

St. Clairsville, Ohio

May 5, 2010

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

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

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

**"BILLS ALLOWED"**

The following bills having been certified in the Auditor's office, on motion by Mrs. Favede, seconded by Mr. Coffland, 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-Delinquent Collectors of Ohio, Inc. | Contract Services/General Fund                         | 2,735.54      |
| A-Draft-Co., Inc.                     | Tax Map Conversion-GIS Projects/General Fund           | 726.98        |
| A-Draft-Co., Inc.                     | Web Hosting-GIS Projects/General Fund                  | 500.00        |
| A-Ohio AFSCME Care Plan               | Dental & Drug Coverage/General Fund                    | 552.00        |
| J-Thomas A. Schirack, A.S.A.          | Contract Services/Real Estate Assessment Fund          | 11,700.00     |
| N-Absolute Concrete                   | Concrete/Bridge & Retaining Wall Constr. Improv. Fund  | 452.50        |
| N-Carr Concrete                       | Box Beams/Bridge & Retaining Wall Constr. Improv. Fund | 23,554.00     |
| P-American Electric Power             | Service-Angelo Rd/WWS#1 Revenue Fund                   | 15.47         |
| S-Comcast                             | Internet/Northern Div. Ct. Computer Fund               | 83.17         |
| S-McGhee & Co.                        | Furniture/Eastern Ct. Gen. Special Projects Fund       | 14,944.20     |
| S-Sam's Club                          | Food/Oakview Juvenile Residential Center Fund          | 780-.63       |
| S-Vista Solutions Group               | 2010 Support/Western Div. Ct. Computer Fund            | 3,943.52      |

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

Motion made by Mrs. Favede, seconded by Mr. Coffland to approve the Recapitulation of Vouchers dated for May 5, 2010 as follow:

| <b>FUND</b>                           | <b>AMOUNT</b>                     |
|---------------------------------------|-----------------------------------|
| A-GENERAL                             | \$16,808.23; \$954.99             |
| A-GENERAL/EMA                         | \$1,198.94                        |
| A-GENERAL/JUVENILE COURT              | \$69.72                           |
| A-GENERAL/SHERIFF                     | \$3,656.65; \$7,580.29            |
| A-GENERAL/911                         | \$4,222.30                        |
| B-Dog Kennel                          | \$2,182.52                        |
| E-911                                 | \$1,027.73                        |
| H-Job & Family, CSEA                  | \$8,699.26                        |
| H-Job & Family, Public Assistance     | \$55,539.47 \$1,119.13            |
| H-Job & Family, WIA                   | \$57,437.24                       |
| K-Engineer MVGT                       | \$36,284.77; \$695.91; \$7,427.07 |
| M-Juvenile Ct.-Care and Custody       | \$20,034.88                       |
| M-Juvenile Ct.-Placement II           | \$150.00                          |
| M-Juvenile Ct.-Title IV-E Reimb.      | \$1,439.43                        |
| P-Oakview Admin. Bldg.                | \$3,566.38                        |
| S-District Detention Home             | \$5,637.72                        |
| S-Job & Family, Children Services     | \$27,892.64                       |
| S-Juvenile Ct.-Gen. Special Projects  | \$75.00                           |
| S-Oakview Juvenile Residential Center | \$5,290.86                        |
| S-Sheriff Commissary                  | \$3,016.52                        |
| S-Western Ct. Gen. Special Projects   | \$1,839.20                        |

Upon roll call the vote was as follows:

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

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

Motion made by Mrs. Favede, seconded by Mr. Coffland to approve the following transfer within fund for the General Fund.

| <b>FROM</b>                        | <b>TO</b>                       | <b>AMOUNT</b> |
|------------------------------------|---------------------------------|---------------|
| E-0051-A001-A28.000 Other Expenses | E-0064-A002-A06.000 Transcripts | \$ 3,000.00   |

Upon roll call the vote was as follows:

|              |     |
|--------------|-----|
| Mrs. Favede  | Yes |
| Mr. Coffland | Yes |
| Mr. Probst   | Yes |

**IN THE MATTER OF TRANSFER WITHIN FUND**  
**FOR THE GENERAL FUND/SHERIFF**

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

| <b>FROM</b>                     | <b>TO</b>                        | <b>AMOUNT</b> |
|---------------------------------|----------------------------------|---------------|
| E-0131-A006-A02.002 Adm. Salary | E-0131-A006-A15.007 Unemployment | \$ 3,187.19   |

*\*Not budgeted for unemployment.*

Upon roll call the vote was as follows:

|              |     |
|--------------|-----|
| 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** – Vincent Gianangeli to travel to Columbus, OH, on May 17-18, 2010, to attend Fraud Conference. Estimated expenses: \$514.90

**COMMISSIONERS** – Jack Regis, Facilities Manager, to travel to Columbus, OH, on May 12, 2010, to attend Prevailing Wage Seminar.

**ENGINEER** – Engineer Fred Bennett and GIS Director Don Pickenpaugh to travel to Columbus, OH, on May 18, 2010, to attend 2010 Ohio Land Records Modernization Conference. Estimated expenses: \$200.00

Deputy Engineer Michael Wahl and GIS Director Don Pickenpaugh to travel to Sandusky, OH, on June 10-11, 2010, to attend 2010 Ohio Storm Water Conference. Estimated expenses: \$260.00 each

**JUVENILE COURT** – Tamara Tyler and Scott Watkins to travel to Gahanna, OH, on May 6-7, 2010, to attend a training on behalf of the Alternative School.

**TREASURER** – Joseph A. Gaudio, Treasurer, to travel to Columbus, OH, on May 11-13, 2010, to attend the County Treasurer’s Association of Ohio Conference. Estimated expenses: \$600.00

**VETERANS** – Lucinda Maupin, John Burkett, Robert Nixon and Christy Taylor to travel to Cleveland, OH, May 11-14, 2010, to attend the Spring Training of Ohio State Association of County Veterans Service Officers. Estimated expenses: \$2,700.00

Robert Nixon to travel to St. Paul-Minneapolis, Minnesota, on June 5-12, 2010, to attend annual training of the National Association of County Veterans Service Officers. Estimated expenses: \$2,000.00

Upon roll call the vote was as follows:

|              |     |
|--------------|-----|
| Mr. Probst   | Yes |
| Mr. Coffland | Yes |
| Mrs. Favede  | Yes |

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

Motion made by Mrs. Favede, seconded by Mr. Coffland to approve the minutes of the Belmont County Board of Commissioners regular meeting of April 21, 2010

Upon roll call the vote was as follows:

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

**IN THE MATTER OF CHANGING COMMISSIONERS’ REGULAR MEETING FROM MAY 26 TO MAY 27, 2010**

Motion made by Mrs. Favede, seconded by Mr. Coffland to change the Commissioners’ regular meeting day from Wednesday, May 26 to Thursday, May 27 at 10:00 a.m.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF APPROVING AND SIGNING THE PBM (PHARMACY BENEFIT MANAGEMENT) AGREEMENT SERVICE ADDENDUM WITH EXPRESS SCRIPTS**

Motion made by Mrs. Favede, seconded by Mr. Coffland to approve and sign the PBM (Pharmacy Benefit Management) Agreement Service Addendum with Express Scripts effective June 1, 2010, for the change to trend package pricing.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ENTERING RENEWAL OF THE DAYCARE TRAINING CONTRACT WITH BELMONT TECHNICAL COLLEGE ON BEHALF OF BELMONT CO. DEPARTMENT OF JOB & FAMILY SERVICES**

Motion made by Mrs. Favede, seconded by Mr. Coffland to enter into a renewal of the Daycare Training Contract with Belmont Technical College, on behalf of Belmont County Department of Job & Family Services, in the amount not to exceed \$5,000.00, effective April 1, 2010 through March 31, 2011.

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

This agreement is made and entered into on this 5<sup>th</sup> day of May, 2010, by and between the Belmont County Department of Job and Family Services (hereinafter referred to as the Department) and Belmont Technical College doing business at 120 Fox-Shannon Place, St. Clairsville, OH 43950 (hereinafter referred to as the Provider).

**PURPOSE**

Subject to the terms and conditions set forth in this Agreement and the attached Exhibit (such exhibit is deemed to be a part of this Agreement as fully as it is set forth herein), the Department agrees to purchase and the Provider agrees to deliver those services as described in said Exhibit for the Daycare Training Program.

**AGREEMENT PERIOD**

This Agreement will be effective from April 1, 2010 and will run through March 31, 2011, unless otherwise terminated.

**COST**

Cost to the Department for services provided shall not exceed \$5,000.00 (five thousand dollars) within the Agreement period.

**PAYMENT FOR SERVICES**

The Provider shall submit itemized invoices detailing services provided. Invoices must be received before the tenth of the month in order for the Provider to receive payment in that month with the exception of the month of December when the County Auditor requires that invoices be submitted by the third of December or sooner if the third falls on a weekend. Department will provide reimbursement within 30 days of receipt of billing or as soon as County Auditor processes payment. Payment for all services provided in accordance with the provisions of this agreement is contingent upon the availability of Federal and State funds.

**CIVIL RIGHTS**

Department and Provider agree that as a condition of this Agreement, there shall be no discrimination against any individual because of race, color, sex, religion, national origin, or any other factor as specified in Title VI of the Civil Rights Act of 1964 and subsequent amendments. It is further agreed that the Provider will comply with all subsequent amendments. It is further agreed that the Provider will comply with all

appropriate federal and state laws regarding such discrimination and the right to any method of appeal will be made available to all persons served under this Agreement.

**TERMINATION**

In the event that the Provider does not faithfully and promptly perform his/her responsibilities and obligations under this Agreement, as determined by the Department, the Department may terminate the Agreement by providing the Provider with written notice 30 days in advance of the termination date.

In the event that the Department does not faithfully and promptly perform its responsibilities and obligations under this Agreement, the Provider may terminate the Agreement by providing the Department with written notice 30 days in advance of the termination date.

**AMENDMENT OF CONTRACT**

This Agreement may be amended at any time during the Agreement period by a written addendum signed by both parties.

**CONFIDENTIALITY**

To the extent provided by Ohio public records laws, the 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.

**SIGNATURES**

|  |                 |
|--|-----------------|
| <u>Dwayne D. Pielech /s/</u>                         | <u>5-3-10</u>   |
| Dwayne D. Pielech, Director                          | Date            |
| Belmont County Department of Job and Family Services |                 |
| <u>Rebecca J. Kurtz /s/</u>                          | <u>5/3/10</u>   |
| Dr. Rebecca Kurtz                                    | Date            |
| Vice President of Learning and Student Success       |                 |
| <u>John Koucoumaris /s/</u>                          | <u>5-3-2010</u> |
| John Koucoumaris                                     | Date            |
| Vice President of Administrative Affairs             |                 |
| <u>Holly Bennett (LJK for Dr. Bennett)</u>           | <u>5/3/10</u>   |
| Dr. Holly Bennett, Program Coordinator               | Date            |
| <u>Matt Coffland /s/</u>                             | <u>5/5/10</u>   |
| Belmont County Commissioner                          | Date            |
| <u>Charles R. Probst, Jr. /s/</u>                    | <u>5/5/10</u>   |
| Belmont County Commissioner                          | Date            |
| <u>Ginny Favede /s/</u>                              | <u>5/5/10</u>   |
| Belmont County Commissioner                          | Date            |
| <u>David K. Liberati /s/ Assistant Prosecutor</u>    | <u>5/3/10</u>   |
| Belmont County Prosecutor (as to form)               |                 |

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ENTERING RENEWAL OF WATER TREATMENT SERVICES AGREEMENT WITH DAMON INDUSTRIES, INC./ BUILDINGS & GROUNDS**

Motion made by Mrs. Favede, seconded by Mr. Coffland to enter into renewal of Water Treatment Services agreements with Damon Industries, Inc. for the following locations, effective February 1, 2010 to January 31, 2011, based upon recommendation of Jack Regis, Facilities Manager:

- a. H.V.A.C. system at Courthouse in the amount of \$2,000.00.
- b. H.V.A.C. systems at the Belmont County Jail in the amount of \$880.00.
- c. Boiler systems at Oakview in the amount of \$800.00.
- d. H.V.A.C. systems at Martins Ferry in the amount of \$1,415.00.

Upon roll call the vote was as follows:

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

Commissioner Probst arrived at 10:05 a.m.

**IN THE MATTER OF ACCEPTING THE PROPOSAL FROM KALKREUTH ROOFING AND SHEET METAL FOR ROOF REPAIRS AT WESTERN DIVISION COURT BUILDING/ BUILDINGS AND GROUNDS**

Motion made by Mrs. Favede, seconded by Mr. Coffland to accept the proposal from Kalkreuth Roofing and Sheet Metal in the amount of \$3,500.00 for roof repairs at Western Division Court building, based upon the recommendation of Jack Regis, Facilities Manager.

Upon roll call the vote was as follows:

|              |     |
|--------------|-----|
| Mrs. Favede  | Yes |
| Mr. Coffland | Yes |
| Mr. Probst   | Yes |

**IN THE MATTER OF ACCEPTING THE PROPOSAL FROM MANSUETTO AND SONS, INC., FOR ROOF REPAIRS AT THE BELMONT COUNTY 911 CENTER/BUILDINGS AND GROUNDS**

Motion made by Mrs. Favede, seconded by Mr. Coffland to accept the proposal from Mansuetto and Sons, Inc. in the amount of \$1,980.00 for roof repairs at the Belmont County 911 Center, based upon the recommendation of Jack Regis, Facilities Manager.

Upon roll call the vote was as follows:

|              |     |
|--------------|-----|
| Mrs. Favede  | Yes |
| Mr. Coffland | Yes |
| Mr. Probst   | Yes |

**IN THE MATTER OF EXTENDING THE CONTRACT BETWEEN THE COMMISSIONERS AND MS. ELLEN HUDY/PARK HEALTH CENTER**

Motion made by Mrs. Favede, seconded by Mr. Coffland to extend the contract between the Belmont County Board of Commissioners and Ms. Ellen Hudy (Contractor) dated August 12, 2009 for a four week term, effective May 5, 2010 through June 2, 2010; all other terms and conditions of the contract remain the same.

*Note: Ms. Hudy continues to assist in the monitoring and payment of all outstanding residents' bills related to the Park Health Center prior to the July 31, 2009 lease.*

Upon roll call the vote was as follows:

|              |     |
|--------------|-----|
| Mrs. Favede  | Yes |
| Mr. Coffland | Yes |
| Mr. Probst   | Yes |

**OPEN PUBLIC FORUM** – No new business discussed.

**BREAK 10:10 A.M.**

**IN THE MATTER OF BID OPENING FOR ENGINEER'S PROJECT 10-1 BEL-28A & B RESURFACING PROJECT**

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 10-1 BEL-28A & B Resurfacing Project, they proceeded to open the following bids:

| <b>NAME</b>   | <b>BID BOND</b> | <b>BID AMOUNT</b> |
|---|-----------------|-------------------|
| <b>Lash Paving, Inc.</b><br>P.O. Box 296<br>Colerain, OH 43916    | X               | \$ 513,350.55     |
| <b>Shelly &amp; Sands, Inc.</b><br>PO Box 66<br>Rayland, OH 43943 | X               | \$ 511,596.50     |

**Engineer's Estimate: \$ 673,646.75**

Present for the bid opening were Engineer Fred Bennett, Deputy Engineer Mike Wahl, John Parkinson, Ed Leonard of Shelly & Sands, Eric Ayres of The Times Leader, and Al Molnar of The Intelligencer.

Motion made by Mr. Probst, seconded by Mrs. Favede to turn over all bids received for Belmont County Engineer's Project 10-1 BEL-28A & B Resurfacing Project to Fred Bennett, County Engineer, for review and recommendation.

Upon roll call the vote was as follows:

|              |     |
|--------------|-----|
| Mr. Probst   | Yes |
| Mrs. Favede  | Yes |
| Mr. Coffland | Yes |

**DISCUSSION HELD – RE: U.S. CENSUS UPDATE** – Commissioner Favede provided the following information: The Census figures to date will not change until the fall when they have completed all the door-to-door visits. As of the beginning of May, the percentages for participation are: National – 72%; Ohio – 76%; Belmont County – 76%; (Mead Twp. had the highest township participation rate at 82%); Martins Ferry – 76%; Bellaire – 75%; and St. Clairsville – 80%

**BREAK 11:10 A.M.**

**IN THE MATTER OF ENTERING EXECUTIVE SESSION AT 11:15 A.M.**

Motion made by Mrs. Favede, seconded by Mr. Coffland to enter executive session with Mike Kinter, Belmont County HR Manager, pursuant to O.R.C. 121.22(G)(1) Personnel to discuss the compensation and employment of a public employee.

Upon roll call the vote was as follows:

|              |     |
|--------------|-----|
| Mrs. Favede  | Yes |
| Mr. Coffland | Yes |
| Mr. Probst   | Yes |

**IN THE MATTER OF ADJOURNING EXECUTIVE SESSION AT 11:50 A.M.**

Motion made by Mrs. Favede, seconded by Mr. Probst to adjourn executive session with Mike Kinter, Belmont County HR Manager, pursuant to O.R.C. 121.22(G)(1) Personnel to discuss the compensation and employment of a public employee.

Upon roll call the vote was as follows:

|              |     |
|--------------|-----|
| Mrs. Favede  | Yes |
| Mr. Probst   | Yes |
| Mr. Coffland | Yes |

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

**IN THE MATTER OF APPROVING THE RE-ASSIGNMENT OF MARIE KOCHER FROM SWITCHBOARD OPERATOR TO DEPUTY CLERK AT BELMONT COUNTY WESTERN DIVISION COURT**

Motion made by Mrs. Favede, seconded by Mr. Coffland to approve the re-assignment of Ms. Marie Kocher from Switchboard Operator to Deputy Clerk at the Belmont County Western Division Court per the agreement of the Belmont County Board of Commissioners, Judge Harry White and Mrs. Kocher, at the rate of \$8.60 (eight dollars and sixty cents) per hour, effective May 24, 2010; Ms. Kocher will serve the required one-hundred and twenty day probationary period. Ms. Kocher's salary will be paid 6 months from the Court's General fund and 6 months from the Court's Special Projects Fund.

Upon roll call the vote was as follows:

|              |     |
|--------------|-----|
| Mrs. Favede  | Yes |
| Mr. Coffland | Yes |
| Mr. Probst   | Yes |

**IN THE MATTER OF ENTERING  
EXECUTIVE SESSION AT 2:30 P.M.**

Motion made by Mr. Probst, seconded by Mr. Coffland to enter Executive Session (via conference call) with Senator Jason Wilson and Attorney Michael Shaheen and Port Authority Director Larry Merry pursuant to O.R.C. 121.22(G)(2) Property Exception to consider the purchase of property for public uses.

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 2:55 P.M.**

Motion made by Mr. Probst, seconded by Mrs. Favede to adjourn Executive Session (via conference call) with Senator Jason Wilson and Attorney Michael Shaheen and Port Authority Director Larry Merry pursuant to O.R.C. 121.22(G)(2) Property Exception to consider the purchase of property for public uses.

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 WAS TAKEN.**

***\*Note: Commissioner Favede left the meeting at 3:05 p.m.***

**IN THE MATTER OF ADJOURNING  
COMMISSIONERS MEETING AT 3:10 P.M.**

Motion made by Mr. Probst, seconded by Mr. Coffland to adjourn the meeting at 3:10 p.m.

Upon roll call the vote was as follows:

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

Read, approved and signed this 12th day of May, 2010.

\_\_\_\_\_

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

\_\_\_\_\_

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

\_\_\_\_\_ PRESIDENT

\_\_\_\_\_ CLERK