

St. Clairsville, Ohio

September 19, 2012

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-Barrett Brothers	Forms-Probate Court/General Fund	236.00
A-BP Products North America	Gasoline/General Fund	428.16
A-Cardello Electric	Lights/General Fund	826.92
A-Comcast	Internet-Recorder/General Fund	181.07
A-Redwood Toxicology	Drug testing/General Fund	2,013.95
A-Speedway SuperAmerica	Gasoline-Adult Probation/General Fund	327.48
A-Verizon	Cell-Adult Probation/General Fund	189.54
B-Crossroads Counseling	Court-ordered counseling/Indigent Drivers Alcohol Fund	619.01
B-Crossroads Counseling	Court-ordered counseling/Indigent Drivers Alcohol Fund	192.48
C-John A. Vavra	Attorney Fees/Indigent Guardianship Fund	300.00
C-Pure Water Finance	Water/Mediation Fund/Probate Court	79.95
K-Ohio-WV Excavating	BEL-10-19.13 Bridge Replacement Proj./Engineer MVGT Fund	11,130.72
N-Fields Excavation, Inc.	Projects/Neffs Sanitary Sewer Project Fund	61,138.19
N-HD Supply Waterworks, Ltd.	Materials/SSD#1 Capital Improvements Fund	1,289.97
N-Pickering Associates, Inc.	Professional Services/Bridge & Wall Constr. Improv. Fund	4,800.00
P-Buckeye Pest Management, Inc.	Misc. supplies/Oakveiw Admn. Bldg. Fund	135.00
P-Riesbeck's	Commodity flow commissaries/LEPC/Special Emergency Planning Fund	282.90
S-Comcast	Internet/Clerk of Courts Computer Fund	167.00
S-Glynis Valenti	Professional Services/Port Authority Fund	600.00
S-TSG	Offsite backup/Eastern Div. Ct. Computer Fund	34.70
W-Matthew Bender & Co.	Books/Law Library Fund	402.06
W-Pamela S. Bowman	Reimburse supplies/Prosecutor Victim Assistance Fund	599.98

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 September 19, 2012 as follow:

FUND	AMOUNT
A-GENERAL	\$29,495.67
A-GENERAL/EMA	\$2,195.29
A-GENERAL/JUVENILE COURT	\$25.00
A-GENERAL/SHERIFF	\$14,812.45
B-Dog Kennel	\$1,138.65
H-Job & Family, Public Assistance	\$5,000.00; \$43,844.03; \$56,518.71; \$2,884.21; \$690.43; \$796.42
H-Job & Family, WIA	\$25,000.00; \$5,832.05
K-Engineer MVGT	\$14,600.61; \$592.06; \$34,389.52
M-Juvenile Ct. – Care & Custody	\$441.50
M-Juvenile Ct. – Placement Services	\$15,996.00
M-Juvenile Ct. – Title IV-E Reimb.	\$13,431.88; \$1,096.14
M-Juvenile Ct. – Truant Officer Grant	\$42.30
P-Sanitary Sewer District	\$365.74; \$1,424.34; \$21,667.93; \$3,590.46; \$6,414.75; \$1,433.12
S-Certificate of Title Adm. Fund	\$49.45
S-District Detention Home	\$5,107.80
S-Job & Family, Children Services	\$6,346.90
S-Job & Family, Senior Program	\$321.25; \$40,220.10
S-Juvenile Ct. Computer Fund	\$80.95
S-Northern Div. Ct. Computer	\$181.63
S-Oakview Juvenile Residential Center	\$1,847.55
S-Sheriff Commissary	\$35.00
S-Western Ct. General Special Projects	\$975.93
U-Sheriff Reserve Account	\$998.38

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

VETERAN'S SERVICE COMMISSION

FROM	TO	AMOUNT
E-0160-A009-D13.000 Building Supplies	E-0160-A009-D02.002 Employee Salaries	\$ 10,000.00
E-0160-A009-D14.000 Building Fund	E-0160-A009-D02.002 Employee Salaries	\$ 10,000.00
E-0160-A009-D10.007 Unemployment Comp	E-0160-A009-D02.002 Employee Salaries	\$ 10,000.00
E-0161-A009-C07.000 Travel	E-0160-A009-D02.002 Employee Salaries	\$ 10,000.00

VARIOUS BELMONT COUNTY SANITARY SEWER DISTRICT FUNDS

FROM	TO	AMOUNT
WWS #2	WWS #2	
E-3701-P003-P31.000 Other Expenses	E-3701-P003-P21.000 Materials	\$ 3, 000.00
WWS #3	WWS #3	
E-3702-P005-P30.004 Workers Comp	E-3702-P005-P29.003 PERS	2, 000.00
E-3702-P005-P25.000 Purchased WA	E-3702-P005-P29.003 PERS	2, 000.00
E-3702-P005-P34.074 Transfer Out	E-3702-P005-P29.003 PERS	6, 000.00
E-3702-P005-P17.002 Salaries	E-3702-P005-P23.011 Contract Services	50, 000.00
E-3702-P005-P31.000 Other Expenses	E-3702-P005-P21.000 Materials	5, 000.00

OAKVIEW JUVENILE REHAB FUND S30

FROM	TO	AMOUNT
E-8010-S30-S40.000 Grant Holding	E-8010-S30-S56.000 Motor Vehicles	\$ 1,000.00

PUBLIC ASSISTANCE FUND H00

FROM	TO	AMOUNT
E-2510-H000-H09.000 Facilities	E-2510-H000-H02.010 Supplies	\$ 100,000.00
E-2510-H000-H09.000 Facilities	E-2510-H000-H04.000 Contracts	\$ 50,000.00

Upon roll call the vote was as follows:

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

IN THE MATTER OF TRANSFERS BETWEEN FUNDS

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

BELMONT COUNTY SANITARY SEWER DISTRICT

From the Water and Sewer Guarantee Deposit Fund to the Revenue Receipt Fund for the month of August, 2012, first billing.

FROM	TO	AMOUNT
E-3711-T010-T04.074 WSGDF Transfer Out	R-3701-P003-P15.574 WWS#2 01004003 Transfers In	140.20
E-3711-T010-T04.074 WSGDF Transfer Out	R-3702-P005-P15.574 WWS#3 02004003 Transfers In	416.14
E-3711-T010-T04.074 WSGDF Transfer Out	R-3704-P051-P08.574 SSD#1 03004-003 Transfers In	147.03
E-3711-T010-T04.074 WSGDF Transfer Out	R-3705-P053-P08.574 SSD #2 04004003 Transfers In	138.77
E-3711-T010-T04.074 WSGDF Transfer Out	R-3706-P055-P08.574 SSD#3A 06004003 Transfers In	166.77
TOTAL		1, 008.91

COMMON PLEAS COURT/GENERAL SPECIAL PROJECTS/MEDIATION

FROM	TO	AMOUNT
E-1544-S054-S01.002 Special Projects	R-0040-A000.A47.574 Clerk of Cts/Transfers	\$ 12, 500.00

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 September 19, 2012:

GENERAL FUND A00

E-0257-A015-A14.000	Attorney Fees	755.00
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BELMONT COUNTY SOIL & WATER CONSERVATION FUND L01

E-1810-L001-L01.002	Salaries	1,000.00
E-1810-L001-L09.000	Travel & Expenses	420.00

BELMONT COUNTY PORT AUTHORITY FUND

E-9799-S012-S21.000	Expenses Armory Property	6,250.98
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N.S.L.A. OAKVIEW JUVENILE S031 FUND

E-8011-S031-S02.000	Food (Meal Tickets)	30.00
E-8011-S031-S02.000	Food (NSLA)	1,524.80
E-8012-S032-S00.000	Activity Fund	261.23

PROSECUTOR/VICTIM'S ASSISTANCE FUND W80

E-1511-W080-P01.002	Salary	1,124.17
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PROSECUTOR/VICTIM'S ASSISTANCE FUND W80

E-1511-W080-P07.006	Hospitalization	968.11
E-1511-W080-P01.002	Salary	595.18

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADDITIONAL APPROPRIATION
FOR THE BELMONT CO. COMMISSIONERS CDBG FUND**

Motion made by Mrs. Favede, seconded by Mr. Probst to make the following additional appropriation, in accordance with the Amended Official Certificate of Estimated Resources as revised by the Budget Commission, under the date of September 19, 2012.

BELMONT CO. COMMISSIONERS CDBG FUND

E-9702-T011-T01.000 Grants CDBG Funds \$ 152,342.00

Draw No. 152 – Grant #B-W-11-1AG-1

Upon roll call the vote was as follows:

Mrs. Favede Yes
Mr. Probst 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 September 19, 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 REQUEST FOR CERTIFICATION
OF MONIES BY THE BUDGET COMMISSION**

Motion made by Mr. Coffland, seconded by Mr. Probst to request the Belmont Co. Budget Commission certify the following monies **GENERAL - \$755.00** Refunds & Reimbursements. *Note: Reimbursement from Attorney Michelle Miller for overpayment of attorney fees.* **CDBG – Grant FORMULA - \$152,342.00** paid into R-9702-T011-T01.501 CDBG-Grant FORMULA on Sept. 17, 2012, Draw No. 152, Grant #B-W-11-1AG-1 (Sewer Facility Improvements)

Upon roll call the vote was as follows:

Mr. Coffland Yes
Mr. Probst 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:
BCDJFS – Dwayne Pielech to travel to Dellroy, OH, on Oct. 30-31, 2012, to attend Canton District Director’s Conference. Estimated expenses: \$ 253.23
Lawrence Wehr, Linda Wells & Senior Members to travel to Woodsfield, OH, on Sept. 13, 2012, for a Barnesville Senior Center outing.
Donna Steadman, Bradley Bruce & Senior Members to travel to Sugarcreek, OH, for a Centerville Senior Center outing. Estimated expenses: \$64.00
Traci Collette to travel to Columbus, OH, on Sept. 18, 2012, to attend BVR-CRIS-E Training. Traci Collette and Joyce Bosold to travel to Columbus, OH, on Oct. 8, 2012, to attend ABACUS Training. Estimated expenses: \$36.00

Upon roll call the vote was as follows:

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

DISCUSSION HELD RE: BELMONT COUNTY RECORDER’S OFFICE – Recorder Mary Catherine Nixon appeared before the board to discuss some changes she would like to implement. She requested an additional \$3.00 to go into her User Fee. She is looking to replace almost 44 book covers at a cost of \$300-\$400 per book. She said she can space out the job. She said she is also looking at purchasing a microfilm viewer and printer. A refurbished one will be checked into. She has been using the one in Probate Court. All her old mortgages are on microfiche and never used them at all until the oil and gas researchers came here. This is tying up Probate’s viewer and printer. Theirs came at a cost of \$10,000.00. Mary Catherine is trying to find one for \$3,000-\$4,000. She said her problem is finding space to put it.

Mary Catherine explained she gets \$4.00 for every instrument that is put on record. As an example she had a 4 page document. It is \$28.00 for the first two pages and then \$8.00 for every additional page. The cost to record would be \$44.00. \$4.00 of that goes into the Recorder’s User Fee Fund. Of the rest of the money, part goes in the General Fund and part goes into the Trust Fund. She reiterated that she only gets \$4.00 for every instrument filed. She produced a spreadsheet showing what was taken in her office from September 1 to the 17th. Her total was \$15,834.00 that went into the General Fund. Nonconforming is if they did not follow the guidelines, they would get charged \$20.00 more. \$16.36 went into her User Fee and \$17,000.00 went into the Trust Fund. This is just for September. They have brought in a lot of money from copies made. Mr. Probst asked if this increase was something the board had to approve. Mrs. Favede said “yes”; that is what the Ohio Revised Code states. Mrs. Nixon said the board approved it years ago to get \$4.00, and have allowed an additional \$3.00. Instead of the Recorder getting \$4.00, she would get \$7.00 per instrument into the User Fee Fund. This is what she is asking for. It is **not** any additional money from the public. She is requesting \$3.00 more from what is already in the General Fund to be used for her equipment. Auditor Andy Sutak said by statute you have a time frame to reapprove that increase for up to five (5) years. \$30,000.00 is what is needed now to appropriate to the Recorder. Mr. Probst asked how much additional monies on average has she collected since the oil and gas researchers came to the county. She had those figures prepared as follows: User Fee Fund for 2010 was - \$121,000; for 2011 was - \$118,000; and as of the end of August, 2012 - \$113,000. She said she has been made aware there is a large quantity of leases that will be coming in within the next two to three weeks. Mr. Sutak asked to sit down with the board and Mary Catherine and decide what she is going to need, what is in her computer fund and what she is actually going to need and come to a better understanding. Fiscal Manager Barb Blake said there may be funds that have come in this year that simply need to be certified and appropriated to the Recorder that will give her what she needs without the additional switch. Mrs. Nixon said if they don’t want to give her the full \$3.00, they can give whatever possible. She also said it might depend on if her budget will be cut next year on what she needs. Mr. Coffland asked how much were we up with the oil and gas business. Mr. Sutak said probably \$100,000+. Mrs. Nixon said that is not counting copies. They are billing \$30,000-\$40,000 per month to those companies just for copies alone. She has four (4) public computers and needs another one. People are standing in line to use them. Again she needs to find space to put it. Mrs. Favede said she has spent significant time yesterday researching this. She understands the situation and what Mrs. Nixon is asking for. She said one of her concerns is that Probate Court has already been in with this same request based upon the same issues. She said she wants to look at what we can do that handles both the Recorder’s and Probate’s situation to be fair and equitable to both departments. Mrs. Favede said this again is one more issue where local government and the oil and gas boom is affecting us and our bottom line, while at the same time the State of Ohio is taking away our local government dollars. She stated we are going to be reduced again next year, so it is going to be even more difficult on us then. Just the operational costs of day to day government are being driven up by this and now we are being forced to look for money to take

of the books that are being used, the courts have expressed an increase in ink, and the wear and tear on our copy machines. It is a very difficult issue to manage. Mrs. Nixon said she was one of the ones lucky enough (Belmont County) to have all her books scanned. Mr. Sutak suggested the he, Mary Catherine, and Barb meet to figure out the amount needed and bring it to the Commissioners. Mrs. Nixon reiterated the large amount of leases that are going to be coming in and she gets \$4.00 for every one, so if she could get a little more, it would be nice. Mrs. Favede clarified, "If you go to \$7.00, there is no additional money that is coming from outside into the county. The only additional monies come from within the county to you." Mrs. Nixon agreed. Mrs. Favede concluded by saying, "At this point, I think that it is important to note that we have over a \$1 million deficit projected towards the end of the year." "Anything that we give out or additional funding that we put out right now, means an additional deficit for us to finish the end of the year." "It is a very difficult situation right now," said Mrs. Favede. Mrs. Nixon thanked the board for their consideration.

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 July 25, 2012.

Upon roll call the vote was as follows:

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

IN THE MATTER OF CHANGING THE STARTING TIME OF BOARD'S REGULAR MEETING OF OCTOBER 3, 2012

Motion made by Mr. Probst, seconded by Mr. Coffland to change the starting time of the board's regular meeting on Wednesday, October 3, 2012 from 10:00 a.m. to 11:00 a.m.

Upon roll call the vote was as follows:

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

IN THE MATTER OF ADOPTING RESOLUTIONS ON BEHALF OF THE ENGINEER AUTHORIZING COMMISSIONER PROBST TO PREPARE AND SUBMIT APPLICATION TO PARTICIPATE IN OPWC STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAMS

Motion made by Mrs. Favede, seconded Mr. Coffland to adopt the following resolutions, on behalf of the County Engineer, authorizing Commissioner Probst to prepare and submit an application to participate in the Ohio Public Works Commission State Capital Improvement and/or Local Transportation Improvement Programs and to execute contracts as required for the following projects:

- Resurfacing Local Roads Project No. 27 (Wayne, Richland and Union Twp.)
- BEL-4-6.51 Bridge Replacement Project (Sand Hill)
- BEL54-3.65(Pipe Creek), BEL56-20.17 (OK Rd.), BEL-MEA 291 (Crozier Rd)

**"AUTHORIZATION LEGISLATION DESIGNATING OFFICIAL"
ATTACHMENT C**

RESOLUTION AUTHORIZING CHARLES R. PROBST, JR., TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) AND TO EXECUTE CONTRACTS AS REQUIRED

Motion made by Commissioner Favede _____, seconded by Commissioner Coffland _____ to adopt the following resolution:

WHEREAS, the State Capital Improvement Program and the Local Transportation Improvement Program both provide financial assistance to political subdivisions for capital improvements to public infrastructure, and

WHEREAS, the Belmont County Commission is planning to make capital improvements to Resurfacing Local Roads Project No. 27, and

WHEREAS, the infrastructure improvements herein above described is considered to be a priority need for the community and is a qualified project under the OPWC programs.

NOW THEREFORE, BE IT RESOLVED by Belmont County Commission:

Section 1: Belmont County Commissioner Charles R. Probst, Jr. is hereby authorized to apply to the OPWC for funds as described above.

Section 2: Belmont County Commissioner Charles R. Probst, Jr. is authorized to enter into any agreements as may be necessary and appropriate for obtaining this financial assistance.

Upon roll call the foregoing was unanimously adopted.

Passed: September 19, 2012

Signed: **Belmont County Commissioners**
Charles R. Probst, Jr. /s/
Charles R. Probst, President
Ginny Favede /s/
Ginny Favede, Vice President
Matt Coffland /s/
Matt Coffland

**"AUTHORIZATION LEGISLATION DESIGNATING OFFICIAL"
ATTACHMENT C**

RESOLUTION AUTHORIZING CHARLES R. PROBST, JR., TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) AND TO EXECUTE CONTRACTS AS REQUIRED

Motion made by Commissioner Favede _____, seconded by Commissioner Coffland _____ to adopt the following resolution:

WHEREAS, the State Capital Improvement Program and the Local Transportation Improvement Program both provide financial assistance to political subdivisions for capital improvements to public infrastructure, and

WHEREAS, the Belmont County Commission is planning to make capital improvements to BEL 4-6.51 Bridge Replacement Project , and

WHEREAS, the infrastructure improvements herein above described is considered to be a priority need for the community and is a qualified project under the OPWC programs.

NOW THEREFORE, BE IT RESOLVED by Belmont County Commission:

Section 1: Belmont County Commissioner Charles R. Probst, Jr. is hereby authorized to apply to the OPWC for funds as described above.

Section 2: Belmont County Commissioner Charles R. Probst, Jr. is authorized to enter into any agreements as may be necessary and appropriate for obtaining this financial assistance.

Upon roll call the foregoing was unanimously adopted.

Passed: Sept. 19, 2012

Signed: **Belmont County Commissioners**
Charles R. Probst, Jr. /s/
Charles R. Probst, President
Ginny Favede /s/
Ginny Favede, Vice President
Matt Coffland /s/
Matt Coffland

**“AUTHORIZATION LEGISLATION DESIGNATING OFFICIAL”
ATTACHMENT C**

RESOLUTION AUTHORIZING CHARLES R. PROBST, JR., TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) AND TO EXECUTE CONTRACTS AS REQUIRED

Motion made by Commissioner Favede, seconded by Commissioner Coffland to adopt the following resolution:
WHEREAS, the State Capital Improvement Program and the Local Transportation Improvement Program both provide financial assistance to political subdivisions for capital improvements to public infrastructure, and
WHEREAS, the Belmont County Commission is planning to make capital improvements to BEL 54-3.65, BEL 56-20.17, and BEL-MEA 291
WHEREAS, the infrastructure improvements herein above described is considered to be a priority need for the community and is a qualified project under the OPWC programs.

NOW THEREFORE, BE IT RESOLVED by Belmont County Commission:

Section 1: Belmont County Commissioner Charles R. Probst, Jr. is hereby authorized to apply to the OPWC for funds as described above.

Section 2: Belmont County Commissioner Charles R. Probst, Jr. is authorized to enter into any agreements as may be necessary and appropriate for obtaining this financial assistance.

Upon roll call the foregoing was unanimously adopted.

Passed: Sept. 19, 2012

Signed: **Belmont County Commissioners**
Charles R. Probst, Jr. /s/
Charles R. Probst, President
Ginny Favede /s/
Ginny Favede, Vice President
Matt Coffland /s/
Matt Coffland

Upon roll call the vote was as follows:

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

BREAK

**10:45 Dwayne Pielech and Mike Schlanz, BCDJFS
Re: Flood Grant Update**

Dwayne advised his department received additional grant money from the U. S. Department of Labor for cleaning debris in creeks and streams. He reported that since last September, they have removed thousands of pounds of tires and debris. They have cut up trees, limbs and brush. The program is very successful in keeping the creeks and streams clear and also provides jobs for people who have been laid off and looking for work. They have employed five (5) different crews at \$11.00 per hour. The workers are allowed to work up to six (6) months on the grant. They also have a crew leader assigned to each crew. They work with the property owners to do the removal. With approval and assistance of the State Dept. of Job & Family Services and with the Federal government, they will be able to continue this program for one more year. An additional allocation of \$804,000.00 will be made. The state, on their behalf, has asked if the federal policy can be changed that would allow these workers to not just work six (6) months, but maybe up to nine (9) months. DJFS is waiting on approval for that.

Next week they will be getting information regarding the windstorms that took place around the 4th of July. They have applied for monies from that national emergency. It appears they are going to be able to draw down an additional quarter of a million dollars beyond the \$800,000.00, which will allow them to hire another crew to help with the wind damage. He provided the news media a CD of before and after photographs that show the locations of where they have cleaned in the various townships.

Mike Schlanz said the program employs about 47 people, working six (6) months at 40 hours per week. Once the workers reach their maximum hours, they replace them. He said if someone is interested in applying to work, they can call the Connections Office at 633-JOBS. They can fill out an application and there are eligibility requirements. Mr. Coffland said he felt this was one of the greatest programs out there. He said a little bit of prevention goes a long, long way. He thanked Rich Vannelle for his great leadership. Mr. Probst agreed and said it would have been great to have this program back when we dealt with the 2004-2005 floods. Mrs. Favede added that she was in Lansing last week looking at an issue with a creek and she phoned Rich Vannelle to see if this program could offer any assistance, and within one-half an hour he was onsite trying to evaluate what could be done with his crew. She said kudos to him and to the commitment to taking care of these issues throughout the county.

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

The Board of County Commissioners, in and for Belmont County, Ohio, met this day in regular session with the following members present:

Commissioners: Charles R. Probst, Jr., Ginny Favede and Matt Coffland

Commissioner Probst presented the following resolution and moved its adoption.

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

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

WHEREAS, the Belmont County Department of Job and Family Services has sufficient funding levels remaining in its Title XX - Base allocations to provide mandated services for the remainder of the Federal fiscal year ending September 30, 2012, and will provide all mandated services for the remainder of the Federal fiscal year, regardless of funding; and

WHEREAS, the Belmont County Department of Job and Family Services certifies that the release of these funds will not leave the County at a funding level below the expenditure level of the preceding Federal fiscal year, and that this is a one time adjustment that will expire at the end of the Federal fiscal year, September 30, 2012: and

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

NOW, THEREFORE, BE IT RESOLVED, that the Board of County Commissioners, in and for Belmont County, Ohio, hereby approves and agrees to release \$50,000 in Title XX - Base to Erie County Department of Job and Family Services on behalf of the Belmont County Department of Job and Family Services, through the Inter-County Agreement and Certification Release and Acceptance of Funds (JFS 02719) attached hereto and made a part hereof.

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

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

“AYES”: Mr. Probst, Mr. Coffland, Mrs. Favede

“NAYS”:

Resolution adopted, this 19th day of September, 2012.

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

The Board of County Commissioners, in and for Belmont County, Ohio, met this day in regular session with the following members present: Commissioners: Charles R. Probst, Jr., Ginny Favede and Matt Coffland

Commissioner Probst presented the following resolution and moved its adoption.

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

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

WHEREAS, due to changes in funding for State fiscal year 2012, the Belmont County Department of Job and Family Services is faced with funding deficits and shifting of costs to balance the respective agency budgets. The Ohio Department of Job and Family Services offers counties the opportunity to transfer funds to share with other counties. Because of the loss of Income Maintenance Control funds in State fiscal year 2012, the Belmont County Department of Job and Family Services can utilize additional Income Maintenance Control dollars to lessen the loss of these funds on County operations and cover projected shortfalls.

WHEREAS, the Board of Commissioners in Erie County and their County Department of Job and Family Services have graciously offered \$75,000.00 of Income Maintenance Control funding to Belmont County. The Belmont County Department of Job and Family Services will accept \$75,000.00 in Income Maintenance Control funding for utilization in State fiscal year 2012 as an addition to their current Income Maintenance Control allocation. All funds will be utilized in accordance to regulations for Income Maintenance Control funding and this is a one-time transfer of this type of funding.

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

NOW, THEREFORE, BE IT RESOLVED, that the Board of County Commissioners, in and for Belmont County, Ohio, hereby approves and agrees to accept \$75,000.00 in Income Maintenance Control from Erie County Department of Job and Family Services on behalf of the Belmont County Department of Job and Family Services, through the Inter-County Agreement and Certification Release and Acceptance of Funds (JFS 02719) attached hereto and made a part hereof.

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

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

“AYES”: Mr. Probst, Mr. Coffland, Mrs. Favede

“NAYS”:

Resolution adopted, this 19th day of September, 2012.

DISCUSSION HELD: Mr. Pielech explained that Belmont County DJFS is getting \$75,000 in Income Maintenance (IM) funds from Erie County in exchange for \$50,000 of Title XX funds from Belmont County. He said his department gets allocations to operate many sides of his organization and Public Assistance (PA) is one of the largest. He explained that if they find another county that hasn't spent their PA funds, his department contacts them and asks if they'll free it up. He said this allows them to keep caseloads smaller in PA so they can keep people on staff to serve the community. He said some counties have gone to an automated answering system that says they will get back to you in 2-3 days but Mr. Pielech doesn't want his agency to have to go to that system.

IN THE MATTER OF CONTRACT BETWEEN BCDJFS AND FAITH IN ACTION CAREGIVERS, INC.

Motion made by Mr. Probst, seconded by Mr. Coffland to approve and sign the contract between the Belmont County Department of Job & Family Services and Faith In Action Caregivers, Inc. in the maximum amount of \$51,000.00, effective September 17, 2012 through August 31, 2013, for the support of current services and expansion of services to the elderly from Belmont County.

DISCUSSION HELD –Mr. Pielech explained he has been considering utilizing the services of Faith In Action since approximately one year ago. Their Director Jeannette Wojcik was present. They work with various church organizations in Belmont County, largely serving senior citizens. DJFS senior program is growing in the number of people served and at full capacity on medical transportation and are partnering with the fire departments on Medicaid transportation. Belmont County is one of the fastest growing populations in the State of Ohio. If DJFS can partner with Faith In Action Caregivers, they could help fill in the some of the gaps that maybe they can't get to. For example, in home care, more ability to take people shopping, personal budgeting, respite care, and home cleaning. They figure they could probably expand over 800 seniors for the contract in the amount of \$51,000.00 or less than \$5.00 per senior per month. He said this is a very quality organization.

Clarence Briggs asked what fund the \$51,000.00 would be coming out of. Mr. Pielech said it would come out of reserves, he would hope, in the levy area. He said we collect levy dollars to serve seniors. Mrs. Wojcik said their volunteers go door to door and stay with the person when escorting to an appointment. Their transportation is different than what DJFS is able to provide at this time. They transport only one (1) person at a time. They have also over the past few years been able to go into some of the high rises and do in depth cleaning, wash the walls, flip the mattress and wash the windows, things that DJFS is not able to do. Faith In Action can do that with volunteers and donated supplies. There is never a charge for any service they provide. This money would help them coordinate those services better. Currently they are helping approximately 1,800 people in Ohio, Marshall and Belmont Counties. About 29% are from Belmont County. They have one (1) person right

now on their staff to coordinate services to them along with about 300 volunteers. This is definitely going to help them expand those services and do a better job of coordination and serve the people. Mrs. Favede said, "So these services are already being provided?" Mrs. Wojcik replied, "Some of them are, yes, but we hope to expand that. We would like to go into all of the high rises and do that kind of in depth cleaning. We would like to provide and fill in more of the gaps." Mrs. Favede then asked if we had a legal opinion on whether or not we can use levy funds for this. She said three (3) years ago Mrs. Wojcik called and asked to be able to apply for a grant to get levy funds for this and we had an in depth conversation that we were not legally allowed to utilize levy funds in that manner. Since then Mrs. Wojcik said Ashtabula County is using levy funds in support of faith based programs for the elderly as is Pickaway County. It is not known what their levy language is. Mr. Coffland said he has been in over 300 senior's homes over the last month. He said anything that we can take to our seniors will be helpful. Many are very fortunate that they have their health and they can keep their home up. But there are many out there that can't. He noted our food drivers are sometimes the only people contact they have. He thinks this is a great program and if there was a way we could do more it would be great. He thanked Dwayne and the people from Faith In Action Caregivers. Mr. Briggs' concern is making sure the levy money is going to the seniors. Mr. Coffland stated that was the only place it can go.

BREAK TAKEN FOR A SCHEDULED PUBLIC HEARING. MR. PROBST SAID THERE IS A MOTION ON THE FLOOR; WE WILL HOLD THE VOTE ON THAT MOTION UNTIL AFTER WE DO THE NEXT MOTION AND POSSIBLY FOR THIS PUBLIC HEARING.

11:00 Public Hearing-Marcie Moore, Permit Coordinator, Oxford Mining Co.

Re: Surface Application of Brine

Ms. Moore advised Oxford Mining did not spread any brine last year in Belmont County, but want to be prepared in case that need arises. She explained brine is spread on the haul roads for dust control and occasionally ice control. They are asking to pass the resolution to keep their options open. Mr. Probst opened the floor for anyone who had questions. No one came forth and the resolution was made.

IN THE MATTER OF RESOLUTION TO APPROVE SURFACE APPLICATION OF BRINE TO OXFORD MINING COMPANY, LLC. PURSUANT TO CHAPTER 1509, O.R.C.- BELMONT COUNTY COMMISSIONERS

WHEREAS, Oxford Mining Company, LLC, has submitted an application, signed by a representative for Oxford Mining Company, LLC. to apply brine to haul roads and land surfaces on surface mine lands permitted by the Ohio Department of Natural Resources located in various townships in Belmont County, Ohio; and

HEREAS, House Bill 501, effective April 12, 1985, prohibits surface application of brine on roads, streets, highways and other similar surfaces without a written plan to the County Commissioners; and

WHEREAS, Oxford Mining Company, LLC, in Belmont County, Ohio, desires to spread brine for surface application to haul roads and land surfaces on surface mine lands permitted by the Ohio Department of Natural Resources located in Flushing Township, T7N, R5W, Sections 13, 14 & 15; Richland Township, T7N, R4W, Sections 29, 34, 35 & 36; Union Township, T8N, R5W, Sections 5, 17, 18, 23, 24, 25, 26 & 32; Wheeling Township, T7N, R4W, Section 36; Wheeling Township, T8N, R4W, Sections 2, 3, 8, 9 & 15; Wheeling Township, T9N, R5W, Sections 7, 8 & 9; Kirkwood Township, T9N, R6W, Section 5; Goshen Township, T7N, R5W, Sections 29, 34 & 35; Warren Township, T8N, R6W, Sections 22, 23 & 28; Belmont County, Ohio, in accordance with state law; and

WHEREAS, brine is to be supplied by Oxford Oil Company using a spreader bar method with a rate of 3 gallons per 60 square feet approximately twice per week for dust control; and

WHEREAS, Oxford Mining Company, LLC, has agreed to abide by the new regulations issued to the Ohio Department of Natural Resources, now therefore be it.

RESOLVED, that this Board hereby Approves the Application submitted by Oxford Oil Company, 4900 Boggs Road, Zanesville, Ohio 43701 for properties located in Belmont County, Ohio, as follows:

1. Brine shall not be applied:
 - a. To water saturated surface;
 - b. Directly to vegetation near or adjacent to surfaces being treated;
 - c. Within twelve feet of structures crossing bodies of water or crossing drainage ditches;
 - d. Between sundown and sunrise, except for ice control;
2. The discharge of brine through the spreader bar shall stop when the Application stops.
3. The applicator vehicle shall be moving at least five miles per hour at all time While the brine is being applied.
4. The maximum spreader bar nozzle opening shall be three-quarters of an inch in diameter.
5. The maximum uniform application rate of brine shall be three thousand gallons per mile on a twelve foot wide road or three gallons per sixty square feet on unpaved lots.
6. The applicator vehicle discharge valve shall be closed between the brine collection point and the specific surfaces that have been approved for brine application.
7. Any valves that provide for tank draining other than through the spreader bar shall be closed during the brine application and transport.
8. The angle of discharge from the applicator vehicle spreader bar shall not be greater than sixty degrees from the perpendicular to the unpaved surface.
9. Only the last twenty-five percent of an applicator vehicle's contents shall be allowed to have a pressure greater than atmospheric pressure; therefore, the first seventy-five percent of the applicator vehicle's contents shall be discharged under atmospheric pressure.

BE IT FURTHER, RESOLVED, that this Board hereby authorizes the Clerk to forward this legislation to the Ohio Department of Natural Resources, Division of Mineral Resources Management, Morse Road, Columbus, Ohio 43229.

ADOPTED September 19, 2012

Commissioner Probst moved for the adoption of the foregoing Resolution which was seconded by Commissioner Coffland, and the roll being called upon its adoption, the vote resulted as follows:

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

I do hereby certify the foregoing to be a true and correct copy of Journal Entry of Sept. 19, 2012 as recorded in Volume 93 of the Belmont County Commissioners Journal.

Jayne Long /s/
Jayne Long, Clerk

DISCUSSION CONTINUED RE: BCDJFS AND MOTION MADE FOR PROPOSED CONTRACT WITH FAITH IN ACTION

CAREGIVERS - Mr. Pielech advised they are in the senior centers everyday as are their coordinators. They have increased the number of seniors attending and in some centers attendance has doubled. He noted there are a handful of people against the upcoming levy. They levy is \$1.1 million of \$3.2 million of funding. He said if this levy fails, \$1.1 million is gone for meals on wheels and in home care and staffing. There are 1 or 2 people giving out bad information. Some are saying that DJFS is mixing senior funds with DJFS funds. He encourages anyone to sit with Auditor Andy Sutak who can show them where every dollar has been spent. They cannot legally mix monies. He reiterated, if this levy fails, seniors will lose services. Mr. Pielech said a few weeks ago they gave a very detailed, lengthy report about every part of his department, including where they are with the budget. Six (6) months into this fiscal year, they are below budget. He said unfortunately there are some, as there were one year ago, that want to continue to undermine this program. Mrs. Favede interjected, "I want to make sure- I don't want seniors to be frightened." She said she knows there is a levy up, but she does want to confirm that there is enough in reserves that it will not cause a catastrophe immediately. There are \$2-3 million in reserves for Senior Services. She said immediately there will be no impact. We could weather the storm if the levy goes down. Mr. Coffland noted that it will eventually eat into what reserves we have and services will be affected. Mr. Briggs said he approached his center (St. Clairsville) director about holding a meeting there to discuss the levy. He said she made a phone call to DJFS. He said they were not allowed to use their center to have a meeting to discuss the levy. Mr. Pielech said, "That is not true." He said, "Lori never called me or Daisy (the director) to say you couldn't use your center." He told Mr. Briggs he wholeheartedly supports his organization and they can have that center any time they want. He said he would need to take this up with Daisy as she was not given that direction.

Mr. Probst stopped the discussion at this time to vote on the motion concerning the Faith In Action contract and said they can return to the discussion after the vote. Mr. Probst said, "Maybe we need an opinion from a prosecutor just to make sure it (the contract) is legal." He said if it is legal, he is fine with it, but naturally if there was a snafu involved, he can't vote for it. Mrs. Wojcik said she would not want him to do anything that was not legal. Mr. Probst said as the motion stands now, with a motion and a second, he is going to vote against it, just until we render a legal opinion to see if this is OK to spend levy dollars for this purpose, unless it is decided to table the motion until we receive an opinion. Mr. Coffland asked for a roll call with explanation. Mrs. Favede said she too is going to vote 'No', but in addition to her concerns over the legal action, she wants to mention for the record that this \$51,000.00 is for Faith In Action to hire a coordinator to work with the team of volunteers and that the contract would provide wrap around services. The \$51,000.00 would supply staffing at \$27,360.00 to hire this person, employee benefits of \$7,725.00, employer taxes, fees & auditing costs at \$2,763.00, office supplies at \$1,800.00, telephone/internet connection at \$1,500.00, postage of \$1,500.00, public relations and clergy meetings at \$500.00, occupancy at \$300.00, staff travel reimbursement at \$1,750.00, volunteer travel reimbursement at \$2,150.00, volunteer training and ID badges at \$375.00, general liability insurance at \$550.00, Strong For Life exercise supplies at \$1,400.00, and cleaning supplies at \$1,000.00. She said this goes back on a personal level for her as it is her opinion that it is again increasing operational costs and it is essentially just hiring an additional employee. She said one year ago we (the board) were concerned about increased administration costs with Belmont Senior Services and again this contract does nothing more than expand employment in a different way. She stated she appreciates what Faith In Action does, she just doesn't think it is appropriate to be doing it this way. She said if we need services under Belmont Co. Senior Services, there is more than enough money to supply that under our way. She was under the understanding that we were going to transfer this to offer senior services more efficiently at reduced costs and we continue to drive up costs. Mr. Coffland commented that he thought this would be great although he wasn't sure how they (Faith In Action) were going to coordinate making sure seniors are safe with good people entering their homes. He said you have to check and make sure you have a background on the person you are sending into the homes. He feels to get more people into the homes is a very good investment and he will vote 'Yes' when the vote comes. (Mr. Coffland also noted clarification is also needed on when someone wants to use a senior center after hours. Maintenance and Security need to be made aware.)

Upon roll call the vote was as follows:

Mr. Probst	NO
Mr. Coffland	Yes
Mrs. Favede	NO

BREAK

IN THE MATTER OF AUTHORIZING COMMISSIONER PROBST TO EXECUTE THE AGREEMENT WITH THE STATE OF OHIO FOR OPWC FINANCIAL ASSISTANCE FOR PROJECT BEL-YOR-810-0.01

Motion made by Mrs. Favede, seconded by Mr. Coffland to approve and authorize Commissioner Charles R. Probst, Jr., to execute the agreement with the State of Ohio for Ohio Public Works Commission financial assistance for the project entitled BEL-YOR-810-0.01, Project No. CRX08, in the amount of \$399,600.00.

Note: BEL-YOR-810-0.01 is located on York Township Road 810 (Town Hill Road) immediately north of SR 148 at Powhatan Point.

**OHIO PUBLIC WORKS COMMISSION
PROJECT AGREEMENT**

LOCAL TRANSPORTATION IMPROVEMENT PROGRAM

Pursuant to Ohio Revised Code 164.05 and Ohio Administrative Code 164-1-21, this Project Agreement is entered into September 12, 2012 by and between the State of Ohio, acting by and through the Director of the Ohio Public Works Commission (hereinafter variously referred to as the "Director" or the "OPWC"), located at 65 East State Street, Suite 312, Columbus, Ohio 43215, and Belmont County, Belmont County (hereinafter referred to as the "Recipient"), located at Courthouse, St. Clairsville, OH 43950-, in respect of the project named BEL-YOR-810-0.01, and as described in Appendix A of this Agreement (hereinafter referred to as the "Project") to provide an amount not to exceed Three Hundred Ninety-Nine Thousand Six Hundred Dollars (\$399,600) for the sole and express purpose of financing or reimbursing costs of the Project as more fully set forth in this Agreement and the Appendices attached hereto.

Subdivision Code :**013-00013**

OPWC Project Control No. **CRX08**

IN WITNESS WHEREOF, the parties hereto have executed this Agreement for Project # **CRX08** as of the date first written above.

RECIPIENT

GRANTOR

STATE OF OHIO, OHIO PUBLIC WORKS COMMISSION

Charles R. Probst, Jr. /s/

By: Paul Michael Miller /s/

Hon. Charles R. Probst, Jr., Commissioner
Belmont County
Courthouse
101 West Main Street
St. Clairsville, OH 43950

Michael Miller, Director
Ohio Public Works Commission
65 East State Street
Suite 312
Columbus, OH 43215

Jayne Long /s/

Kimberly Killian /s/

WITNESS

WITNESS

Upon roll call the vote was as follows:

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

BREAK

**IN THE MATTER OF ENTERING
EXECUTIVE SESSION AT 12:35 P.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 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 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.

**IN THE MATTER OF ADJOURNING
COMMISSIONERS MEETING**

Motion made by Mr. Probst, seconded by Mr. Coffland to adjourn the meeting.

Upon roll call the vote was as follows:

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

Read, approved and signed this 26th day of September, 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