

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

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.

Claim of	Purposes	Amount
A-Linton D. Lewis	Mileage reimb. for visiting Judge/General Fund	115.20
A-Redwood Toxicology	Drug testing/General Fund	2,021.10
A-Riesbeck's	Water-Common Pleas/General Fund	7.90
A-Speedway SuperAmerica	Gasoline-Common Pleas/General Fund	262.51
A-U.S. Postal Service-CMRS-Fp0	Postage/General Fund	5,000.00
B-Crossroads Counseling	Court-ordered counseling-Northern Ct./Indigent Drivers Alcohol Fund	1,041.76
B-Crossroads Counseling	Court-ordered counseling-Eastern Ct. /Indigent Drivers Alcohol Fund	212.39
B-Crossroads Counseling	Court-ordered counseling-Northern Ct/Indigent Drivers Alcohol Fund	144.36
C-James L. Nichelson	Attorney Fees/Indigent Guardianship Fund	600.00
J-Thomas A. Schirack, A.S.A.	2009 Main't & Update Contract/Real Estate Assessment Fund	3,528.00
N-Jones-Stuckey, Ltd., Inc.	Professional Services/Bridge & Retaining Wall Constr. Improv. Fund	14,400.00
N-Max E. Porter	Projects/Neffs Sanitary Sewer Project Fund	10,687.00
N-Max E. Porter	Projects/Neffs Sanitary Sewer Project Fund	23,900.00
N-Pickering Assoc., Inc.	Professional services/Bridge & Retaining Wall Constr. Improv. Fund	4,800.00
N-S & ME, Inc.	Professional services/Bridge & Retaining Wall Constr. Improv. Fund	13,276.70
N-Village of Barnesville	East Ohio Reg. Industrial Park expense/EOIP Water Line Grant	258.00
P-American Electric Power	Services/BCSSD Funds	4,140.97
P-EORWA	Sewage Disposal/BCSSD Funds	29,476.07
P-Green Valley Co-Op, Inc.	Services/BCSSD Funds	5,639.71
P-Greer Industries, Inc.	Supplies/BCSSD Funds	5,876.70
P-HD Supply Waterworks, Ltd.	Equipment/BCSSD Funds	2,132.82
P-Univar USA, Inc.	Materials/BCSSD Funds	9,140.80
P-ZEP Manufacturing Co.	Supplies/WWS#3Revenue Fund	151.68
S-AT&T Mobility	Internet/Northern Div. Ct. Computer Fund	61.05
S-Belmont Co. Treasurer	Property taxes/Port Authority Fund	365.32
S-Donna Cottage	Reimburse travel expenses/Northern Ct. Gen. Special Projects Fund	208.18
S-Glynis Valenti	Professional Services/Port Authority Fund	600.00
S-Harbro	New Judge's robe/Northern Ct. Gen. Special Projects Fund	158.00
S-Redwood Toxicology	Drug tests/Northern Ct. General Special Projects Fund	181.55
S-Steven G. Avdakov	Invoice #1/OUE Brick Tavern Project	550.75
S-That Print Place	Letterhead/Port Authority Fund	182.68
S-TSG	Date backup & vaulting/Northern Div. Ct. Computer Fund	123.56
W-Lexis Nexis	Monthly charges/Law Library Fund	7,184.00

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 October 17, 2012 as follow:

FUND	AMOUNT
A-GENERAL	\$36,583.95
A-GENERAL/AUDITOR	\$3,682.20
A-GENERAL/CHEST CLINIC	\$1,127.90
A-GENERAL/JUVENILE COURT	\$679.44
A-GENERAL/MAGISTRATE	\$49.66
A-GENERAL/SHERIFF	\$18,920.86
B-Auditor's Clerk Hire & Supply	\$1,778.00
B-Dog Kennel	\$1,461.83
H-Job & Family, CSEA	\$88,874.91
H-Job & Family, Public Assistance	\$809.82; \$4,018.78; \$249.20; \$528.37
H-Job & Family, WIA	\$49,894.69; \$47,713.57; \$3,381.02
J-Real Estate Assessment	\$536.84
K-Engineer MVGT	\$32,434.84; \$950.00; \$807.65
M-Juvenile Ct. – Care & Custody	\$1,049.00
M-Juvenile Ct. – Intake Coordinator	\$25.00
M-Juvenile Ct. – Title IV-E Reimb.	\$4,921.63
P-Sanitary Sewer District	\$1,533.42; \$451.55; \$702.31; \$5,957.85; \$29.10; \$1,658.37; \$860.35; \$1,976.08
S-District Detention Home	\$6,640.05
S-Job & Family, Children Services	\$11,855.81; \$8,458.85
S-Job & Family, Senior Program	\$29,200.51; \$15,617.90; \$437.94
S-Juvenile Ct. Computer Fund	\$187.90
S-Juvenile Ct. Gen. Special Projects	\$372.00
S-Oakview Juvenile Residential Center	\$884.75
S-Sheriff CCW	\$3,266.00
S-Sheriff Commissary	\$905.21
T-Sanitary Sewer District	\$131.81

Upon roll call the vote was as follows:

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

IN THE MATTER OF TRANSFERS WITHIN FUND

Motion made by Mr. Probst, seconded by Mrs. Favade to approve the following transfers within the following funds:

GENERAL FUND A00

FROM	TO	AMOUNT
<i>Commissioners'</i>	<i>Board of Elections</i>	
E-0257-A017-A00.000 Contingencies	E-0181-A003-A06.011 Contracts-Services	\$41,916.00
E-0257-A017-A00.000 Contingencies	E-0181-A003-A11.000 Other Expenses	<u>\$3,084.00</u>
	TOTAL	\$45,000.00

Partial payment of the BOE's supplemental budget request revised 09/19/12.

BELMONT COUNTY SANITARY SEWER DISTRICT FUNDS

FROM	TO	AMOUNT
WWS #2	WWS #2	
E-3701-P003-P31.000 Other Expenses	E-3701-P003-P18.010 Supplies	\$ 300.00
WWS #3	WWS #3	
E-3702-P005-P34.074 Trans. Out	E-3702-P005-P19.012 Equipment	2,000.00
E-3702-P005-P34.074 Trans. Out	E-3702-P005-P21.000 Materials	3,000.00
SSD #3A	SSD #3A	
E-3706-P055-P15.000 Other Expenses	E-3706-P055-P02.010 Supplies	100.00
SSD #2	SSD #2	
E-3705-P053-P01.002 Salaries	E-3705-P053-P07.011 Services	20,000.00

WWS #3 Phase II Bond

FROM	TO	AMOUNT
E-9204-O007-O03.055 Other Expenses	E-9204-O007-O02.051 Interest Payment	26.67

BD OF DD MENTAL RETARDATION S66 FUND

FROM	TO	AMOUNT
E-2410-S066-S70.011 Contract Services	E-2410-S066-S75.000 Travel & Expense	\$10,000.00

OAKVIEW JUVENILE REHAB FUND S30

FROM	TO	AMOUNT
E-8010-S30-S73.000 ACA Accreditation	E-8010-S30-S53.000 Medical	\$ 600.00
E-8010-S30-S73.000 ACA Accreditation	E-8010-S30-S59.000 Fuel/Utility	\$ 5,000.00

BELMONT COUNTY JUVENILE COURT/TRUANT OFFICER GRANT M79

FROM	TO	AMOUNT
E-0400-M079-M02.008 Fringes	E-0400-M079-M01.002 Salaries	\$ 1,000.00

ENGINEER/GENERAL FUND A00

FROM	TO	AMOUNT
E-0070-A012-A02.002 Salaries	E-0069-A011-A11.000 GIS Projects	\$ 8,000.00

Upon roll call the vote was as follows:

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

IN THE MATTER OF TRANSFERS BETWEEN FUND

Motion made by Mr. Probst, seconded by Mrs. Favade to approve the following transfers between the following funds:

BELMONT COUNTY GENERAL FUND AND DISTRICT

DETENTION HOME FUND S33

FROM	TO	AMOUNT
E-0051-A001-A33.000 Dist. Det. Home	R-0910-S033-S20.574 Transfers In	\$115,000.00

(Fourth Quarter, 2012 Allocation Request)

SANITARY SEWER/WWS #3 REVENUE FUND P05 AND

WWS #3 PHASE II BOND

FROM	TO	AMOUNT
<i>WWS #3 Revenue Fund P05</i>	<i>WWS #3 Phase II Bond 007</i>	
E-3702-P005-P34.074 Transfers Out	R-9204-O007-O06.574 Transfers In	\$209,669.59

Upon roll call the vote was as follows:

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

IN THE MATTER OF Y-95 EMPLOYER'S SHARE PERS/

HOLDING ACCOUNT CHARGEBACK FOR SEPTEMBER, 2012

Motion made by Mr. Probst seconded by Mrs. Favade to make the following transfer of funds for the Y-95 Employer's Share PERS/Holding Account for the month of September, 2012.

Gross Wages P/E 09/8/12 to 09/22/12

GENERAL FUND

AUDITOR	E-0011-A001-B09.003	R-9895-Y095-Y01.500	6,034.48
AUD EMPL-PERS PROP	E-0012-A001-B14.003	R-9895-Y095-Y01.500	464.52
AUD EMPL-REAL PROP	E-0013-A001-B18.003	R-9895-Y095-Y01.500	1,141.70
CLERK OF COURTS	E-0021-A002-E09.003	R-9895-Y095-Y01.500	2,369.03
CO. CT. EMPL	E-0040-A002-G08.003	R-9895-Y095-Y01.500	3,674.43
COMMISSIONERS	E-0051-A001-A25.003	R-9895-Y095-Y01.500	3,608.53
NURSES-JAIL	E-0052-A001-A91.003	R-9895-Y095-Y01.500	1,331.72
COMM-DIS SERV	E-0054-A006-F05.003	R-9895-Y095-Y01.500	639.76
COMM-MAINT & OP	E-0055-A004-B16.003	R-9895-Y095-Y01.500	4,295.22
9-1-1 DEPT	E-0056-A006-E08.003	R-9895-Y095-Y01.500	6,642.97
COMM PLEAS CT EMPL	E-0061-A002-B14.003	R-9895-Y095-Y01.500	4,508.22
MAGISTRATE	E-0063-A002-B28.003	R-9895-Y095-Y01.500	1,291.50
ENGINEERS EMPL	E-0070-A012-A08.003	R-9895-Y095-Y01.500	1,187.14

PROBATE CT EMPL	E-0081-A002-D10.003	R-9895-Y095-Y01.500	1,740.14
PROBATE CT JUV EMPL	E-0082-A002-C36.003	R-9895-Y095-Y01.500	6,573.30
PROSECUTING ATTN	E-0111-A001-E09.003	R-9895-Y095-Y01.500	5,897.18
RECORDER	E-0121-A006-B09.003	R-9895-Y095-Y01.500	3,887.69
SHERIFF EMP (PERS)	E-0131-A006-A13.003	R-9895-Y095-Y01.500	4,198.31
TREASURER	E-0141-A001-C09.003	R-9895-Y095-Y01.500	2,469.38
CORONER	E-0151-A002-F07.003	R-9895-Y095-Y01.500	804.94
SOLDIER'S RELIEF	E-0160-A009-D07.003	R-9895-Y095-Y01.500	2,385.85
PUBLIC DEFENDER	E-0170-A006-G09.003	R-9895-Y095-Y01.500	1,825.98
BD OF ELECT/EMPLY	E-0181-A003-A09.003	R-9895-Y095-Y01.500	2,806.50
BUDGET COMM	E-0210-A001-F02.003	R-9895-Y095-Y01.500	37.31
T. B. SAN	E-0300-A008-B10.003	R-9895-Y095-Y01.500	<u>455.16</u>
			70,270.96
DOG & KENNEL	E-1600-B000-B08.003	R-9895-Y095-Y01.500	776.29
COUNTY HEALTH	E-2210-E001-E10.003	R-9895-Y095-Y01.500	2,085.56
Trailer Parks	E-2211-F069-F04.000	R-9895-Y095-Y01.500	2,000.00
Home Sewage Treatment Sys	E-2227-F074-F06.000	R-9895-Y095-Y01.500	
Vital Statistics	E-2213-F075-F02.003	R-9895-Y095-Y01.500	
Public Health Infrastructure	E-2214-F076-F01.002	R-9895-Y095-Y01.500	
Family Planning	E-2215-F077-F01.002	R-9895-Y095-Y01.500	762.00
Tobacco Program	E-2216-F078-F02.002	R-9895-Y095-Y01.500	347.00
CDC Lead	E-2228-F080-F01.002	R-9895-Y095-Y01.500	146.00
PREP	E-2230-F082-F01.002	R-9895-Y095-Y01.500	240.00
PHEP	E-2231-F083-F01.002	R-9895-Y095-Y01.500	508.00
Food Service	E-2218-G000-G06.003	R-9895-Y095-Y01.500	
HUMAN SERVICES	E-2510-H000-H12.003	R-9895-Y095-Y01.500	51,853.63
FLOOD GRANT-HUMAN			
SERV	E-2600-H005-H11.000	R-9895-Y095-Y01.500	4,525.53
C.S.E.A.	E-2760-H010-H07.003	R-9895-Y095-Y01.500	5,889.94
R.E. ASSESSMENT	E-1310-J000-J04.003	R-9895-Y095-Y01.500	3,169.13
ENGINEER K-1 & K-2	E-2811-K000-K08.003	R-9895-Y095-Y01.500	3,540.42
ENG EMP-MVGT K-11	E-2812-K000-K21.003	R-9895-Y095-Y01.500	11,036.28
ENG EMP-BRIDGE K-25	E-2813-K000-K34.003	R-9895-Y095-Y01.500	4,233.54
SOIL CONSERVATION	E-1810-L001-L11.003	R-9895-Y095-Y01.500	636.60
Watershed Coordinator	E-1815-L005-L11.003	R-9895-Y095-Y01.500	291.20
Care and Custody-C-Cap	E-0400-M060-M26.003	R-9895-Y095-Y01.500	1,043.60
Care and Custody-Drug Court	E-0400-M060-M72.003	R-9895-Y095-Y01.500	642.52
Alternative School	E-0400-M067-M02.003	R-9895-Y095-Y01.500	524.35
Title IV-E	E-0400-M078-M02.008	R-9895-Y095-Y01.500	333.15
Truant Officer	E-0400-M079-M03.003	R-9895-Y095-Y01.500	346.00
WW#2	E-3701-P003-P29.003	R-9895-Y095-Y01.500	1,796.36
WW#3	E-3702-P005-P29.003	R-9895-Y095-Y01.500	7,908.32
SSD#1	E-3704-P051-P13.003	R-9895-Y095-Y01.500	722.39
SSD#2	E-3705-P053-P13.003	R-9895-Y095-Y01.500	2,415.21
SSD#3A	E-3706-P055-P13.003	R-9895-Y095-Y01.500	280.47
SSD#3B	E-3707-P056-P13.003	R-9895-Y095-Y01.500	36.41
LEPC	E-1720-P090-P08.003	R-9895-Y095-Y01.500	116.46
Bel Co Port Authority	E-9799-S012-S08.003	R-9895-Y095-Y01.500	700.00
OAKVIEW-JUVENILE	E-8010-S030-S66.003	R-9895-Y095-Y01.500	5,631.60
DIST DET HOME	E-0910-S033-S44.003	R-9895-Y095-Y01.500	6,619.02
MENTAL HEALTH	E-2310-S049-S60.003	R-9895-Y095-Y01.500	2,679.33
COMM PLEAS/MEDIATION SRV	E-1544-S054-S02.003	R-9895-Y095-Y01.500	301.00
MENTAL RETARDATION	E-2410-S066-S76.003	R-9895-Y095-Y01.500	22,362.39
Bel Co Senior Programs	E-5005-S070-S02.003	R-9895-Y095-Y01.500	11,425.55
CORRECTIONS ACT GRNT	E-1520-S077-S03.003	R-9895-Y095-Y01.500	748.98
CO RECORDER	E-1210-S078-S11.003	R-9895-Y095-Y01.500	199.43
CLRK CRTS-TITLE DEPT	E-6010-S079-S06.003	R-9895-Y095-Y01.500	2,383.46
EASTERN CRT-COMPUTER	E-1570-S084-S11.003	R-9895-Y095-Y01.500	268.80
NORTHRN CRT-SPECIAL	E-1561-S086-S02.003	R-9895-Y095-Y01.500	324.00
EASTERN CRT-SPECIAL	E-1571-S087-S02.003	R-9895-Y095-Y01.500	271.00
WEST CRT-SPECIAL	E-1551-S088-S02.003	R-9895-Y095-Y01.500	532.82
COMMON PLEAS CRT-SPEC	E-1572-S089-S07.003	R-9895-Y095-Y01.500	
JUV COURT - GEN SPEC	E-1589-S096-S09.000	R-9895-Y095-Y01.500	
WIC PROGRAM	E-4110-T075-T52.008	R-9895-Y095-Y01.500	2,586.38
IAP	E-2223-T077-T01.002	R-9895-Y095-Y01.500	

LAW LIBRARY	E-9720-W020-W03.003	R-9895-Y095-Y01.500	196.00
PROS-VICTIM PROGRAM	E-1511-W080-P05.003	R-9895-Y095-Y01.500	481.42
DRETAC-PROSECUTOR	E-1510-W081-P05.003	R-9895-Y095-Y01.500	525.22
DRETAC-TREASURER	E-1410-W082-T05.003	R-9895-Y095-Y01.500	
		TOTAL	236,713.72

Upon roll call the vote was as follows:

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

IN THE MATTER OF ADDITIONAL APPROPRIATIONS

Motion made by Mr. Probst, seconded by Mrs. Favede to make the following additional appropriations, in accordance with the Official Certificate of Estimated Resources as approved by the Budget Commission on October 17, 2012:

GENERAL FUND

E-0257-A017-A00.000	Contingencies	52,850.00
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Represents \$2,850 from Gulfport Energy and \$50,000 from sale of JEDD II Property.

GENERAL FUND/RECORDER

E-0121-A006-B02.002	Salaries-Employees	1,745.31
E-0121-A006-B06.011	Contracts-Services	23,413.61
E-0121-A006-B09.003	PERS	<u>7,442.09</u>
	TOTAL	32,601.01

Partial appropriation of funds from the closed S78 Equipment Fund to the Recorder's General Fund line items.

BEL. CO. DJFS WORKFORCE DEVELOPMENT FUND H05

E-2600-H005-H12.000	Windstorm Neg OH-26	\$ 46,551.77
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BEL. CO. DJFS WIA AREA 16 FUND H08

E-2610-H008-H07.000	Bel. Co. Windstorm	\$ 46,551.77
E-2610-H008-H08.000	Harr. Co. Windstorm	195,032.63

CHILD SUPPORT ENFORCEMENT FUND H10

E-2760-H010-H01.002	Salaries	\$ 84,500.00
E-2760-H010-H07.003	PERS	\$ 12,000.00
E-2760-H010-H12.006	Hospitalization	\$ 15,000.00
E-2760-H010-H13.011	Contracts	\$ 50,000.00
E-2760-H010-H15.000	Other Expenses	\$ 100,000.00

SANITARY SEWER DIST. WWS #3 PHASE II BOND FUND O07

E-9204-O007-O01.050	Principal	\$ 91,000.00
E-9204-O007-O02.051	Interest	\$ 223,638.33

SANITARY SEWER DIST. WWS #3 REVENUE FUND P05

E-3702-P005-P34.074	OE Transfers Out	\$ 330,000.00
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OAKVIEW JUVENILE/VARIOUS FUNDS

N.S.L.A. S31

E-8011-S031-S02.000	Food (Meal Tickets)	\$ 112.50
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ACTIVITY FUND S32

E-8012-S032-S00.000	Activity Fund	\$ 22.23
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COMMON PLEAS/GENERAL SPECIAL MEDIATION SERVICE S54

E-1544-S054-S01.002	Salaries	\$ 3,000.00
E-1544-S054-S02.003	PERS	\$ 500.00

COMMON PLEAS/GUARDIAN AD LITEM S89 FUND

E-1572-S089-S02.000	Guardian Ad Litem	\$ 931.00
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PROSECUTOR/VICTIM'S ASSISTANCE FUND W80

E-1511-W080.P05.003	PERS	\$ 255.00
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(October, Warrant #54769)

Upon roll call the vote was as follows:

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

OPEN PUBLIC FORUM – Mrs. Favede said she had an issue she wanted to address. She reported that a pipeline is going to be built running from Monroe County through Belmont County to Harrison County. She thinks perhaps we need to look into what kind of steel is going to be utilized in that pipeline construction. She said in Texas there is an issue with a Canadian company that's going to be building a pipeline through it and they are actually refusing to allow it to be built because it is not American made steel. She said she is not sure how much control the commissioners would have over this but both Commissioner Favede and Probst, who are present today, feel strongly about it. Mrs. Favede referenced the Resolution adopted by the board in 2001 regarding the use of American made steel. Mr. Probst stated he was sure other people have looked at this too. He said he has learned of a local company that has utilized Canadian workers and the local employees have now lost their jobs.

A resident asked how the resolution was coming along regarding the labor on county roads. Mrs. Favede advised that the Prosecutor's Office has attached an addendum to the existing Road Use Maintenance Agreement (RUMA) stating that prevailing wage must be utilized. She said it is the wish of the board that a new document be penned rather than an attachment added to the existing document. She said there is a discrepancy as to whether or not the oil and gas people have to right to refuse to sign ours because the state produced one. Mrs. Favede said she has personally asked the (ODOT) director himself, whether or not if we had our own, would that supersede the state's. She said at this point, we have to have that conversation with everyone involved so that we can create our own document and utilize that one. There is an Attorney General's opinion that says the county must comply with the prevailing wage statute for all work performed under a RUMA. Mr. Probst said it is important that when we pass a resolution to make sure it can stand on its own and is enforceable.

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

Motion made by Mr. Probst, seconded by Mrs. Favede to approve the minutes of the Belmont County Board of Commissioners regular meetings of August 22, 2012.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF APPROVING PAY APPLICATION #7
FOR FIELDS EXCAVATING, INC., FOR THE NEFFS, WEST NEFFS
AND ST. JOE GRAVITY SEWER PROJECT-PHASE I/BCSSD**

Motion made by Mr. Probst, seconded by Mrs. Favede to approve and sign Pay Application #7 for Fields Excavating, Inc. in the amount of \$188,109.87 for the Neffs, West Neffs and St. Joe Gravity Sewer Project-Phase I, based upon the recommendation of Bill Street, Project Engineer and Mark Esposito, Director, Belmont County Sanitary Sewer District.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF APPROVING A PAY
INCREASE FOR ROSS BREIDING, BUILDING
AND GROUNDS DEPARTMENT/COMMISSIONERS**

Motion made by Mr. Probst, seconded by Mrs. Favede to approve a \$.50 per hour pay increase for Commissioners' employee, Ross Breiding, Building and Grounds Department, retroactive to September 3, 2012, effective pay period ending October 20, 2012, based upon the successful completion of his probationary period.

Upon roll call the vote was as follows:

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

IN THE MATTER OF HIDDEN SPRINGS] [Belmont Co. Commissioners
SEVENTH ADDITION] [Courthouse
RICHLAND TWP. SEC 18, T-7, R-4] [St. Clairsville, Ohio 43950
] [Date October 17, 2012]

Motion made by Mr. Probst, seconded by Mrs. Favede to authorize the Clerk of the Board to establish a date and time for the Subdivision Hearing in regards to the Plat of Hidden Springs 7th Addition, Richland Township Sec. 18, T7, R4, pursuant to the Ohio Revised Code Section 711.05 and proceed with the required notifications.

NOTICE OF NEW SUB-DIVISION
Revised Code Sec. 711.05
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To: Cindi Henry, F.O., Richland Township Trustees, P.O. Box 16, St. Clairsville, OH 43950

You are hereby notified that, Wednesday, the **31st** day of **October, 2012** at **10:45** o'clock A. M., has been fixed as the date, and the office of the Commissioners, in the Court House, St. Clairsville, Ohio, as the place where the Commissioners will act on the above stated matter.

By order of the Belmont County Commissioners.

Jayne Long /s/
Clerk of the Board

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

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

**IN THE MATTER OF APPROVING AND AUTHORIZING
COMMISSION PRESIDENT TO EXECUTE THE QUARTERLY
SUBGRANT REPORT FOR THE SHERIFF'S DRUG TASK FORCE GRANT**

Motion made by Mrs. Favede, seconded by Mr. Probst to approve and authorize Commission President Charles R. Probst, Jr. to execute the Quarterly Subgrant Report for the Belmont County Sheriff's Drug Task Force grant as follows: Subgrant No. 2011-DL-LEF-5848; Period Ending 9/30/12; Payment Request: \$1,498.79

Upon roll call the vote was as follows:

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

**IN THE MATTER OF APPROVING THE TRANSFER
OF MONIES FROM THE GENERAL FUND TO THE
S33 DISTRICT DETENTION HOME FUND FOR THE
FOURTH QUARTER 2012 EXPENSES**

Motion made by Mrs. Favede, seconded by Mr. Probst to approve the transfer of \$115,000.00 from the Belmont County General fund to the S33 District Detention Home fund for 4th quarter 2012 expenses.

Upon roll call the vote was as follows:

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

The Board of County Commissioners of Belmont County, Ohio, met in regular session on the 17th day of October, 2012, at the office of the Board of County Commissioners, 101 West Main Street, St. Clairsville, Ohio 43950, with the following members present:

Charles R. Probst, Jr., Ginny Favede

IN THE MATTER OF RETAINING SPECIALIZED LEGAL COUNSEL AND TO PROVIDE FOR COMPENSATION FOR SUCH COUNSEL THROUGH RESOLUTION RESOLUTION NO. _____

Mr. Probst moved the adoption of the following:

RESOLUTION

WHEREAS, the Belmont County Board of Commissioners ("Commissioners") deem it necessary to provide specialized legal counsel on a periodic and/or case by case basis for the various, boards, commissions, departments and officials of Belmont County, Ohio, including the Commissioners themselves, as well as to seek legal advice and representation in the area of workers' compensation law; and

WHEREAS, Commissioners deem it is in the best interest of Belmont County to authorize the retention of specialized legal counsel at the earliest time allowed by law under Ohio Revised Code Section 309.09(C).

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

Section 1. That for a period from October 17, 2012 to December 31, 2013, the services of the firm of ISAAC, BRANT, LEDMAN & TEETOR, LLP, a partnership, be retained as specialized legal counsel for matters pending before the Industrial Commission of Ohio and any court of common pleas in Ohio, for its departments and for its officials on an ongoing basis as pre-approved by the Commissioners and for legal counsel in the area of workers' compensation law.

Section 2. That the terms and conditions for the legal services of ISAAC, BRANT, LEDMAN & TEETOR, LLP, as such legal counsel as authorized herein, shall be as set forth in Exhibit "A" attached hereto and which is hereby incorporated herein as if fully rewritten which the Commissioners shall execute on behalf of Belmont County, Ohio.

Mrs. Favede seconded the amended resolution and the roll being called upon its passage, the vote resulted as follows:

Commissioner Matt Coffland, Absent
Commissioner Charles R. Probst, Jr., President Yes
Commissioner Ginny Favede Yes

Board of County Commissioners, Belmont County, Ohio
Charles R. Probst, Jr. /s/
Charles R. Probst, Jr.

ATTEST: Jayne Long /s/ Jayne Long, Clerk of the Board

PROFESSIONAL SERVICES CONTRACT

THIS PROFESSIONAL SERVICES CONTRACT AGREEMENT made this 17th day of October, 2012, at the office of the Belmont County Board of Commissioners, between Belmont County, Ohio, by and through its Commissioners, hereinafter referred to as "Client," and ISAAC, BRANT, LEDMAN & TEETOR, LLP, 250 East Broad Street, Suite 900, Columbus, Ohio 43215, (614) 221-2121, hereinafter referred to as "Attorneys."

In consideration of the mutual promises herein contained, the parties hereto agree as follows:

- 1. PURPOSE OF REPRESENTATION. Client hereby retains and employs Attorneys to act, advise and counsel the various boards, commissions, departments and officials of Belmont County, Ohio, including the Commissioners themselves, on general matters and to act, advise and counsel in the area of workers' compensation law as well as to compromise and settle all claims arising out of any of the events or representations that may arise pursuant to this agreement.
2. ATTORNEYS' FEES. In consideration of the services rendered and to be rendered by Attorneys, the Client hereby agrees to pay Attorneys at the rate of \$150.00 per hour for work performed by associate attorneys, and at the rate of \$170.00 per hour for work performed by partners. For work performed by paralegals, the Client agrees to pay \$95 per hour.
3. APPROVAL NECESSARY FOR WORK TO BE PERFORMED. Questions that require an opinion of the Attorneys will be directed in written form and all such questions shall be authorized by the Belmont County Board of Commissioners. If work is approved by the Commissioners to be performed for a another board, commission, department or official of Belmont County, Ohio, the billing will indicate these charges separately so that it may be charged to that board, commission, department or official.
4. APPROVAL NECESSARY FOR SETTLEMENT. No settlement of any nature shall be made for any of the aforesaid claims of the Client without complete approval of the Client; nor shall the Client obtain any settlement on the aforesaid claims without the approval of Attorneys.
5. ASSOCIATION OF OTHER ATTORNEYS. Attorneys may, in their sole discretion, recommend the employment or association of additional attorneys for representation of Client. Prior approval of the Client will be necessary for any such association. Any fees, costs or expenses incurred as a result of such association shall be in addition to those set forth above and shall be considered for all purposes, additional expenses.
6. EXPENSES. Court costs and all reasonable expenses incurred by Attorneys in the handling of this representation shall be billed to the Client. Such expenses include, without limitation, any and all monies required to be advanced on behalf of the client, telephone consultations, correspondence costs, travel, parking, lodging, deposition and discovery costs.
7. PARTIES BOUND. This agreement shall be binding and inure to the benefit of the parties hereto and their respective heirs, executors, administrators, legal representatives, successors an assigns.
8. AGREEMENTS SUPERCEDED. Any agreements intended to supersede this written contract shall be in writing.
9. PAYMENT ON ACCOUNT. Client understands that all accounts are due when billed.
10. COSTS OF ATTORNEYS' FEES AND COSTS. The total attorneys' fees and costs associated with this Agreement on an annual basis will not exceed the total annual compensation of the prosecuting attorney for that county.

Dated: October 17, 2012 BELMONT COUNTY By: Charles R. Probst, Jr., /s/ Charles R. Probst, Jr. President

Dated: 10/18/12 ISAAC, BRANT, LEDMAN & TEETOR, LLP By: Jeffrey A. Stankunas /s/ Jeffrey A. Stankunas, Partner

Upon roll call the vote was as follows:

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

IN THE MATTER OF BID OPENING FOR ENGINEER'S PROJECT 12-5, BEL-YOR-810-0.01 BRIDGE REPLACEMENT PROJECT

This being the day and 10:30 a.m. being the hour that bids were to be on file in the Commissioners' Office for the Engineer's Project 12-5, BEL-YOR-810-0.01 Bridge Replacement Project, they proceeded to open the following bids:

NAME	BID BOND	BID AMOUNT
Ohio-West Virginia Excavating Co.	X	\$719,333.00

P.O. Box 128
Powhatan Point, OH 43942
Engineer's Estimate: \$700,000.00

Present for the bid opening were Engineer Fred Bennett, Mike Wahl and Al Molnar of The Intelligencer.

Motion made by Mr. Probst, seconded by Mrs. Favede to turn over all bids received for the Belmont County Engineer's Project 12-5, BEL-YOR-810-0.01 Bridge Replacement Project, to Fred Bennett, County Engineer for review and recommendation.

Mr. Bennett said he will review immediately and come back to the meeting with his recommendation due to this being an emergency.

Upon roll call the vote was as follows:

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

IN THE MATTER OF BID OPENING FOR SIDEWALK IMPROVEMENT WORK ALONG SOUTH BRIDGE STREET, VILLAGE OF BELMONT/CDBG 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 Sidewalk Improvement work along South Bridge Street, in the Village of Belmont, Ohio, a Community Development Block Grant Project, they proceeded to open the following bids:

NAME	BID BOND	BID AMOUNT
Allison Contracting LLC	X	\$21,981.50

40293 St. Rt. 39
Wellsville, OH 43968

Over & Under Construction	X	\$27,795.00
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1103 N. 8th Street
Martins Ferry, OH 43935

Present for the bid opening was A. C. Wiethe of Belomar.

Motion made by Mr. Probst, seconded by Mrs. Favede to turn over all bids received for Sidewalk Improvement work along South Bridge Street, in the Village of Belmont, Ohio, a Community Development Block Grant Project, to A.C. Wiethe, Belomar Regional Council Senior Management Specialist, for review and recommendation.

Upon roll call the vote was as follows:

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

IN THE MATTER OF AWARDING BID AND ENTERING INTO CONTRACT WITH OHIO-WEST VIRGINIA EXCAVATING FOR ENGINEER PROJECT 12-5 5 BEL-YOR-810-0.01 Bridge Replacement Project

Motion made by Mr. Probst, seconded by Mrs. Favede to award the bid and enter into contract for the Belmont County Engineer's Project 12-5 BEL-YOR-810-0.01 Bridge Replacement Project to Ohio-West Virginia Excavating in the amount of \$719,333.00, based upon the recommendation of Fred Bennett, County Engineer.

**CONTRACT WITH BELMONT COUNTY COMMISSIONERS
PROJECT 12-5 BEL-YOR-810-0.01 BRIDGE REPLACEMENT PROJECT
OPWC PROJECT**

Auditor's Office, Belmont County, Ohio

This contract made and entered into this 17TH day of OCTOBER, 2012 between **OHIO-WEST VIRGINIA EXCAVATING COMPANY**, P.O. Box 128, Powhatan Point, Ohio 43942 and Matt Coffland, Ginny Fevede, and Charles R. Probst, Jr., Commissioners of Belmont County, WITNESSETH that said **OHIO-WEST VIRGINIA EXCAVATING COMPANY** hereby agrees to furnish all services, labor, material and equipment necessary to remove and construct a new bridge and perform all associated roadway, grading, drainage and other work described in accordance with plans and specifications.

Methods of Construction, Composition and Preparation of Materials shall conform to the 2010 edition of the State of Ohio Department of Transportation, Construction and Material Specifications and Supplemental Specifications and shall govern this project. All work shall be under the direction of the County Engineer.

APPROX. QUAN.	ITEM	UNIT PRICE	TOTAL AMOUNT
LUMP SUM	BEL-YOR-810-0.01 CLEARING, REMOVAL & DISPOSAL OF EXISTING BRIDGE, AND CONSTRUCTION OF A NEW BRIDGES, INCLUDING ABUTMENT WORK, CENTER PIER, WITH ROADWAY EXCAVATION, EMBANKMENT, GRADING, PAVING, GUARDRAIL, SIGNING, STRIPING AND SEEDING, AS PER CONTRACT SPECIFICATIONS	LUMP SUM	\$719,333.00
	TOTAL		\$719,333.00

County will certify \$187,027.00.

And it is further understood and agreed upon by the parties above, that all the materials used shall be of the best kinds usually used for such purposes. That said **OHIO-WEST VIRGINIA EXCAVATING COMPANY** shall cause to be executed a bond to the satisfaction of the Commissioners for the faithful performance of the work, and for the security of the county, against pecuniary loss.

BELMONT COUNTY COMMISSIONERS

OHIO-WEST VIRGINIA EXCAVATING CO

Charles R. Probst, Jr. /s/

BY: W. Roger Levi /s/

Ginny Favede /s/

Upon roll call the vote was as follows:

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

IN THE MATTER OF APPROVING A PAY INCREASE FOR BARB BLAKE, FISCAL MANAGER/COMMISSIONERS

Motion made by Mr. Probst, seconded by Mrs. Favede to approve a \$.50 per hour pay increase for Commissioners' employee, Barb Blake, Fiscal Manager, retroactive to September 25, 2012, effective pay period ending October 20, 2012, based upon the successful completion of her probationary period.

Upon roll call the vote was as follows:

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

DISCUSSION HELD RE: ODOT TOURIST CENTERS – Mrs. Favede stated Mr. Probst had given her a copy of a newspaper column written by Al Molnar on Oct. 14, regarding to ODOT seeking to give up the operation of the I-70 Tourist Center to Belmont County Tourism. She advised Commissioner Probst and she talked about it and feel strongly and adamantly that they do not support Tourism taking on this responsibility which they feel is the State of Ohio's. She said for the state to continue dispensing its responsibilities and expenses on this county is inappropriate. Mrs. Favede feels strongly that that money needs to be reinvested in Belmont County and not being utilized by the State to take on their responsibility. Mr. Probst stated, "Well said. I totally agree." He said they (the state) are realizing how much it costs to keep these travel centers open and they want to put that on the county. Al Molnar, Tourism Board member, said their board is meeting to hear more about this. No decisions have been made.

BREAK

IN THE MATTER OF ADJOURNING COMMISSIONERS MEETING AT 3:30 P.M.

Motion made by Mrs. Favede, seconded by Mr. Probst to adjourn the meeting at 3:30 p.m.

Upon roll call the vote was as follows:

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

Read, approved and signed this 24th day of October, 2012.

_____ COUNTY COMMISSIONERS

Matt Coffland - Absent

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