

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 Mr. Probst, 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-AT&T	Phone service-Public Defender/General Fund	150.64
A-Belmont County Commissioners	AT&T bill for Public Defender paid from wrong account/General Fund	157.26
A-Belmont County Commissioners	AT&T bill for Public Defender paid from wrong account/General Fund	147.61
A-Crystal Springs	Water-Treasurer/General Fund	17.96
A-Ohio AFSCME Care Plan	Dental & Drug coverage/General Fund	368.00
A-Ohio Valley Printing Company	Envelopes-Clerk of Courts/General Fund	128.65
A-OVMC-EORH	Morgue Charges-Coroner/General Fund	1,120.59
K-American Electric Power	Services/Engineer MVGT Fund	410.75
K-Staples Credit Plan	Supplies/Engineer MVGT Fund	37.60
N-Carr Concrete	Bridge Box Beams/Bridge & Retaining Wall Constr. Improv. Fund	24,983.00
N-Jones-Stuckey Ltd, Inc.	Bridge Load Ratings/Bridge & Retaining Wall Constr. Improv. Fund	6,600.00
N-U S Bridge	Steel-Angles/Bridge & Retaining Wall Constr. Improv. Fund	823.68
P-Software Solutions, Inc.	Services/BCSSD Funds	12,210.00
S-AT&T	Telephone/Port Authority Fund	122.87
S-AT&T	Telephone/Certificate of Title Admn. Fund	76.89
S-Barrett Brothers	Supplies/Clerk of Courts Computer Fund	118.00
S-Crystal Springs	Water/Eastern Ct. General Special Projects Fund	48.94
S-Glynis Valenti	Professional Services/Port Authority Fund	600.00
S-Sam's Club	Food/Oakview Juvenile Residential Center Fund	278.10
W-Pamela S. Bowman	Reimburse supplies/Prosecutor Victim Program Fund	100.00

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

Motion made by Mr. Probst, seconded by Mr. Coffland to approve the Recapitulation of Vouchers dated for October 3, 2012 as follow:

<b>FUND</b>	<b>AMOUNT</b>
A-GENERAL	\$2,354.71; \$52,083.14; \$4,182.86
A-GENERAL/JUVENILE COURT	\$11.97
A-GENERAL/SHERIFF	\$8,342.84
A-GENERAL/AUDITOR	\$6,948.76
H-Job & Family, CSEA	\$5,146.22; \$1,429.87
H-Job & Family, Public Assistance	\$4,562.14; \$109,974.78; \$4,139.94; \$25,699.15
H-Job & Family, WIA	\$19,852.83; \$123,740.88
K-Engineer MVGT	\$24,879.60; \$1,118.43; \$38,590.43
M-Juvenile Ct. – CCAP	\$45.30
M-Juvenile Ct. – Title IV-E Reimb.	\$451.55
N-Carnes Center Grant	\$1,950.00
N-Eastern Div. Court Construction	\$4,470.29
P-Oakview Adm. Bldg.	\$1,898.18
S-Certificate of Title Admn. Fund	\$637.46
S-Job & Family, Children Services	\$22,100.83; \$820.08
S-Job & Family, Senior Program	\$25,052.02; \$3,644.33
S-Oakview Juvenile Residential Center	\$7,183.32
S-Sheriff Commissary	\$18.00
U-Sheriff Reserve	\$280.99
W-Law Library	\$1,346.66

Upon roll call the vote was as follows:

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

**IN THE MATTER OF TRANSFERS WITHIN FUND**

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

**GENERAL FUND A00**

**RECORDER**

<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
E-0121-A006-B02.002 Salaries	E-0052-A001-A02.002 Salaries	\$ 250.00
<b>Commissioners</b>	<b>Miscellaneous</b>	<b>AMOUNT</b>
E-0051-A001-A50.000 Budget Stabilization	E-0257-A015-A15.074 Transfers-Out	\$100,000.00

*To put toward the cost of the Court House Parking Lot Repair project in lieu of second Casino Revenue payment.*

**CHILD SUPPORT ENFORCEMENT FUND H10**

<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
E-2760-H010-H01.002 Salaries	E-2760-H010-H07.003 PERS	\$ 15,000.00

**PUBLIC ASSISTANCE FUND H00**

<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
E-2510-H000-H09.000 Facilities	E-2510-H000-H07.000 Purchase Serv	\$ 50,000.00
E-2510-H000-H13.004 Wrks Comp	E-2510-H000-H07.000 Purchase Serv	\$ 20,413.05
E-2510-H000-H17.000 Other Exp	E-2510-H000-H07.000 Purchase Serv	\$ 100,000.00

Upon roll call the vote was as follows:

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

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

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

<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
<i>Miscellaneous</i>	<i>Sheriff</i>	
E-0257-A017-A00.000 Contingencies	E-0131-A006-A12.000 Travel (Gasoline)	\$15,000.00

*Note: Partial payment of the Sheriff's Supplemental Budget request dated 08/21/12.*

Upon roll call the vote was as follows:

Mr. Probst	
Mrs. Favede	
Mr. Coffland	

**IN THE MATTER OF TRANSFERS BETWEEN FUNDS**

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

**THE BEMONT COUNTY GENERAL FUND AND THE N29 CAPITAL PROJECTS-FACILITIES FUND**

<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
<i>General Fund</i>	<i>N29 Capital Projects-Facilities Fund</i>	
E-0257-A015-A15.074 Transfers Out	R-9029-N029-N04.574 Transfers In	\$100,000.00

*To be used toward the Court House Parking Lot Repair project.*

**THE BEMONT COUNTY GENERAL FUND AND THE N29 CAPITAL PROJECTS-FACILITIES FUND**

<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
<i>General Fund</i>	<i>N29 Capital Projects-Facilities Fund</i>	
E-0257-A015-A15.074 Transfers Out	R-9029-N029-N04.574 Transfers In	\$61,235.29

*To be used toward the Court House Parking Lot Repair project.*

Upon roll call the vote was as follows:

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

**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 3, 2012:

**COMMON PLEAS/ GENERAL FUND**

E-0061-A002-B02.002	Salaries/Employees	\$ 12,500.00
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**GENERAL FUND**

E-0257-A015-A15.074	Transfers-Out	\$100,000.00
E-0257-A015-A15.074	Transfers-Out	\$61,235.29

*To be transferred to the N29 Fund for the Court House Parking Lot Repair project.*

**RECORDER/GENERAL FUND**

E-0121-A006-B02.002	Salary	\$ 25,500.00
E-0131-A006-A04.002	Sheriff's Salary	\$ 2,400.00

**WORKFORCE DEVELOPMENT FUND H05**

E-2600-H005-H05.000	Administration	\$ 30,553.00
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**THE N29 CAPITAL PROJECTS-FACILITIES FUND**

E-9029-N029-N01.055	Court House Parking Lot Repair	\$61,235.29
E-9029-N029-N01.055	Court House Parking Lot Repair	\$100,000.00

**SPECIAL EMERGENCY PLANNING LEPC FUND P90**

E-1720-P090-P07.002	Salaries	\$12,500.00
E-1720-P090-P08.003	PERS	\$ 1,250.00
E-1720-P090-P09.004	W-C	\$ 410.00
E-1720-P090-P03.000	Other Expenses	\$ 2,515.00

**PROSECUTOR/VICTIM'S ASSISTANCE FUND W80**

E-1511-W080-P07.006	Hospitalization	\$ 1,896.20
E-1511-W080-P01.002	Salary	\$ 1,896.20
E-1511-W080.P05.003	PERS	\$ 251.60

**SOIL & WATER CONSERVATION FUND L01**

E-1810-L001-L03.012	Equipment	\$12,000.00
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\* JANUARY 4, 2012 CERTIFICATION \*

**BELMONT CO SENIOR PROGRAMS FUND S70**

E-5005-S070-S12.000	Capital Outlay	\$34,811.00
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Upon roll call the vote was as follows:

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

**IN THE MATTER OF APPROVING  
THEN AND NOW CERTIFICATE/AUDITOR'S**

Motion made by Mr. Probst, seconded by Mr. Coffland to execute payment of Then and Now Certification dated August 14, 2012, presented by the County Auditor pursuant to O.R.C. 5705.41(d) 1, and authorizing the drawing of warrant(s) in payment of amounts due upon contract or order.

Upon roll call the vote was as follows:

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

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

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

**AUDITOR** – Debbie Meloy, Sheila Turner and Cheryl Zeno to travel to St. Clairsville, OH, on Oct. 10, 2012, to attend a Healthcare Reform Seminar at 212 W. Main St. Estimated expenses: \$0.00

**BCDJFS** – Karen Titonis, Joe Ciappi-volunteer, & Senior members to travel to Cambridge, OH, on Sept. 21, 2012, for a Bellaire Senior Center outing. Joe Ciappi & Senior members to travel to Barnesville, OH, on Sept. 29, 2012, for a Bellaire Senior Center outing. Joe Ciappi & Senior members to travel to Marietta, OH, on Oct. 5, 2012, for a Bellaire Senior Center outing. Joe Ciappi & Senior members to travel to Morristown-Belmont, OH, on Oct. 7, 2012, for a Bellaire Senior Center outing. William Beckett, Karen Titonis & Senior members to travel to Marietta, OH, on Oct. 12, 2012 to a Bellaire Senior Center outing. Joe Ciappi & Senior members to travel to Morristown, OH, on Oct. 13, 2012, for a Bellaire Senior Center outing. Karen Titonis, Joe Ciappi & Senior members to travel to Moundsville, WV, on Oct. 16, 2012, for a Bellaire Senior Center outing. Karen Titonis, Joe Ciappi & Senior members to travel to Centerville, OH, on Oct. 22, 2012, for a Bellaire Senior Center outing. William Beckett, Karen Titonis & Joe Ciappi to travel to St. Clairsville, OH, on Oct. 25, 2012, for a Bellaire Senior Center outing. Estimated expenses: \$36.00

**ENGINEER** – Michael Wahl and Steven Clark to travel to Logan, OH, on Oct. 25, 2012, to attend Osburn Signs “Open House.” A county vehicle will be used.

**SANITARY SEWER DISTRICT** – Mike Reed & Benji Sall to travel to Columbus, OH, on Nov. 7, 2012, to take the Ohio EPA Waste Water Test. County vehicles will be used. Chris Craig, William Eddy, Jr., Todd Krebs, Justin Mowery, Victor Pempek, Mike Stewart, Eric Taylor & Brian Ware to travel to Columbus, OH, on Nov. 8, 2012, to take the Ohio EPA Water Test. County vehicles will be used.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF DISCUSSION HELD  
RE: BELMONT COUNTY RECORDER/  
SUPPLEMENTAL EQUIPMENT FUND**

Recorder Mary Catherine Nixon revisited the board to discuss the S78 Fund and gave the following update: Yesterday her office received 175 leases and those recording fees came to \$6,282.00. Out of that she got \$4.00 per instrument which totaled \$700.00 to her User Fee. The rest of the monies are divided between the General Fund and the state. More leases are expected; approximately 500 at \$36.00 each. She will be meeting with someone today regarding a refurbished microfiche viewer and a copier. The quote she got for that was \$4,000.00.

Regarding the S78 Fund, Mrs. Favede stated that when the Recorder brought this to the board’s attention, they looked back in the records and the Ohio Revised Code does require that this be renewed every five (5) years in order for the fund to be set up. Apparently there were quite a few years in which that action was not taken here at the board level. Mrs. Nixon advised the fund was started in 1993, renewed in 1998, and may have been renewed in between. She does have letters that she sent down to the Commissioners to renew it in 2007. She understands the letter was marked that it was reviewed by the board, however, there was no action taken. Nothing was submitted back to the Recorder, so she assumed it was OK. In hindsight, she said she probably should have followed up on it. Mrs. Favede noted with that being said, it went probably 20 years without being renewed and when this was passed on to the State Auditor’s they said that we had to dissolve it. Mr. Coffland remarked that moving forward we will get it straightened out. Mrs. Favede explained that State Auditor Rick Carpenter believes that this fund could not be used for the books; that would be an illegal expenditure out of that fund. Mrs. Nixon said the Recorder in Guernsey County told her the books are a legal expenditure. Mrs. Favede said we have to defer to the State Auditor’s opinion. She said it is my understanding that we are going to dissolve this fund because it hasn’t been renewed properly, so it should not be in existence. After talking with the Auditor, we are going to appropriate that amount of money for the rest of the year so you can use it for the books. It does not have that restraint on it. That action will be taken later today. Mrs. Nixon asked at the end of the year or whenever the board renews this, can she transfer those funds back into that or just use that? She said the only reason it has accumulated so much is that she never used it for awhile. Fiscal Manager Barb Blake said at the time the new fund is re-established, then we would have to appropriate money to that fund from the Recorder’s General Fund. We would have to transfer that over, if the board chooses. Mrs. Nixon asked, what about the increase? It is \$4.00 now and she is asking for \$5.50. Mr. Coffland said this will be addressed at the first of the year.

**OPEN PUBLIC FORUM** - Richard Hord remarked that it has been about one year since Job & Family Services assumed the position of administrative entity over Senior Services. He asked what were some of the most positive highlights and also any concerns or anything that maybe the board would have done differently looking back. Mr. Coffland gave his opinion as follows: He said he thought the program was a great success. They are coming in under budget and overall everyone is happy. There are some tweaks that need taken care of in the medical transportation area. He thinks the staff is doing a great job. Enrollment continues to go up. We are looking to add another meal delivery line. He noted things are constantly changing as enrollment continues to go up regarding meals and senior center members. Mrs. Favede stated the following: For her she stated hindsight is always 20/20. Her greatest regret is in how we did it. It continues to be an unresolved issue in the fact that they made the decision and then informed the seniors. There were a lot of factors that went into that decision and the perceived hastiness in which it was handled. She stated, “I never want to offend the very people in which I was elected to govern over in Belmont County.” Even today she is still hearing that it is the way that it was handled that upsets people. She wants to do what is best for them and never wants to offend them without letting them have a say in things. Mr. Coffland said he agreed with that too and that was one of his biggest concerns. He said he originally opposed the change because he felt we were not properly doing it and tried slowing it down. That is water under the bridge and it is all good now.

**BREAK**

**RECONVENED AT 11:07 A.M. –OPEN PUBLIC FORUM CONTINUED**

John Henthorne advised the board he has issues regarding infrastructure for the county, specifically paving. He has spoken to the Engineer who informed him he has no money in his budget to permit repaving. He wanted to know why. He said the county used to do \$300,000.00 of paving each year and the Commissioners stopped that. He was of the understanding that the piggyback tax that is paid was initially established to fund 911 and 50% was to go to the Engineer for paving and infrastructure. He said the roads in the county are atrocious and he is alarmed

there is no funding for road paving. Mr. Coffland agreed the roads need paved. The Auditor cut the budget by a little over \$4 million. He said if we had that back, we could put some of that money into paving. We have not done any paving the last 2 years as we have not had any extra money to do it. Matt said, "When funds go back up, I'll commit to putting money to roads." Mr. Probst agreed with Mr. Henthorne that back in 2001 or so the board did set aside money specifically for paving, 911 and the Engineer. He noted as different Commissioners come and go on the board and different circumstances over the years, the priority has changed somewhat. He agrees we need to get on a paving schedule. We have some options to put money into paving. He said it is something that needs discussed and ranked as a priority. Mr. Probst said, "We don't even honor the Resolutions of past Commissioners to give the County Engineer his \$250,000.00 a year anymore." He stated, "That bothers me." He noted we never made a motion to pull that resolution off of the books. It now costs about \$100,000.00 per mile to pave. It used to be \$30,000-\$35,000.00 per mile and went to \$50,000.-\$60,000.00. Mr. Probst also stated the County Engineer, at some point when he can, needs to step up to the plate with gasoline tax monies also to help with this, but he is putting those monies into bridges. With the cut in the local government funds; this has affected us greatly. Mrs. Favede said those cuts are going to continue for not only the county, but municipalities, villages and townships. They are receiving 25 % less this year and scheduled to be 50% less next year. Some will not have enough operating dollars to stay open. Mrs. Favede said she understands Mr. Henthorne's frustrations, but wanted to point out some things that are very important. She made the following remarks: The departments as a whole are still operating under the cuts that were instituted three (3) years ago. None of those departments have seen increases in their operational budgets. When the sales tax was created for it to be driven into the General Fund rather than being a 911 tax levy, some of those dollars were equally promised to 911. We do fund 911, but the problem that we have is in November we have a levy on for significant costs for upgrades to the 911 system as it operates today. Should the people choose not to pass it, how are we going to fund those upgrades? Public safety is of paramount importance. Revenues are still down, expenses have gone up, there is wear and tear on our roads and the 911 system has gone down with no significant light at the end of the tunnel. Mrs. Favede said we need to look at other venues to bring dollars in. What we have can only be split so many ways. Mr. Henthorne said he is just asking the board to investigate and see if anything can be done. He said the 1% sales tax was specific-things changed and the public wasn't aware. Mrs. Favede explained that one levy dropped off and a new one was created. By Ohio Revised Code, the money has to go to the general fund and can't be assigned to a particular project.

**11:15 Belmont County Fire Chiefs  
Re: National Fire Prevention Week 2012**

Cumberland Trail Fire Dept. Chief Ken Saffell and Colerain Fire Dept. Chief Greg Probst were in attendance. Chief Saffell thanked the board for taking the time to recognize National Fire Prevention Week. It is very important to educate our young. The fire departments will be out in the schools next week promoting this year's theme, "Have Two Ways Out." Mr. Probst thanked the fire departments in our county and said they are a Godsend. He said keep up the great work. It is a great program they are all doing. Mr. Coffland also thanked the chiefs, firefighters and EMT's, and the volunteers who take calls in the middle of the night. He said it takes a special breed. Mrs. Favede appreciated the chiefs coming in and helping the board raise awareness. Those who do not have children in school also need reminded them about smoke alarms and procedures to follow.

**IN THE MATTER OF RESOLUTION IN RECOGNITION OF  
NATIONAL FIRE PREVENTION WEEK 2012**

Motion made by Mrs. Favede, seconded by Mr. Probst to adopt the Resolution In Recognition of National Fire Prevention Week.

***RESOLUTION  
IN RECOGNITION OF  
NATIONAL FIRE PREVENTION WEEK 2012***

**WHEREAS**, The health and safety of all persons is of utmost importance to families and communities worldwide; and  
**WHEREAS**, since 1922, Fire Prevention Week has been observed during the week of October 9 and is the longest running public health and safety observance on record; and

**WHEREAS**, the Board of Belmont County Commissioners joins in with our local fire departments in asking that everyone practice fire safety all year long by taking steps to fireproof your homes such as installing and maintaining working smoke alarms, learn the "Stop, Drop, and Roll" technique, avoid storing old mattresses, and teaching children that matches, lighters and candles are not toys; and

**WHEREAS**, National Fire Prevention Week is a time to remind the public of the importance of fire safety and prevention and to establish and practice a home fire escape plan utilizing the 2012 theme, "**Have Two Ways Out.**"

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Belmont County Commissioners commemorates National Fire Prevention Week, October 7 - 13, 2012, and calls this observance to the attention of all residents of our county.

Adopted this 3rd day of October, 2012

**BELMONT COUNTY COMMISSIONERS**

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

Upon roll call the vote was as follows:

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

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

Motion made by Mr. Probst, seconded by Mr. Coffland to enter executive session with Sue Douglass, Executive Director, Belmont Co. Department of Development, and Attorney Richard Myser pursuant to ORC 121.22 (G)(2) Property Exception to consider the sale of public property.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADJOURNING  
EXECUTIVE SESSION AT 11:55 A.M.**

Motion made by Mr. Probst, seconded by Mr. Coffland to adjourn executive session at 11:55 a.m.

Upon roll call the vote was as follows:

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

**AS A RESULT OF EXECUTIVE SESSION, NO ACTION WAS TAKEN.**

**OPEN PUBLIC FORUM CONTINUED RE: COUNTY ROAD 10 TAR ISSUE** – Mr. Probst stated he understood there was an agreement with the coal company to contract with an outside contractor to tar and chip County Road 10 when they were finished. He said that is about the extent of what he knows. He said we have been getting the blame for the whole thing. Mr. Probst advised, “We didn’t even know there was an agreement to do it until we started receiving phone calls that evening about how bad it was.” He then asked Mr. Bennett to explain. Mr. Bennett said when you say “agreement”; it is not a “written agreement.” He said this goes back several years, when a coal company is hauling coal and starting to damage the road, we ask them to help us take care. The section was real bad and they tore it up and spent a lot of money fixing that section up. It was a paved section that didn’t have much base. Mr. Bennett asks them when they are done hauling to pave that section. Every year we put oil on it. On this road he asked them to shoot and chip the whole road. That seals all the cracks and preserves the road. There was not anything written; it was a “gentleman’s agreement.” The coal company hired a contractor and took care of the road that way. The oil did not set up the way it normally does, the Engineer’s Department had to put stone down to try to keep traffic moving on the road. An extra amount of stone was put down, and the problem now is the oil is set up and there is too much stone on the road. He further advised they are trying to take off the loose stone on top. Mr. Probst asked who was paying that bill. Mr. Bennett said his department was; they are using his men and equipment. Mr. Coffland stated he had been on the road four times and very little of it stuck and it is terrible. He asked if they were going to redo it. Mr. Bennett said no, now that it is set up he thinks it’s a good job. In his opinion the road does not need redone. Mr. Coffland said going into the future it is important to do the RUMA’s (Road Use Maintenance Agreements). Mr. Bennett said at that time there was no law for a RUMA. He advised the company cooperates with us, helps us out and have spent a lot of money on that road. They are done hauling now. Mrs. Favede asked what the procedure was for those whose cars were severely affected. Mr. Bennett said for them to turn the claim into their own insurance company and if they won’t pay, turn it into Parnell & Associates per CORSA. He noted those that have already turned their claims into CORSA have been denied. Mrs. Favede questioned why a car owner who has had this happen at someone else’s fault would have to submit it to their own insurance and maybe have their insurance go up. Mr. Bennett said according to CORSA, state law is that it goes to the person’s insurance first. Mr. Coffland said that would be when it’s the county’s fault. He said we are saying, we did not do the project; Parnell should be responsible for that.

Mr. Probst stated it is unfortunate that it happened. He stated the following: In the past, dealing with coal companies, I understand a gentleman’s handshake, and it has worked great. But now we have a different environment these days where we have oil and gas people coming in to our county and using roads and tearing up our roads. He thinks there should be an agreement in place from now on and the Commission needs to pass a resolution that these contractors are going to follow county guidelines and county rules and pay prevailing rate and meet your specs. He told Mr. Bennett, “I don’t think if they would have meet your specs, not talking about the consistency of the oil or anything like that, but I don’t think you would have let them put that oil down knowing that the rain was coming and different factors. You don’t put oil down in this kind of weather. They shouldn’t either. They should go by what you tell them and when to do it. Maybe you did that; I don’t know. Rules and regulations have to be put in place to keep this from happening again. I am very upset that we got the blame for this and didn’t know about it. Our phones were ringing off the hook because people think the County Commissioners are in charge of county roads. We knew nothing about this agreement, but we are getting total blame for it. If we are going to take the blame, then we are going to put some rules and regulations in place to protect us and this county in the future. It is unfair to our residents and they have to jump through hoops because some contractor from out of the area coming in, for whatever reasons, and should never have put that down that day knowing it was going to rain. Maybe the coal companies get a cheaper rate using people from out of the county, but the people that we hire in this county are very good, reputable companies that do work for us. We don’t have a problem with them because they share in the responsibility to make sure our county is taken care of. People from out of the county don’t care about us. The people doing business in our county should respect us.”

Mr. Coffland asked what was used on the road. Mr. Bennett said MC 3000, the same thing his department always uses. A resident asked if anybody supervised this project. Mr. Bennett advised his foreman was there, but not the whole time. The mix came from Shelly & Sands, they ran lab tests on it and said it met the specs. Mr. Bennett referred back to the RUMA’s that Mr. Probst spoke of and noted those are specifically written for drillers who do horizontal drilling. He is trying to get the agreements signed in the future by the coal companies, but there is nothing in the law that says they have to. Mr. Bennett said they do specify in their agreements that anyone who works any county road has to be an ODOT approved contractor. Parnell is ODOT approved. Mr. Probst said they need to be Belmont County approved too. Mr. Bennett said you have to be careful because you might exclude someone coming in, but then other counties around us might exclude some of our companies out. It works both ways. Mr. Bennett advised that in the past Parnell has done good work in Belmont County.

A resident complained the ditches are now full and higher than the road. Mr. Bennett said they are sweeping to the edge of the road so they can pick it up. The discussion concluded with the board thanking Mr. Bennett for coming in and explaining the situation.

*Note: Commissioner Favede stepped out of the meeting briefly.*

**IN THE MATTER OF APPROVING COMMISSION PRESIDENT  
TO EXECUTE THE CONTRACT AND NOTICE TO PROCEED  
FOR LASH PAVING, INC. FOR RESURFACING COURTHOUSE PARKING LOT**

Motion made by Mr. Coffland, seconded by Mr. Probst to approve and authorize Commission President Charles R. Probst Jr. to execute the contract and Notice To Proceed for Lash Paving, Inc. in the amount of \$160,120.00 to complete all necessary work required for resurfacing the parking lot behind the courthouse.

**CONTRACT**

**THIS AGREEMENT** made this 3rd day of October, 2012 and between **Lash Paving, Inc.** hereinafter called the "Contractor", and the Belmont Commissioners, hereinafter called the "Owners".

**WITNESSETH**, that the Contractor and the Owners for the considerations stated herein mutually agree as follows:

**ARTICLE 1. Statement of Work.**

The Contractor shall furnish all supervision, technical personnel, labor, materials, machinery, tools, equipment and services, including utility and transportation services, and perform and complete all work required for the Resurfacing of the Parking Lot Behind the Courthouse, in strict accordance with the Contract Documents.

**ARTICLE 2. The Contract Price.**

The Owners will pay the Contractor for the total quantities of work performed at the unit prices stipulated in the Bid for the respective items of work completed for the LUMP SUM BID of **\$160,120.00**

**ARTICLE 3. Contract.**

The executed contract documents shall consist of the following:

- a. This Agreement
- b. Addenda
- c. All documents of the Bid Packet entitled: Resurfacing of Parking Lot Behind Courthouse dated **September, 2012**, and including:
  - Instructions to Bidders
  - General Contract Conditions
  - Work Specifications (including all plans, drawings, etc. referenced or included)
  - Bid Forms, as executed

This Agreement, together with other documents enumerated in this ARTICLE 3, which said other documents are as fully a part of the Contract as if hereto attached or herein repeated, forms the Contract between the parties hereto. In the event that any provision in any component part of

this Contract conflicts with any provision of any other component part, the provision of the component part first enumerated in this ARTICLE 3 shall govern, except as otherwise specifically stated.

IN WITNESS WHEREOF, the parties hereto have caused this AGREEMENT to be executed in 4 copies, on the day and year first above written.

CONTRACTOR:
David P. Lash, Jr. /s/
Signature
David P. Lash, Jr.
Typed/Printed Name
Owner
Title

OWNERS:
For the Belmont County Commissioners
Charles R. Probst, Jr. /s/
Signature
Charles R. Probst, Jr., President
Typed/Printed Name and Title

NOTICE TO PROCEED

To: Lash Paving, Inc. Date: October 3, 2012
PROJECT Description: Resurfacing of Parking Lot Behind Courthouse
You are hereby notified to commence WORK in accordance with the Agreement dated on October 3, 2012, and you are to complete the WORK within 40 Consecutive calendar days thereafter. The date of completion of all WORK is therefore November 14, 2012.
For the Belmont County Commissioners:
Signature Charles R. Probst, Jr. /s/
Charles R. Probst, Jr.
Typed/Printed Name and Title

ACCEPTANCE OF NOTICE

Receipt of the above NOTICE TO PROCEED is hereby acknowledged by David P. Lash on this 3rd day of October, 2012.
By: David P. Lash, Jr.
Typed/Printed Name and Title: David P. Lash, Jr., Owner
Upon roll call the vote was as follows:

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

DISCUSSION HELD RE: COURTHOUSE PARKING LOT PAVING - Mr. Coffland stated the bottom wall is shot and falling in. The lot itself is in horrible condition. After resurfacing, lines will be painted and handicap parking spaces added. This will be paid for with casino proceeds.

IN THE MATTER OF ENTERING EXECUTIVE SESSION

Motion made by Mr. Probst, seconded by Mr. Coffland to enter executive session pursuant to ORC 121.22(G)(1) Personnel Exception to consider the hiring and compensation of a public employee.
Upon roll call the vote was as follows:

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

IN THE MATTER OF ADJOURNING EXECUTIVE SESSION

Motion made by Mr. Probst, seconded by Mr. Coffland to exit executive session.
Upon roll call the vote was as follows:

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

AS A RESULT OF EXECUTIVE SESSION, NO ACTION WAS TAKEN.

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

Motion made by Mr. Probst, seconded by Mr. Coffland to approve the minutes of the Belmont County Board of Commissioners regular meetings of August 14, 2012.
Upon roll call the vote was as follows:

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

IN THE MATTER OF ADVERTISING FOR BIDS FOR FULL SERVICE TECHNOLOGY SUPPORT AND MAINTENANCE PROGRAM FOR VARIOUS SPECIFIED COUNTY OFFICES AND LOCATIONS

Motion made by Mr. Probst, seconded by Mr. Coffland to advertise for bids for full service technology support and maintenance program for various specified county offices and locations

NOTICE TO BIDDERS

BELMONT COUNTY COMMISSIONERS' OFFICE ST. CLAIRSVILLE, OHIO 43950

Sealed bids will be received by the Belmont County Board of Commissioners at the Commissioners' Office, Belmont County Courthouse, 101 West Main Street, St. Clairsville, Ohio 43950 until 10:30 A.M. (Local Time) Wednesday, October 31, 2012 for Providing full service Technology Support and Maintenance program for the specified locations, then at said office publicly opened and read aloud.

Copies of specifications and bid forms may be obtained at the Commissioners' office between the hours of 9:00 A.M. and 4:00 P.M. daily, Monday through Friday.

Each bid must be accompanied by a bid Guaranty meeting the requirements of Section 153.54 of the Ohio Revised Code as follows:

- A Bond in accordance with Section 153.54 (B) O.R.C. -OR-
A certified check, cashiers check or letter of credit in accordance with Section 153.54 © O.R.C in an amount equal to 10% of the bid.

Bid Security furnished in Bond form, shall be issued by a Surety company or Corporation licensed in the State of Ohio to provide said surety:

Each bid must contain the full name of the party or parties submitting the proposal and all persons interested therein. Said contract will be let to the lowest and best bidder. The County reserves the right to reject any and all bids and award a contract to that bidder which is in the best interest of the County.

By order of the Board of Commissioners  
Of Belmont County, Ohio  
Jayne Long /s/  
Jayne Long, Clerk of the Board

**Times Leader Advertisement: Two (2) Tuesdays, October 9, 2012 and October 16, 2012**

Upon roll call the vote was as follows:

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

**IN THE MATTER OF RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR**

*Note: This action is necessary annually as part of the budgetary process. The board is accepting the County Auditor's estimates of revenues to be generated by the tax levies for fiscal year 2013.*

**RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR (BOARD OF COUNTY COMMISSIONERS)**

Rev. Code, Secs. 5705.34, .35

The Board of County Commissioners of Belmont County, Ohio, met in regular session on the 3<sup>rd</sup> day of October, 2012, at the office of the Belmont County Commissioners with the following members present:

Charles R. Probst, Jr.  
Ginny Favede  
Matt Coffland

Mr. Probst moved the adoption of the following Resolution:

**WHEREAS**, this Board of County Commissioners in accordance with the provisions of law has previously adopted a Tax Budget for the next succeeding fiscal year commencing January 1<sup>st</sup>, 2013; and

**WHEREAS**, the Budget Commission of Belmont County, Ohio, has certified its action thereon to this Board together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Board, and what part thereof is without, and what part within, the ten mill tax limitation; therefore be it

**RESOLVED**, By the Board of County Commissioners of Belmont County, Ohio, that the amounts and rates, as determined by the Budget Commission in its certification, be and the same are hereby accepted; and be it further

**RESOLVED**, That there be and is hereby levied on the tax duplicate of said County the rate of each tax necessary to be levied within and without the ten mill limitation as follows:

**SCHEDULE A**

**SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED BY BUDGET COMMISSION, AND COUNTY AUDITOR'S ESTIMATED TAX RATES**

FUND	Amount Approved by Budget Commission Inside 10 M. Limitation	Amount to be Derived From Levies Outside 10 M. Limitation	County Auditor's Estimate of Tax Rate to be Levied	
			Inside 10 M. Limit	Outside 10 M. Limit
A. General Fund	\$2,480,000.00		2.30	
D. Children Service Fund				
E. Children Service Fund				
O. Mental Health Fund				
Q. Developmental Disabilities (MRDD)				
Q. Developmental Disabilities (MRDD)				
Q. Developmental Disabilities (MRDD)				
Q. Developmental Disabilities (MRDD)				
Q. Senior Services				
Q. Senior Services				
Q. Senior Services				
Q. Road Construction Funds				
Q. Other-Misc Construction Funds				
S. Relief/Welfare Special Levy Funds				

<b>S. Child Welfare Services Special Levy Funds- Children Services</b>		355,000.00		1.00
<b>S. Mental Health Special Levy Funds</b>		840,000.00		1.50
<b>S. Airports and Commerce Special Levy Funds</b>				
<b>S. Special Levy Funds- Senior Citizens</b>		318,000.00		3.00
<b>S. Other-Miscellaneous Special Levy Funds-MRDD</b>		479,000.00		7.00
<b>Total</b>	<b>\$2,480,000.00</b>	<b>\$9,165,000.00</b>	<b>2.30</b>	<b>12.50</b>

**SCHEDULE B**  
LEVIES OUTSIDE 10 MILL LIMITATION, EXCLUSIVE OF DEBT LEVIES

FUND	Maximum Rate		County Auditor's
	Authorized To Be Levied		Estimate of Yield of Levy (Carry to Schedule A, Column II)
<b>GENERAL FUND:</b>	<b>YEAR</b>		
Current expense levy authorized by voters on Not to exceed _____ Years.			
Current expense levy authorized by voters on Not to exceed _____ Years			
Current expense levy authorized by voters on Not to exceed _____ Years			
Current expense levy authorized by voters on Not to exceed _____ Years			
<b>TOTAL GENERAL FUND OUTSIDE 10 M. LIMITATION</b>			
<b>SPECIAL LEVY FUNDS:</b>			
Levy authorized by voters on <b>Mental Health</b> not to exceed <b>10</b> Years	<b>11/08/05</b>	1.50	840,000.00
Levy authorized by voters on <b>Children Services</b> not to exceed <b>10</b> Years	<b>11/02/04</b>	.65	235,000.00
Levy authorized by voters on <b>Children Services</b> not to exceed <b>10</b> Years	<b>05/02/06</b>	.35	120,000.00
Levy authorized by voters on <b>Senior Services</b> not to exceed <b>5</b> Years	<b>11/06/12</b>	1.00	1,075,000.00 *voting now
Levy authorized by voters on <b>Senior Services</b> not to exceed <b>5</b> Years	<b>11/04/08</b>	1.50	1,620,000.00
Levy authorized by voters on <b>Senior Services</b> not to exceed <b>5</b> Years	<b>11/02/10</b>	.50	485,000.00
Levy authorized by voters on <b>MRDD</b> not to exceed <b>Continuous</b> Years	<b>11/04/80</b>	1.00	605,000.00
Levy authorized by voters on <b>MRDD</b> not to exceed <b>Continuous</b> Years	<b>05/07/85</b>	2.00	1,160,000.00
Levy authorized by voters on <b>MRDD</b> not to exceed <b>Continuous</b> Years	<b>11/04/86</b>	1.50	1,005,000.00
Levy authorized by voters on <b>MRDD</b> not to exceed <b>Continuous</b> Years	<b>05/04/99</b>	2.50	2,020,000.00
Levy authorized by voters on not to exceed _____ Years			
Levy authorized by voters on not to exceed _____ Years			
			<b>9,165,000.00</b>

And be it further

**RESOLVED**, That the Clerk of this Board be and she is hereby directed to certify a copy of this Resolution to the County Auditor of said County.

Mr. Coffland seconded the Resolution and the roll being called upon its adoption, the vote resulted as follows:

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

Adopted the 3<sup>rd</sup> day of October, 2012  
 Year.

Jayne Long /s/

Jayne Long  
 Clerk of the Board of County Commissioners of  
 Belmont County, Ohio.

**IN THE MATTER OF APPROVING THE EXECUTION OF  
 INVOICE #5 FOR WALLER CORP. FOR THE ADAPTIVE REUSE  
 OF THE BELMONT CO. SHERIFF'S RESIDENCE**



Motion made by Mr. Probst, seconded by Mr. Coffland to approve and authorize Commissioner Favede to execute Invoice #5 for Waller Corporation for the Adaptive Reuse of the Belmont County Sheriff's Residence as follows, based upon the certification of Chambers, Murphy & Burge, Project Architect:

Federal Share (80%) \$ 76,952.52  
Local Share (20%) 19,238.13  
Total: \$ 96,190.65

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADVERTISING FOR BIDS FOR ENGINEER'S PROJECT 12-6, CENTERLINE PAVEMENT MARKINGS PROJECT**

Motion made by Mr. Probst, seconded by Mr. Coffland to advertise for bids for the Belmont County Engineer's Project 12-6, Centerline Pavement Markings Project for various county highways, based upon the recommendation of Fred Bennett, County Engineer and authorize the Clerk of the Board to proceed with the required Notice to Bidders.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF AUTHORIZING THE BELMONT COUNTY AUDITOR TO PETITION THE COURT OF COMMON PLEAS REGARDING IDLE FUNDS**

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

**RESOLUTION**

**WHEREAS**, Belmont County has the following funds with unexpended balances that are no longer necessary in the operation of the agencies due to the termination of the activity, service or other undertaking for which the funds originally existed, and all obligations incurred have been paid:

H31	County Home Special	\$ 555.92	Fund no longer used/county home sold
N01	Jail Construction	\$ 4.84	Construction complete
N04	Human Resources Construction	\$ 3,045.72	Fund no longer used
N05	Children Services Building	\$ 4,598.27	Fund no longer used
N24	Orchard Drive/Colerain Water	\$121,700.00	Project terminated/funds originated from GF
O14	Fox Commerce Park/St Oh Loan	\$ 48,561.30	Loan paid in full
O25	Bond Retirement-Park Health	\$ 250.00	County home was sold/debt paid
O35	Bond Retirement-Co. Court Comp	\$ 250.38	Debt paid
P85	Satellite Building Fund	\$ 36.76	Fund no longer used
S39	Ohio Valley Recycling	\$ 88.41	Fund not used since 2005
S91	Eastern Court Security Grant	\$ 1,956.65	Fund not used since 2005
S93	Northern Court Security Grant	\$ 2.50	Fund not used since 2005
S94	Co. Courts Probation Officer	\$ .13	Fund not used since 2005
	<b>TOTAL</b>	<b>\$181,050.88</b>	

**WHEREAS**, pursuant to Ohio Revised Code Section 5705.14, the Belmont County Commissioners have designated the aforementioned accounts as idle funds upon approval of the Court of Common Pleas; and

**WHEREAS**, the fund balances in the total amount of **\$181,050.88** will be transferred to the General Fund; and

**NOW BE IT RESOLVED**, the Board of County Commissioners hereby authorizes the Belmont County Auditor to petition the Court for the closing of the aforementioned funds and for the transfer of the unexpended fund balances.

Upon roll call the vote was as follows:

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

Mr. Probst announced the board will reconvene tomorrow at 10:00 a.m. for an executive session and interviews for an HR manager position and other regular business including the sale of land at Fox Commerce Park as a result of today's executive session.

**RECONVENED OCTOBER 4, 2012  
PRESENT: COMMISSIONERS PROBST, FAVEDE AND COFFLAND**

**IN THE MATTER OF ENTERING EXECUTIVE SESSION AT 10:15 A.M.**

Motion made by Mr. Probst, seconded by Mr. Coffland to enter executive session pursuant to ORC 121.22(G)(1) Personnel Exception to consider the employment and compensation of a public employee.

Upon roll call the vote was as follows:

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

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

Motion made by Mr. Probst, seconded by Mr. Coffland to adjourn executive session.

Upon roll call the vote was as follows:

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

**AS A RESULT OF EXECUTIVE SESSION, NO ACTION WAS TAKEN.**

**DISCUSSION HELD RE: DAN KURCZI OF DISTRICT 8 REGIONAL ORGANIZING COMMITTEE FROM LIUNA (LABORERS' INTERNATIONAL UNION OF NORTH AMERICA)**

Mr. Kurczi stopped in to today's meeting to speak about the oil and gas industry that has come to Belmont County. He said it was a great opportunity for local people to get jobs in an area of the state that could definitely use economic development as well as a great opportunity for local communities to grow economically. He stated the challenge is the oil and gas industry often tends to play by its own rules, bringing companies and contractors as well as a workforce from Texas, Oklahoma, and different areas into our communities to perform work that we have people right here that are skilled and trained and have been doing it for years. The work to which he is specifically referring to is work on our roads. In Ohio, state and federally funded roadwork is all subject to prevailing wage rates. When the industry and the Ohio County Engineer's Association got together and wrote the existing Road Use Maintenance Agreements (RUMA) for the oil and gas work, they left out any prevailing wage language. It is Mr. Kurczi's opinion that it should be in there. Without that language, he said it has brought low road contractors from all over the country to our communities to do shoddy work using low wages and out of town people. The road work is essentially the only place in this industry that we as community and civic leaders have any say in how they perform the work. He said as Commissioners, they control the RUMA's. It is his union's to include prevailing wage language into the RUMA's. He said it will level the playing field, allowing local contractors to have a fair shot at this work, giving a standard with which everybody bids and pays. He has a number of examples from Youngstown to Marietta where good local contractors are losing out on this work by just a few dollars. In one case it was \$14.70. The thing that works against local contractors is the fact that everyone knows where we bid because we have prevailing wage rates. The union has been working on this with a number of surrounding counties, including Trumbull, Mahoning, Coshocton, Harrison and Monroe. Mr. Probst said that was important to make sure everyone in surrounding areas are doing the same thing. Mrs. Favede said it is our understanding that we can create our own RUMA and it supersedes the State of Ohio's RUMA. Mr. Kurczi said that is 100% correct. He noted there are a couple other counties that have included the language and its now in the Prosecutor's office. As soon as it comes out and is approved, they will be looking to move forward with it. Mr. Probst asked what was the easiest way for us. Should we have our Prosecutor look at this? Mr. Kurczi brought with him Attorney General Mike DeWines's recent opinion of Sept. 19, saying from the Attorney General's point of view, this work should include prevailing wage language. He also had a copy of an agreement that his legal department drafted that you can fill in the blanks and include the language. He shared a copy of the language approved by Mahoning County and Coshocton County. Mr. Probst said our county citizens are asking for this. Mr. Kurczi said to let him know when the board will be taking action and they will send someone.

**IN THE MATTER OF ADOPTING RESOLUTION REQUESTING THE TRANSFER OF THE S78 GENERAL FUND-SUPPLEMENTAL EQUIPMENT/COUNTY RECORDER FUND TO THE BELMONT COUNTY GENERAL FUND**

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

**WHEREAS**, it has been presented by the Auditor of State that Fund S78, General Fund-Supplemental Equipment/County Recorder Fund was originally established on October 25, 1993 under ORC 5705.12 and ORC 317.321;

**WHEREAS**, ORC 317.321 (A) (2) states the number of years for which this fund may be established cannot exceed five;

**WHEREAS**, the S78-General Supplemental Equipment/County Recorder Fund has exceeded the permissible life allowed by regulation;

**NOW, THEREFORE BE IT RESOLVED**, that the Belmont County Board of Commissioners formally requests that the entire balance of the S78 Fund be transferred to the General Fund as prescribed in Auditor of State MAS Bulletin 93-15.

Upon roll call the vote was as follows:

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

October 3, 2012

Ms. Mary Catherine Nixon  
Belmont County Recorder  
Belmont County Court House  
St. Clairsville, OH 43950

RE: Request for Continuance of and Increase to S78 General Fund-Supplemental Equipment/County Recorder

Dear Mary Catherine:

The Board has reviewed your requests to continue the S78 General Fund-Supplemental Equipment/County Recorder Fund and to increase the amount of fees deposited into that fund from \$4.00 to \$5.50 per designated document for one year to be effective 01/01/13.

We have also obtained clarification from the Auditor of State regarding the permissible life of this fund. Since it was originally established in 1993, the fund has exceeded the five year limitation prescribed in ORC 317.321 (A) (2) and must now be dissolved. Its fund balance will be transferred to the General Fund as outlined in Auditor of State MAS Bulletin 93-15. Therefore, we are unable to approve either of your requests.

Please be assured that the Board will make every effort to adequately adjust your General Fund line items as a result of the action taken on this matter.

Thank you for your continued patience and cooperation.

Sincerely,

BELMONT COUNTY COMMISSIONERS

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 APPROVING THE TRANSFER OF LOTS #11 AND #40 SITUATED IN FOX COMMERCE PARK FROM THE COUNTY OF BELMONT TO THE CIC**

Motion made by Mr. Probst, seconded by Mr. Coffland to approve the transfer of Lots #11 and #40 situated in the Fox Commerce Park from the County of Belmont, by and through the Belmont County Commissioners, to the Community Improvement Corporation.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF APPROVING THE TRANSFER  
OF LOT #12 SITUATED IN FOX COMEMRCE PARK  
FROM THE COUNTY OF BELMONT TO THE CIC  
FOR THE EXPANSION OF EXTREME CONTRACTING**

Motion made by Mr. Probst, seconded by Mr. Coffland to approve the transfer of Lot #12 situated in Fox Commerce Park from the County of Belmont, by and through the Belmont County Commissioners, to the Belmont County Community Improvement Corporation for the expansion of Extreme Contracting.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADJOURNING  
COMMISSIONERS MEETING AT 12:45 P.M.**

Motion made by Mr. Probst, seconded by Mr. Coffland to adjourn the meeting at 12:45 p.m.

Upon roll call the vote was as follows:

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

Read, approved and signed this 10th day of October, 2012.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ 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