

St. Clairsville, Ohio

April 2, 2008

The Board of Commissioners of Belmont County, Ohio, met this day in regular session. Present: Gordie W. Longshaw, Charles R. Probst, Jr. and Mark A. Thomas, Commissioners and Jayne Long, Clerk of the Board. Minutes of the meeting of March 26, 2008, were read, approved and signed.

MEETINGS ARE NOW BEING RECORDED
ALL DISCUSSIONS ARE SUMMARIZED, FOR COMPLETE PROCEEDINGS
PLEASE SEE CORRESPONDING TAPE 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. Thomas, seconded by Mr. Longshaw, 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	Fax Line/General Fund	55.66
A-Belmont Co. Agriculture Society	2008 Appropriation/General Fund	11,000.00
A-Cardmember Service	Travel expenses-C. Probst/General Fund	820.42
A-D. Charlene Baker	Mileage/General Fund	42.75
A-Draft-Co., Inc.	Supplies-Engineer/General Fund	142.38
A-Draft-Co., Inc.	Web Hosting-GIS Projects/General Fund	500.00
A-Ford Motor Credit Company	Inv. #10 Cruisers for Sheriff/General Fund	91,561.23
A-Linda S. Jurco	Transcript/General Fund	171.00
A-Ohio AFSCME Care Plan	Dental & Drug Coverage/General Fund	696.00
A-Quill Corp.	Supplies-Juvenile Ct./General Fund & Title IV-E Fund	348.24
A-Sam's Club Direct	Supplies-EMA/General Fund	380.14
A-Xerox	Copier rental-Magistrate/General Fund	267.82
J-Thomas Schirack, A.S.A.	Contract Services/Real Estate Assessment Fund	11,700.00
M-Ferren Studio	Graduation cost/Placement II Juvenile Court Fund	150.00
N-Colaianni Construction, Inc.	Applic. #10/Jail Construction Project	234,337.07
N-Marshall J. Piccin & Assoc.	Feb. professional services/Jail Construction Fund	420.00
N-S.A. Comunale Co., Inc.	Applic. #6/Jail Construction Fund	9,288.50
N-Manatron	Contract Services-Auditor/Capital Project Reserve Fund	36,390.00
N-W.G. Tomko, Inc.	Applic. #12704-10/Jail Construction Fund	24,302.34
S-Amy Busic	Guardian Ad Litem Fees/Common Pleas Ct.-General Special Projects	325.00
S-Beth Andes, M.S., PCC	Contract services-GS/District Detention Home Fund	1,750.00
S-Columbia Gas	Contract service-GS/District Detention Home Fund	442.98
S-Treasurer of State-Commodities	Food Service Expenses/District Detention Home Fund	218.95
T-Chase Bank	CDBG Funds	45,657.00
T-Chase Bank	CDBG Funds	34,348.00

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

Motion made by Mr. Thomas, seconded by Mr. Longshaw to approve the Recapitulation of Vouchers dated for April 2, 2008, as follow:

FUND	AMOUNT
A-GENERAL	\$984.01; \$4,187.60
GENERAL/AUDITOR	\$1,266.91
GENERAL/SHERIFF	\$739.53; \$4,053.23
GENERAL/911	\$319.36
E/911	\$4,560.84
H-Job & Family, CSEA	\$20,077.66
H-Job & Family, Public Assistance	\$2,886.78; \$206.19; 74,560.14; \$1,916.99
H-Job & Family, WIA	\$8,060.62; \$4,493.08
K-Engineer MVGT	\$65,361.62; \$4,876.00; \$3,047.96
M-Juvenile Ct.-Title IV-E Reimb	\$206.25
M-Juvenile Ct.-Intake Coordinator	\$320.45
P-Oakview Admn. Bldg.	\$1,425.78
S-District Detention Home	\$7,237.28; \$15,113.07
S-Job & Family, Children Services	\$22,376.84; \$1,115.51
S-Oakview Juvenile Residential Center	\$3,825.44
S-Port Authority	\$335.49

Upon roll call the vote was as follows:

Mr. Thomas	Yes
Mr. Longshaw	Yes
Mr. Probst	Yes

IN THE MATTER OF TRANSFERS WITHIN FUND FOR
THE GENERAL FUND/AUDITOR

Motion made by Mr. Thomas, seconded by Mr. Longshaw to approve the following transfers within fund for the General Fund.

FROM	TO	AMOUNT
E-0011-A001-B11.000 Other Expenses	E-0011-A001-B05.012 Computer	20,000.00
E-0011-A001-B04.012 Equipment	E-0011-A001-B05.012 Computer	18,500.00

Upon roll call the vote was as follows:

Mr. Thomas	Yes
Mr. Longshaw	Yes
Mr. Probst	Yes

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

Motion made by Mr. Thomas, seconded by Mr. Longshaw to approve the following transfer within General Fund.

FROM	TO	AMOUNT
E-0051-A001-A50.000 Budget Stab (additional insurance premium)	E-0256-A014-A01.000 County Bldg Ins	\$29,500.00

Upon roll call the vote was as follows:

Mr. Thomas	Yes
Mr. Longshaw	Yes
Mr. Probst	Yes

**IN THE MATTER OF TRANSFER WITHIN FUND FOR
THE GENERAL FUND/PROBATE COURT**

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

FROM	TO	AMOUNT
E-0081-A002-D02.002 Salaries	E-0081-A002-D12.000 Other Expenses	\$ 10,000.00

Upon roll call the vote was as follows:

Mr. Thomas	Yes
Mr. Probst	Yes
Mr. Longshaw	Yes

**IN THE MATTER OF TRANSFERS WITHIN FUND FOR
CARE AND CUSTODY JUVENILE COURT FUND**

Motion made by Mr. Longshaw, seconded by Mr. Probst to approve the following transfers within fund for the Care and Custody Juvenile Court Fund.

FROM	TO	AMOUNT
CARE AND CUSTODY	CARE AND CUSTODY	
E-0400-M060-M50.000 Grant Holding Account	E-0400-M060-M25.003 PERS	5,000.00
	E-0400-M060-M27.005 Medicare	189.00
	E-0400-M060-M28.004 Workers Comp	2,700.00
	E-0400-M060-M29.008 Insurances	<u>6,000.00</u>
TOTAL		13,889.00

Upon roll call the vote was as follows:

Mr. Longshaw	Yes
Mr. Probst	Yes
Mr. Thomas	Yes

**IN THE MATTER OF ADDITIONAL APPROPRIATIONS
FOR THE GENERAL FUND/SHERIFF/AUDITOR**

Motion made by Mr. Probst, seconded by Mr. Longshaw 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 April 2, 2008.

Carry Over PO's that have been closed:

FUND	AMOUNT	
<u>SHERIFF</u>		
E-0131-A006-A12.000 Travel	1,441.92	<i>Closed PO 408486</i>
E-0131-A006-A03.010 Supplies	3.18	<i>Closed PO 408474</i>
E-0131-A006-A17.012 Cruisers	84.95	<i>Closed PO 408488</i>
E-0131-A006-A07.000 Training	4.20	<i>Closed PO 408491</i>
<u>AUDITOR</u>		
E-0011-A001-B11.000 Other Expenses	17,000.00	<i>Closed PO</i>
E-0011-A001-B04.012 Equipment	8,500.00	<i>Closed PO</i>
<u>COMMISSARY FUND/SHERIFF</u>		
E-5100-S000-S01.010 Supplies	368.99	<i>Closed PO</i>

Upon roll call the vote was as follows:

Mr. Probst	Yes
Mr. Longshaw	Yes
Mr. Thomas	Yes

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

Motion made by Mr. Thomas, seconded by Mr. Longshaw granting permission for county employees to travel as follows:

BCDJFS – Various employees to various conferences in April and May, 2008. Estimated expenses: \$1,121.86

Upon roll call the vote was as follows:

Mr. Thomas	Yes
Mr. Longshaw	Yes
Mr. Probst	Yes

**IN THE MATTER OF REQUEST FOR CERTIFICATION
OF MONIES BY THE BUDGET COMMISSION**

Motion made by Mr. Probst, seconded by Mr. Longshaw to request the Belmont Co. Budget Commission certify the following monies.

FEMA-Hazard Mitigation Neffs Fund - \$30,914.70 paid into R-9712-T070-T01.501 on April 2, 2008. Draw No. 4.

Upon roll call the vote was as follows:

Mr. Probst	Yes
Mr. Longshaw	Yes
Mr. Thomas	Yes

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

Motion made by Mr. Probst, seconded by Mr. Longshaw to execute payment of Then and Now Certification dated March 20, 2008, 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. Longshaw	Yes
Mr. Thomas	Yes

OPEN PUBLIC FORUM -

Mr. Lou Johnson asked for clarification on the proposed Belmont-Guernsey-Harrison joint water district project and who would be the controlling authority per the Ohio Revised Code. Commissioner Thomas said that authority has not been researched at this time. He said it is not yet sure if this project could be completed logistically. Commissioner Thomas explained at this time data is being collected to see if this project is even feasible.

Richard Hord inquired as to what the county will do as a result of the announcement by Wheeling-Pittsburgh Steel to closing some of their operations and displacing over 100 employees. Commissioner Probst noted he learned of this just Monday morning. He said the Ohio Department of Job & Family Services is working with Belmont Co. DJFS regarding the laid off employees. He said the 90 day notice was just given and some employees will be placed in other parts of the plants and will need retrained. Commissioner Probst also noted the City of Martins Ferry will take the biggest loss as may the Martins Ferry School District. Commissioner Probst stated the county will do what it can to retain jobs, retrain workers and help find new jobs if employees are permanently laid off. Commissioner Thomas said the Belmont County Department of Job & Family Services has already been in contact with Wheeling-Pitt. Commissioner Longshaw said he has met with the County Auditor concerning the effects to the city of Martins Ferry.

IN THE MATTER OF APPROVING APPLICATION FOR PAYMENT FROM METAL MASTERS, INC./JAIL ADDITION PROJECT

Motion made by Mr. Thomas, seconded by Mr. Longshaw to approve the following Applications for Payment for the Belmont County Jail Addition Project, based upon the recommendation of Craig Van Horn, Architect, Wachtel & McAnally Architects/Planners, Inc. and Marshall Piccin, Project Engineer:

CONTRACTOR	APPLICATION NO.	AMOUNT
Metal Masters, Inc. (HVAC)	#11	\$59,619.00

Upon roll call the vote was as follows:

Mr. Thomas	Yes
Mr. Longshaw	Yes
Mr. Probst	Yes

IN THE MATTER OF AWARDING BID FOR FURNISHING VARIOUS ASPHALT MATERIALS/ BELMONT COUNTY ENGINEER

Motion made by Mr. Thomas, seconded by Mr. Longshaw to award the bid for furnishing various asphalt materials to be picked up at the plant by the Belmont County Engineer's Department to all three bidders as follows, based upon the recommendation of Fred Bennett, County Engineer; all three suppliers bid various prices for various grades of bituminous asphalt:

- Lash Excavating & Paving, Inc. (Martins Ferry Plant)
- Shelly & Sands (Morristown Plant)
- Wilson Blacktop Corp. (Martins Ferry Plant)

Upon roll call the vote was as follows:

Mr. Thomas	Yes
Mr. Longshaw	Yes
Mr. Probst	Yes

IN THE MATTER OF ADVERTISING FOR BIDS FOR ENGINEER'S PROJECT 08-3 DUMP BODIES, ETC. AND PROJECT 08-4 SERVICE BODY

Motion made by Mr. Thomas, seconded by Mr. Longshaw to advertise for bids for the following projects for the Belmont County Engineer's Department based upon the recommendation of Fred Bennett, County Engineer and authorize the Clerk of the Board to proceed with the required Notice to Bidders.

- 1) **Project 08-3** Furnishing and installing two (2) each-dump bodies, hoist, central hydraulics, snow plow and material spreader for a new International single axle truck chassis
- 2) **Project 08-4** Furnishing and installing one (1) Service Body for a new International single axle 4-wheel drive truck chassis

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, St. Clairsville, Ohio 43950 until 10:45 A.M. (Local time), Wednesday, April 23, 2008 for **Project 08-3** Furnishing and Installing Two (2) New Dump Bodies, Hoist, Central Hydraulics, Snow Plows and Material Spreader, for the Belmont County Engineer's Department, and then at said office publicly opened and read aloud.

Copies of specifications and proposals 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 contain the full name of the party or parties submitting the proposal and all persons interested therein. Each bid must be accompanied by a bid Guaranty meeting the requirements of Section 307.88 of the Ohio Revised Code as follows: A Bond or Certified Check, Cashier's Check or Money Order on a Solvent Bank or Savings and Loan Association in an amount equal to 5% of the bid.

The County reserves the right to reject any and all proposals and award a contract to that bidder which is in the best interest of the County.

The Board reserves the right to reject any and all bids.

By the order of the Board of County Commissioners
of Belmont County, Ohio.

Jayne Long /s/

Jayne Long, Clerk

Times Leader - Adv. 2 – Tuesday, April 8, 2008 and Tuesday, April 15, 2008

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, St. Clairsville, Ohio 43950 until 10:55 A.M. (Local time), Wednesday, April 23, 2008 for Project 08-4 Furnish and Install One (1) New Service Body for the Belmont County Engineer's Department, and then at said office publicly opened and read aloud.

Copies of specifications and proposals 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 contain the full name of the party or parties submitting the proposal and all persons interested therein. Each bid must be accompanied by a bid Guaranty meeting the requirements of Section 307.88 of the Ohio Revised Code as follows: A Bond or Certified Check, Cashier's Check or Money Order on a Solvent Bank or Savings and Loan Association in an amount equal to 5% of the bid. The County reserves the right to reject any and all proposals and award a contract to that bidder which is in the best interest of the County.

The Board reserves the right to reject any and all bids.

By the order of the Board of County Commissioners of Belmont County, Ohio.

Jayne Long /s/

Jayne Long, Clerk

Times Leader - Adv. 2 – Tuesday, April 8, 2008 and Tuesday, April 15, 2008

Upon roll call the vote was as follows:

Mr. Thomas	Yes
Mr. Longshaw	Yes
Mr. Probst	Yes

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

Motion made by Mr. Longshaw, seconded by Mr. Probst to approve the minutes of the Belmont County Board of Commissioners regular meeting of: March 26, 2008.

Upon roll call the vote was as follows:

Mr. Longshaw	Yes
Mr. Probst	Yes
Mr. Thomas	Yes

11:00 Agenda Item: "CHILD ABUSE PREVENTION MONTH" RESOLUTION

Present: Director Dwayne Pielech, BCDJFS employees Lorrie Bittengle and John LaRoche. Mr. Pielech presented a handout detailing recent statistics. The number of children in county custody has fallen in the past several years from a high of 75 children in care to 43 in care today. Mr. Pielech said the agency will again display pinwheels representing complaint calls received in an effort to bring awareness to this problem.

IN THE MATTER OF ADOPTING RESOLUTION DESIGNATING APRIL 2008 AS "CHILD ABUSE PREVENTION MONTH"

Motion made by Mr. Thomas, seconded by Mr. Probst to adopt a resolution designating APRIL 2008 AS "CHILD ABUSE PREVENTION MONTH" throughout Belmont County.

"CHILD ABUSE PREVENTION MONTH"

WHEREAS, child abuse and neglect are recognized as one of our most pressing social problems, affecting many of Belmont County children each year; and

WHEREAS, each child has the right to live and grow in a safe, secure, and supportive environment and is entitled to be loved, cared for, nurtured, and to be free from verbal abuse, sexual abuse, emotional and physical abuse and neglect; and

WHEREAS, 391 reports of abuse, neglect and maltreatment were reported to Belmont County's Children Services in 2007 by law enforcement, neighbors, and friends, family members, mental health professionals, medical professionals, school personnel or anonymously. Of those 391 reports, 121 were for physical abuse; 74 were for sexual abuse; and 196 were for neglect; and

WHEREAS, it takes a community to protect a child and community action is needed to break the cycle of abuse and neglect to improve family life and Belmont County is stronger when all citizens become aware of child abuse and neglect prevention and become involved in supporting parents to raise their children in a safe, nurturing environment; and

WHEREAS, the Belmont County Board of Commissioners and the Belmont County Department of Job and Family Services support and promote the partnership between the State of Ohio, county and local public and private agencies and our community to prevent child abuse and neglect; and

WHEREAS, our nation recognizes each April as Child Abuse Prevention Month, and Belmont County agencies and organizations work together to heighten awareness and draw attention to the need for preventing child abuse in our communities; and

WHEREAS, Pinwheels for Prevention was designed as a visual way to demonstrate the real fact that abuse is prevalent in every community and that we each need to do our part to assist in breaking the vicious cycle;

WHEREAS, Belmont County residents celebrate children, this county's GREATEST resource and the community leaders of tomorrow;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Belmont County Commissioners that they do hereby designate APRIL 2008 as "**CHILD ABUSE PREVENTION MONTH**" throughout the County of Belmont.

Adopted April 2, 2008

Upon roll call the vote was as follows:

Mr. Thomas	Yes
Mr. Probst	Yes
Mr. Longshaw	Yes

IN THE MATTER OF ENTERING EXECUTIVE SESSION AT 11:15 P.M. WITH DWAYNE PIELECH, DIRECTOR AND LORI O'GRADY BCDJFS

Motion made by Mr. Thomas, seconded by Mr. Probst to enter executive session with Dwayne Pielech, Director, and Lori O'Grady, Human Resource Manager, Belmont County Department of Job & Family Services, pursuant to 121.22(G)(4) to review collective bargaining negotiations.

Upon roll call the vote was as follows:

Mr. Thomas	Yes
Mr. Probst	Yes
Mr. Longshaw	Yes

IN THE MATTER OF ADJOURNING EXECUTIVE SESSION AT 11:55 P.M. WITH DWAYNE PIELECH, DIRECTOR AND LORI O'GRADY BCDJFS

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

Upon roll call the vote was as follows:

Mr. Probst	Yes
Mr. Longshaw	Yes
Mr. Thomas	Yes

AS A RESULT OF EXECUTIVE SESSION: NO ACTION TAKEN.

**IN THE MATTER OF ADOPTING A RESOLUTION
DECLARING APRIL AS FAIR HOUSING MONTH**

Motion made by Mr. Thomas, seconded by Mr. Probst to adopt a Resolution declaring April as Fair Housing Month.

RESOLUTION

“FAIR HOUSING MONTH”

WHEREAS, The Belmont County Board of Commissioners annually designates April as “Fair Housing Month”; and
WHEREAS, April 2008 is the 40th anniversary of the passage of the Federal Fair Housing Act, which guarantees the right of equal housing opportunity, and

WHEREAS, the mission of fair housing in Ohio is to improve the quality of life for all residents and celebrate Ohio’s fair housing law which is substantially equivalent to the federal Fair Housing Act; and

WHEREAS, The Belmont County Fair Housing Commission continues to enforce the policy of Belmont County which ensures all citizens their right to equal housing opportunities, regardless of race, color, religion, gender, familial status, national origin, disability, and military status.

NOW, THEREFORE, BE IT RESOLVED, We, the Board of Commissioners of Belmont County, Ohio wish to acknowledge the County’s endorsement and commitment to celebrate the 40th Anniversary of the passage of the Fair Housing Act and encourage citizens to acquaint themselves with their rights that are protected under the law, and join in reaffirming a commitment to Fair Housing for all.

Adopted this 2nd day of April, 2008.

Upon roll call the vote was as follows:

Mr. Thomas	Yes
Mr. Probst	Yes
Mr. Longshaw	Yes

Mrs. Jenkins gave a brief presentation on her department and upcoming activities. She noted there are eight (8) protected classes now with the military just added. Commissioners thanked Mrs. Jenkins for her efforts as Director of Fair Housing and for doing a “great job.”

**IN THE MATTER OF APPROVING AND SIGNING LETTER
OF ARRANGEMENT WITH AUDITOR OF STATE’S OFFICE
RE: 2007 BELMONT COUNTY AUDIT**

Motion made by Mr. Thomas, seconded by Mr. Probst to approve and sign the letter of arrangement with the Auditor of State for services to be performed regarding the Belmont County Audit for the year ended December 31, 2007; the audit is expected to be completed by June 30, 2008 at an estimated cost of \$89,500.00

Upon roll call the vote was as follows:

Mr. Thomas	Yes
Mr. Probst	Yes
Mr. Longshaw	Yes

**IN THE MATTER OF ENTERING INTO AN AGREEMENT
WITH DIGITAL DATA COMMUNICATIONS, INC.**

Motion made by Mr. Thomas, seconded by Mr. Probst to enter into Consulting Services Agreement with Digital Data Communications, Inc. effective April 1, 2008 in the amount of \$8,300.00 per month for a 3 month period for the services listed below for all locations listed in Exhibit I:

- Full technical support for pc’s, servers, and technical infrastructure
- Software system administration services for the Hyland Onbase system

CONSULTING SERVICES AGREEMENT

This Agreement is entered into as of April 1, 2008 (the “Effective Date”) between Digital Data Communication, Inc. (DDC) and the Belmont County Commissioners.

The parties agree as follows:

1. SERVICES. DDC agrees to perform the services (the “Services”) described below for all locations listed in Exhibit I

The services covered in this agreement are listed below:

- Full technical support for pc’s, servers, and technical infrastructure.
- Software system administration services for the Hyland Onbase system

2. CHARGES; INVOICING AND PAYMENT. As consideration for DDC’s services, Customer agrees to pay DDC the \$8,300 per month for 3 months.

Invoices will be issued monthly by DDC. Payment is due within 30 days after Customer’s receipt of the invoice. A delayed payment charge of one and one-half percent (1.5%) of the invoice amount will be paid by Customer for each 30-day period (or part thereof) of delay in payment beyond the payment due date.

3. RECORDS AND PROGRESS REPORTS. DDC shall keep full and accurate records of all its labor hours and reimbursable expenses incurred in connection with this Agreement. DDC shall provide access to such records upon Customer’s reasonable request.

4. CONFIDENTIALITY OBLIGATIONS. All information and material that may be disclosed by one party to the other in the course of this Agreement is considered confidential and proprietary and will not be used by the receiving party other than for the purposes under this Agreement for which it was disclosed. The receiving party will protect such information from disclosure to third parties and hold it as confidential using the same degree of care as that party uses to protect its own confidential or proprietary material of like importance, but at least reasonable care. This obligation will continue for a period of two (2) years following receipt of the material and will survive any termination of this Agreement, but it will not cover any information which is disclosed to a third party by the disclosing party without restrictions on disclosure, any information that has been or is developed independently by the receiving party without violation of obligations of confidentiality any information that falls into the public domain without fault of the receiving party, any information that is rightly obtained by the receiving party from a third party without restriction, or any information that is rightly in the possession of the receiving party at the time of disclosure by the disclosing party.

5. STATUS OF DDC AS INDEPENDENT CONTRACTOR. DDC shall devote such time and effort to the performance of the Services as may be necessary to satisfactorily complete the work. DDC shall be an independent contractor in the performance of this Agreement and shall not be deemed an employee or agent of Customer for any purpose whatsoever. Neither party shall have power to act as an agent of the other or bind the other in any respect. DDC’s performance shall be in compliance with all applicable statutes or regulations of any jurisdiction or governmental agency.

6. WORKPLACE. IF DDC is requested by Customer to provide Services on Customer premises, Customer agrees to provide DDC personnel a safe workplace whose standards are consistent with that of its own employees. Customer also agrees to provide reasonable access to its personnel necessary for DDC to perform Services. DDC personnel will observe all safety and other applicable rules in effect at such workplace, provided that notice of the rules has been supplied to DDC and such personnel.

7. NON-SOLICITATION. Customer shall not solicit employment from any of DDC’s employees whose work relates to this Agreement, during the term of this Agreement and for a period of one year after termination of this Agreement, without DDC’s prior written consent.

8. MISCELLANEOUS.

Unless otherwise specifically provided in this Agreement, the terms of this Agreement shall prevail over any conflicting provision of any applicable Work Order.

Notices will be effective when received in writing at the addresses set forth below.

Customer or DDC may not assign its rights under this Agreement without the prior written consent of either party.

Neither party shall issue any press release or other public disclosure concerning this Agreement without prior written consent of the other party, which shall not be unreasonably withheld. However, either party may disclose the existence of this Agreement or its contents as may be required to comply with applicable laws or regulations. Notwithstanding the above, Customer hereby consents to the use of Customer's name only in any listings or representative clients.

This Agreement constitutes the entire agreement of the parties, supersedes any prior understandings relating to the subject matter hereof, and may be amended or supplemented only in a written agreement signed by DDC and Customer. All preprinted clauses on any order form by Customer are deemed deleted. The parties agree that Agreements with one or more faxed signatures shall have the same force and effect as an originally executed Agreement.

ACCEPTED AND AGREED TO BY:

Digital Data Communications, Inc.

By: Donald W. Monk /s/

Name: Donald "Wes" Monk

Title: President - Digital Data Communications

Date: 4/3/08

Belmont County Commissioners

By: Mark A. Thomas /s/

Name: Mark A. Thomas

By: Charles R. Probst, Jr. /s/

Name: Charles R. Probst, Jr.

By: Gordie W. Longshaw /s/

Name: Gordie W. Longshaw

Title: BELMONT COUNTY COMMISSIONERS

Date: 4/2/08

APPROVED AS TO FORM:

David K. Liberati /s/ Assistant

PROSECUTING ATTORNEY

Upon roll call the vote was as follows:

Mr. Thomas	Yes
Mr. Probst	Yes
Mr. Longshaw	Yes

IN THE MATTER OF ACCEPTING QUOTE FROM ERB ELECTRIC COMPANY FOR TELEPHONE SYSTEM FOR BELMONT CO. COURTHOUSE AND SATELLITE OFFICES

Motion made by Mr. Thomas, seconded by Mr. Probst to accept the quote from Erb Electric Company, 500 Hall Street, Suite 1, Bridgeport, Ohio in the amount of \$144,800.00 for a VODAVI XTS-IP Telephone System for the Belmont County Courthouse and satellite offices.

Note: Ohio State Term pricing-includes a 5-yr limited manufacturer's warranty on listed equipment.

March 31, 2008

Cindi Henry

Belmont Co. Courthouse

100 Main St.

St. Clairsville, OH 43950

695-2121

BELMONT CO. COURTHOUSE

VODAVI XTS-IP TELEPHONE SYSTEM QUOTATION-PRELIMINARY QUOTE

Erb Electric Co. proposes to provide materials for the following:

A. Description: Per your specs and walk-thru, Vodavi XTS system configured as:

- 40 CO's ports with Caller ID
- 4 DID Trunks (1 block of 20 numbers)
- 144 Digital Ext. Ports
- 16 Analog Ext. Ports
- 1 12-port Voicemail processor (expandable)
- 1 Attendant Station (1- 30-btn Phone + 2 Consoles)
- 110 30-btn Display Speakerphones
- 1 Ranger Cordless Digital Phone
- 3 Conferencing Phones
- 12 Plantronics Cordless Headset
- 1 Internal Modem
- 1 DISA Board
- 1 Message-on-Hold Unit with programming
- 1 Power Fail Transfer Unit
- 1 Surge Protection on CO's & AC circuit
- 1 Networking Software
- 1 Relocate Main Station to first floor
- 30 Cable runs with Jack
- 10 KSU's for satellite offices with Networking Software & Surge Protection
- 60 30-Btn Display Speakerphones in satellites
- LOT Labor for all installation, testing, initial programming, user training, and complete successful install

C. Total Investment: \$144,800.00 (One-hundred Forty-two Thousand Eight-hundred Dollars)

NOTE: Prices shown are Ohio State Term pricing

Pricing includes 5-Year limited manufacturer's Warranty on listed equipment. Customer abuse and acts of nature are not covered.

Gregg Molnar (signed electronically)

3-31-08

Date _____

Gregg Molnar; Telecom Sales Manager, Erb Electric

Upon roll call the vote was as follows:

Mr. Thomas	Yes
Mr. Probst	Yes
Mr. Longshaw	Yes

IN THE MATTER OF APPROVING PAYMENT OF

**INVOICE FROM FORD MOTOR CREDIT CO./
BELMONT CO. SHERIFF'S DEPARTMENT**

Motion made by Mr. Thomas, seconded by Mr. Probst to approve the payment of the invoice from Ford Motor Credit Company in the amount of \$91,561.23 for ten (10) 2008 Ford Crown Victoria Police Sedans for the Belmont County Sheriff's Department; 3 year lease agreement-Account Number 4691104, Lease No. 4691100 and to accept the Sheriff's letter of request to release the Bid Bond in the amount of #13,028.50 to Doan Ford.

Upon roll call the vote was as follows:

Mr. Thomas	Yes
Mr. Probst	Yes
Mr. Longshaw	Yes

Commissioner Thomas noted that per the letter received today by the Board, Sheriff Thompson has inspected the vehicles and they comply.

**IN THE MATTER OF APPROVING PAYMENT OF ANNUAL
INVOICE FROM CORSA FOR 2008/2009 PROGRAM COSTS**

Motion made by Mr. Probst, seconded by Mr. Thomas to approve the payment of the annual invoice from CORSA (County Risk Sharing Authority) in the amount of \$434,491.00 for the 2008/2009 program costs.

Note: Last year's payment was \$394,874.00

Upon roll call the vote was as follows:

Mr. Probst	Yes
Mr. Thomas	Yes
Mr. Longshaw	Yes

**IN THE MATTER OF AUTHORIZING THE DIRECTOR
OF THE SANITARY SEWER DISTRICT TO OFFER EMPLOYMENT
FOR THE POSITION OF PROJECT MANAGER**

Motion made by Mr. Probst, seconded by Mr. Thomas to authorize Mark Esposito, Director, Belmont County Sanitary Sewer District, to offer employment for the position of Project Manager for the Belmont County Sanitary Sewer District at the starting annual salary of \$37,960.00.

Upon roll call the vote was as follows:

Mr. Probst	Yes
Mr. Thomas	Yes
Mr. Longshaw	Yes

**IN THE MATTER OF APPROVING PAYMENT OF INVOICE
FROM BRANDI PATT/COMMISSIONERS' WEBSITE**

Motion made by Mr. Probst, seconded by Mr. Thomas to approve the payment of Invoice #1154 to Brandi Patt, Shadyside, Ohio in the amount of \$160.00 for updates and maintenance to the commissioners' website.

Upon roll call the vote was as follows:

Mr. Probst	Yes
Mr. Thomas	Yes
Mr. Longshaw	Yes

**IN THE MATTER OF ADJOURNING
COMMISSIONERS MEETING AT 12:15 P.M.**

Motion made by Mr. Thomas, seconded by Mr. Longshaw to adjourn the meeting at 12:15 p.m.

Upon roll call the vote was as follows:

Mr. Thomas	Yes
Mr. Longshaw	Yes
Mr. Probst	Yes

Read, approved and signed this 9th day of April, 2008.

_____ COUNTY COMMISSIONERS

We, Gordie W. Longshaw 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