 1:06 p.m. with Assistant Prosecutor David Liberati and Consultant Mark Lucas pursuant to ORC 121.22(G)(1) Personnel Exception to discuss the compensation of public employees and ORC 121.22(G)(4) Collective Bargaining to prepare for negotiations with public employees.

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.

DISCUSSION-Commissioner Probst advised that the meeting is to be left open for pending business that may need acted on.

5:38 P.M. RECONVENE MEETING. PRESENT: COMMISSIONER PROBST AND COMMISSIONER FAVEDE. ABSENT: COMMISSIONER COFFLAND.

DISCUSSION-Commissioner Probst said due to issues surrounding the Sheriff’s department, the board has asked proposals from different law firms which have been received and reviewed. The Board is now ready to move to hire a firm to advise them on personnel issues throughout the county and any litigation that may be coming forth to the Commissioners..

**IN THE MATTER OF APPROVING THE HIRING
OF BLAUGRUND, HERBERT & MARTIN, INC./
COMMISSIONERS**

Motion made by Mr. Probst, seconded by Mrs. Favede to approve the hiring of Blaugrund, Herbert & Martin, Inc., Attorneys and Counselors at Law, Worthington, Ohio, to represent the county on legal matters on an as needed basis at the rate of \$175 per hour for lawyer time; Paralegal time will be billed at \$100.00 per hour if necessary on a given matter.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF AUTHORIZING THE
BCSSD TO OFFER EMPLOYMENT FOR
OPEN MECHANIC'S POSITION**

Motion made by Mr. Probst, seconded by Mrs. Favede to authorize Mark Esposito, Director of the Belmont County Sanitary Sewer District, to offer employment to an individual for the open mechanic's position in his department.

Upon roll call the vote was as follows:

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

DISCUSSION-Commissioner Probst said the meeting will be left open until Thursday for possible action.

THURSDAY, MARCH 26, 2009, MEETING RECONVENED.

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

**IN THE MATTER OF RESOLUTION
TO WITHDRAW NOTICES OF ABOLISHMENT
AND LAYOFFS AT PARK HEALTH CENTER**

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

RESOLUTION

Whereas, the postponement of the commencement of the Park Health Center lease would benefit the parties;

Now, Therefore Be it Resolved, that the Administrator at Park Health Center is respectfully directed to withdraw the notices of abolishment and layoff of the Park Health Center employees that were effective 11:59:59 p.m. March 31, 2009 and reissue them for the same reasons as the original notices; the effective date of the new notices to be 11:59:59 p.m. the day before the commencement date of the lease, which is expected to occur on or about April 19, 2009. When the exact date is set in the lease, the Clerk will so notify the Administrator. The rescheduling of the transition date is made necessary by regulatory procedures, and the Commissioners very much appreciate the devotion of the Park Health Center staff to the residents and the County during this period of transition.

Adopted March 25, 2009

Upon roll call the vote was as follows:

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

BREAK

MARCH 31, 2009, MEETING RECONVENED. PRESENT: COMMISSIONER PROBST, COMMISSIONER COFFLAND, AND COMMISSIONER FAVEDE.

**IN THE MATTER OF ADJOURNING
COMMISSIONERS MEETING AT 3:46 P.M.**

Motion made by Mr. Probst, seconded by Mr. Favede to adjourn the meeting at 3:46 p.m., March 31, 2009.

Upon roll call the vote was as follows:

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

Read, approved and signed this 1st day of April, 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