

St. Clairsville, Ohio

July 2, 2008

The Board of Commissioners of Belmont County, Ohio, met this day in regular session. Present: Gordie W. Longshaw and Mark A. Thomas, Commissioners and Jayne Long, Clerk of the Board. Absent: Charles R. Probst, Jr. (Vacation) Minutes of the meeting of June 25, 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.

Claim of	Purposes	Amount
A-AT&T	Misc. phone service/General Fund	724.32
A-A T & T	Phone Service, Magistrate, General Fund	59.02
A-Cardmember Services (Elan)	Travel expenses-C. Probst/General Fund	25.90
A-Cardmember Services (Elan)	Travel expenses-G. Longshaw/General Fund	439.98
A-Cardmember Services (Elan)	Travel expenses-M. Thomas/General Fund	644.97
A-Chevron & Texaco Business Card	Misc. gasoline expenses/General Fund	2,556.72
A-J.P. Cooke Company	Court stamps-Eastern Div. Ct./General Fund	105.80
A-Lowes	Maintenance supplies/General Fund	1,433.59
A-Manatron	Monthly support/General Fund	31,213.20
A-Quill	Office Supplies, Common Pleas, General Fund	156.14
A-U.S. Postal Service (CMRS-FP)	Postage for machine/General Fund	25,000.00
A-Wheeling Office Supply Co.	Furniture-Prosecutor/General Fund	968.00
M-Mary Lyle	Mileage/Intake Coordinator-Juv. Court Fund	187.20
M-Ohio Assoc. of Probate Judges	Training/Title IV-E Reimb	310.00
N-ERB Electric Company	Applic. #3/Jail Expansion Grant Fund	119,851.02
P-Renee' Wilson	Reimburse travel exp./BCSSD Funds	146.25
P-Yorkville Board of Trustees of Public Affairs	Sewage Disposal/BCSSD Funds	513.29
S-Belmont Senior Services	\$130,724.00	
S-Technology Services Group, Inc.	Scanner Services/Eastern Div. Ct. Computer Services	1,300.00
T-Chase Bank	CDBG Funds	106,000.00
T-Chase Bank	CDBG Funds	62,476.00
W-Print 'n Copy	Brochures/Prosecutor Victim Assistance Fund	104.00
Y-Health Plan, HMO	July premium/Employer's Share Holding Account	171,279.22
Y-Health Plan, PPO	July premium/Employer's Share Holding Account	217,652.09

**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 July 2, 2008 as follow:

FUND	AMOUNT
A-GENERAL	\$32,925.59; \$784.43; \$1,567.50; \$604.74
GENERAL/ATTORNEY FEES	\$8,145.05
GENERAL/EMA	\$1,251.59
GENERAL/SHERIFF	\$1,002.76
B-Dog and Kennel	\$705.65
H-County Home, Park Health	\$12,277.55
H-Job & Family, Public Assistance	\$5,183.25; \$1,268.13; \$635.23
M-Juvenile Ct. – Title IV-E	\$848.24
P-Oakview Admn Bldg.	\$2,447.33
P-Sanitary Sewer District	\$6,458.31; \$2,824.23; \$1,128.78
S-District Detention Home	\$6,260.05
S-Oakview Juvenile Residential Center	\$7,977.95
S-Port Authority	\$137.64
S-Sheriff CCW	\$3,614.00

Upon roll call the vote was as follows:

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

**IN THE MATTER TRANSFER BETWEEN THE**  
**GENERAL FUND AND BELMONT COUNTY**  
**PORT AUTHORITY S012 FUND**

Motion made by Mr. Thomas, seconded by Mr. Longshaw to approve the following transfer from the Belmont County General Fund into the Belmont County Port Authority Fund.

FROM	TO	AMOUNT
E-0051-A001-A39.000 Port Auth (2008 allocation)	R-9799-S012-S04.574 Trans In	\$87,195.72

Upon roll call the vote was as follows:

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

**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.

<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
E-0051-A001-A50.000 Budget Stab	E-0231-A001-H01.000 Examinations	\$7,000.00

Upon roll call the vote was as follows:

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

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

Motion made by Mr. Longshaw, seconded by Mr. Thomas to execute payment of Then and Now Certification dated July 2, 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. Longshaw	Yes
Mr. Thomas	Yes
Mr. Probst	Absent

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

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

**BCDJFS** – Michael Klinec, Jack Cera and Vincent Gianangeli to various meetings in June and July, 2008. Estimated expenses: \$421.16  
**SANITARY SEWER DISTRICT** – Kelly Porter to Marietta, Ohio, on July 17, 2008, to attend the Ohio Public Works Application Workshop. A county vehicle will be used.

Upon roll call the vote was as follows:

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

**OPEN PUBLIC FORUM** - Richard Hord asked the board for a timeline on moving the Department of Job & Family Services offices to the former Habilitation Center. He was advised by Commissioner Thomas this idea is still in the investigatory phase. Mr. Hord asked if a One-Stop Office would be included. Commissioner Thomas said it was possible although there are no plans yet. He said the clientele from the riverfront area need to be considered. Mr. Hord also asked about plans for the former annex building on St. Rt. 331. Mr. Thomas noted that building was vacated years ago, it has served the county well, and needs demolished. If it were demolished, funding would need to be secured, which would not be the best use of taxpayer dollars. He said there are no immediate plans for this building and no plans to tear it down. Commissioner Longshaw advised that Dr. Bukowski of Belmont Technical College is looking for grants for use as a historical landmark. The college's historic architecture and design classes would like to restore the building, if grant funding is secured.

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

Motion made by Mr. Thomas, seconded by Mr. Longshaw to approve the minutes of the Belmont County Board of Commissioners regular meeting of: June 18, 2008.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ACCEPTING PUBLIC ROAD PETITION  
FOR THE VACATION OF 20 FT. OFF THE EASTERLY SIDE OF  
WEST VIEW DRIVE (T-1359) PEASE TWP/RD IMP 1102**

Motion made by Mr. Thomas, seconded by Mr. Longshaw to accept the following Public Road Petition submitted by freeholders of said county residing in the vicinity of the proposed improvement "the vacation of 20 ft. off the easterly side of West View Drive (T-1359) located in Pease Township, Sec 3, T6, R3 and recorded in "Plat of Brookview Terrace" and hereby authorize the Clerk of the Board to establish the required date and time for the viewing and hearing and proceed with the Notice of Publication for the proposed vacation hereinafter known as Road Improvement 1102 in accordance with Ohio Revised Code Section 5553.04.

**PUBLIC ROAD PETITION**

**Rev. Code Sec. 5553.04**

**Belmont County, Ohio  
RD IMP 1102**

**July 2, 2008**

**To the Honorable Board of County Commissioners of Belmont County, Ohio:**

*The undersigned petitioners, freeholders of said County residing in the vicinity of the proposed improvement hereinafter described, represent that the public convenience and welfare require the vacation of 20 ft off the easterly side of West View Drive (T-1359) located in Pease Township Section 3, T-6, R-3 and recorded in "Plat of Brookview Terrace" as Cabinet A Slide 8 in the Belmont County Recorder's Office, a Public Road on the line hereinafter described, and make application to you to institute and order proper proceedings in the premises, for vacating such road, the same not being a road on the State Highway System.*

*The following is the general route and termini of said road:*

Being a 20' x 100' strip located adjacent to the westerly side of Lot #10 and also being the easterly 20' of Pease Township Road 1359 known as West View Drive recorded in "Plat of Brookview Terrace" as Cabinet A Slide 8 in the Belmont County Recorder's Office.

<b>Petitioners' Name</b>	<b>Address of Petitioner</b>
(PRINT NAME)	(PLEASE PRINT)
(SIGN NAME)	

Donald J. Thomas /s/	55490 Sunset Drive, Bridgeport, OH 43912
Carolyn M. Thomas /s/	55490 Sunset Drive, Bridgeport, OH 43912
Craig P. Thomas /s/	55524 Terrace Drive, Bridgeport, OH 43912
Mary Kovack /s/	55550 Terrace Dr., Bridgeport, OH 43912
Kenneth Kovack /s/	55550 Terrace Dr., Bridgeport, OH 43912
Jean Watson /s/	55554 Poplar Ave., Bridgeport, OH 43912
Arden Watson /s/	55554 Poplar Ave., Bridgeport, OH 43912
Stephanie Jennette /s/	55510 Terrace Drive, Bridgeport, OH 43912
Charles C. Bell /s/	55579 Terrace Drive, Bridgeport, OH 43912

Sue A. Bell /s/	55579 Terrace Drive, Bridgeport, OH 43912
Amanda S. Otto /s/	55517 Terrace Drive, Bridgeport, OH 43912
Matthew S. Otto /s/	55517 Terrace Drive, Bridgeport, OH 43912
John Ruskowski /s/	55549 Terrace Drive, Bridgeport, OH 43912
Lewis C. Fields /s/	55563 Terrace Dr., Bridgeport, OH 43912
Jon Saunders /s/	67980 Brookview Dr., Bridgeport, OH 43912
Jeffery L. Jennette /s/	55510 Terrace Dr., Bridgeport, OH 43912

Upon roll call the vote was as follows:

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

**IN THE MATTER OF THE VACATION OF  
20 FT OFF THE EASTERLY SIDE OF WEST  
VIEW DRIVE (T-1359) PEASE TWP.,  
SEC. 3, T-6, R-3/RD IMP 1102**

**Office of County Commissioners**

**Belmont County, Ohio**

**Journal Entry, Order Fixing Time and Place of View and of Final Hearing and Notice  
Thereof on Public Road Petition  
Rev. Code, Sec. 5553.05  
RD. IMP. 1102**

Mr. Thomas moved the adoption of the following:

**RESOLUTION**

WHEREAS, A Petition signed by at least twelve freeholders of the County residing in the vicinity of the proposed improvement has been presented to this Board of County Commissioners requesting said Board to vacate 20 ft off the easterly side of West View Drive (T-1359) located in Pease Township Section 3, T-6, R-3, and recorded in "Plat of Brookview Terrace" as Cabinet A Slide 8 in the Belmont County Recorder's Office.

RESOLVED, That the 16th day of July, 2008 at 1:30 o'clock P.M., be fixed as the date when we will view the proposed improvement, on which date we will meet at the site and go over the line of said proposed improvement; and be it further

RESOLVED, That the 23rd day of July, 2008, at 11:00 o'clock A.M. be fixed as the date for a final hearing thereof, which hearing will be at the office of the Board; and be it further

RESOLVED, That the Clerk of this Board be and she is hereby directed to give notice of the time and place for both such view and hearing by publication once a week for two consecutive weeks in the Times Leader a newspaper published and having general circulation in the County, which said notice shall also state briefly the character of said proposed improvement.

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

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

Adopted July 2, 2008

Jayne Long /s/  
Clerk, Belmont County, Ohio

**NOTICE OF TIME AND PLACE OF VIEW AND OF FINAL HEARING  
PUBLIC ROAD (by publication)  
Rev. Code, Sec., 5553.05  
ROAD IMP. # 1102**

Notice is hereby given that there is before the Board of County Commissioners of Belmont County, Ohio, the matter of the vacation of 20 ft off the easterly side of West View Drive (T-1359) located in Pease Township Section 3, T-6, R-3 and recorded in "Plat of Brookview Terrace" as Cabinet A Slide 8 in the Belmont County Recorder's Office, a public road, the general route and termini of which Road are as follows:

*Being a 20' x 100' strip located adjacent to the westerly side of Lot #10 and also being the easterly 20' of Pease Township Road 1359 known as West View Drive recorded in "Plat of Brookview Terrace" as Cabinet A Slide 8 in the Belmont County Recorder's Office.*

Said Board of County Commissioners has fixed the 16th day of July 2008, at 1:30 o'clock P.M., as the date when and the site as the place where said Board will view the proposed improvement, and has also fixed the 23rd day of July 2008, at 11:00 o'clock A.M., at their office in the Court House of said County in St. Clairsville, Ohio as the time and place for the final hearing on said proposed improvement.

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

ADV. TIMES LEADER (2) Mondays-July 7 and July 14, 2008

**IN THE MATTER OF RESOLUTION APPROVING  
THE DONATION OF COUNTY PROPERTY PER ORC 307.12  
/ SHERIFF'S PATROL UNIT CAMERAS**

Motion made by Mr. Thomas, seconded by Mr. Longshaw to adopt the following Resolution for disposal of unneeded, obsolete or unfit personal property per Ohio Revised Code 307.12 (D).

**RESOLUTION**

**WHEREAS**, the Belmont County Sheriff's Office purchased sixteen (16) Sony cameras in 2000 with Domestic Violence Grant monies that are no longer needed by the department, and;

**WHEREAS**, the Belmont County Sheriff's Department wishes to upgrade their cameras with Domestic Violence Grant monies awarded this year and have requested that the current equipment be donated to various local police departments; and

**WHEREAS**, the Belmont County Commissioners do hereby determine that pursuant to Ohio Revised Code Section 307.12(D) *the board may sell or donate county personal property, including motor vehicles, to the federal government, the state, or any political subdivision of the state without advertisement or public notification*, and;

**NOW THEREFORE BE IT RESOLVED**, that the Belmont County Commissioners do hereby find that this property is no longer needed by the Belmont County Sheriff's Department and approve the donation of the cameras to the various local police departments.

Upon roll call the vote was as follows:

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

*NOTE: Commissioner Thomas explained the cameras that are being disposed of were purchased eight (8) years ago through a Domestic Violence Grant, new cameras are being purchased with the same funds.*

**IN THE MATTER OF APPROVING CHANGE ORDERS FOR COLAIANNI CONSTRUCTION, INC./BELMONT CO. JAIL ADDITION PROJECT**

Motion made by Mr. Thomas, seconded by Mr. Longshaw to approve the following Change Orders for Colaianni Construction, Inc., (General Contractor) for the Belmont County Jail Addition Project based upon the recommendation of Wachtel & McAnally Architects/Planners, Inc. and Marshall Piccin, Project Engineer.

<u>CHANGE ORDER #</u>	<u>AMOUNT</u>
No. G-8	\$5,093.40
<i>Purpose: Two new concrete parking lot islands with curbs</i>	
No. G-9	\$1,557.27
<i>Purpose: repair existing 8" storm sewer &amp; install 4" underdrain in NW corner of parking lot</i>	

Upon roll call the vote was as follows:

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

**DISCUSSION HELD** – Commissioner Thomas announced a meeting has been tentatively set for July 23, 2008, at 1:00 p.m., to include all Belmont County Judges, the Sheriff and Jail Administrator to discuss how best to use the beds in the new jail addition in order to maximize use while keeping beds open to rent in order to pay down construction debt.

**IN THE MATTER OF APPROVING PAY REQUESTS FOR THE BELMONT COUNTY JAIL ADDITION PROJECT**

Motion made by Mr. Thomas, seconded by Mr. Longshaw to approve the following Pay Requests for the Belmont County Jail Addition Project based upon the recommendation of Wachtel & McAnally Architects/Planners, Inc. and Marshall Piccin, Project Engineer.

<u>CONTRACTOR</u>	<u>APPLICATION NO.</u>	<u>AMOUNT</u>
Metal Masters, Inc. (HVAC)	#13	\$ 2,657.00
W.G.Tomko, Inc. (Plumbing)	#13	\$ 483.00

Upon roll call the vote was as follows:

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

**IN THE MATTER OF APPROVING AND SIGNING THE CERTIFICATE OF SUBSTANTIAL COMPLETION FROM S.A. COMUNALE CO., INC./BELMONT CO. JAIL ADDITION PROJECT**

Motion made by Mr. Thomas, seconded by Mr. Longshaw to approve and sign the Certificate of Substantial Completion with attached partial punch list items from S.A. Comunale Co., Inc. (Fire Protection Contract) for the Belmont County Jail Addition Project, based upon the recommendation of Wachtel & McAnally Architects/Planners, Inc. and Marshall Piccin, Project Engineer; date of Substantial Completion for Total Project is June 11, 2008.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADVERTISING FOR BIDS FOR ROOF REPAIRS TO THE SARGUS JUVENILE CENTER**

Motion made by Mr. Thomas, seconded by Mr. Longshaw to advertise for bids for furnishing all labor, materials and equipment to repair 12,000 sq. ft. of roof with spray foam roofing at the Sargus Juvenile Center, 210 Fox Shannon Place, St. Clairsville, based upon the recommendation of Jack Regis, Belmont County Facilities Manager, and authorize the Clerk of the Board to proceed with the required Notice to Bidders.

**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 11:15 A.M. (Local Time) **Wednesday, July 23, 2008** for furnishing all labor, materials and equipment to repair 12,000 sq. ft. of roof with spray foam roofing at the Sargus Juvenile Center, 210 Fox Shannon Place, St. Clairsville, for the Belmont County Buildings & Grounds department, 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.

Any bidder needing to inspect the project site may contact Mr. Jack Regis, Belmont County Facilities Manager at (740) 310-3402. 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.

The Belmont County Commissioners reserve the right to reject any or all bids, to waive any informalities in the bids received, and to accept any bid or combination of bids which is deemed most favorable to the County at the time and under the conditions stipulated.

The Commissioners further declare that they will award the contract for this project to the lowest and best bid, which may not necessarily be the lowest bid. The Specifications contain a Bidder's Profile designed to gather certain information that may be considered in this regard. No single factor will control the Board's decision to award, and the Board reserves the right to exercise its full discretion.

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

Times Leader Advertisement: Two (2) Wednesdays, July 9 & 16, 2008

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ENTERING INTO A WORKERS' COMPENSATION  
GROUP RATING PLAN AGREEMENT WITH THE COUNTY COMMISSIONERS'  
ASSOCIATION OF OHIO (CCAO)**

Motion made by Mr. Thomas, seconded by Mr. Longshaw to enter into a Workers' Compensation Group Rating Plan Agreement with the County Commissioners' Association of Ohio (CCAO) dated July 1, 2008; the intent of the plan is to achieve lower worker's compensation rates by establishing safer working conditions and environment. The agreement becomes applicable to all rating periods beginning January 1, 2009 and thereafter.

**COUNTY COMMISSIONERS ASSOCIATION OF OHIO  
WORKERS' COMPENSATION GROUP RATING PLAN AGREEMENT**

THIS AGREEMENT, dated as of July 1, 2008, is between CCAO Service Corporation ("CCAOSC"), an Ohio corporation, and **Belmont County** ("Participant"), a political subdivision of the State of Ohio.

**Section I: INTRODUCTION**

Section 4123.29 of the Ohio Revised Code (ORC), and the rules promulgated thereunder, permit the establishment of employer group rating plans in order to group the experience of employers for workers' compensation rating purposes. The County Commissioners' Association of Ohio ("CCAO") acting through CCAOSC, its Service Corporation, as sponsoring organization within the meaning of Section 4123.29 and the regulations associated with same, hereby establishes a Group for the benefit of its membership for the purpose of obtaining a group rating pursuant to Section 4123.29, ORC. The terms and conditions for participation in the CCAO Group Rating Plan are herein established.

A participating county is hereafter referred to individually as a "Participant". Participating counties are collectively referred to as the "Group".

**Section II: NAME**

The name of the plan shall be the CCAO Workers' Compensation Group Rating Plan, hereafter referred to as the "CCAOC Group Rating Plan" or the "Plan". The principal office of the CCAO Group Rating Plan shall be located at 37 West Broad Street, Suite 650, Columbus, Ohio 43215.

**Section III: PURPOSE OF GROUP PLAN**

The CCAO Group Rating Plan is intended to: (1) achieve lower workers' compensation rates for the Group, and (2) result in the establishment of safer working conditions and environments for each Participant.

**Section IV: REPRESENTATIONS AND WARRANTIES CONCERNING ELIGIBILITY**

1. CCAOSC, for itself and on behalf of CCAO, represents and warrants as follows:
  - (1) CCAO was created more than two years prior to the date of application for Group coverage.
  - (2) CCAO was formed for the purposes other than obtaining Group Workers' Compensation under Section 4123.29, ORC; rather it was formed for the purpose of, among other things, uniting the county commissioners of Ohio into an association to promote the best practices and policies in the administration of county government for the benefit of the people of the State of Ohio.
  - (3) The business of the Group members is substantially similar such that the policies which are grouped are substantially homogeneous.
  - (4) The aggregate workers' compensation premiums of Group members are expected to exceed \$150,000 during the rating period covered by this Agreement.
2. The Participant represents and warrants as follows:
  - (1) It is a member in good standing of the County Commissioners' Association of Ohio.
  - (2) It has an Ohio Bureau of Workers' Compensation ("OBWC") policy number for counties and its account with OBWC is in good standing such that no outstanding premiums, penalties or assessments are due from it.
  - (3) It is not a member of any other group for the purpose of obtaining workers' compensation coverage under Section 4123.29, ORC.
  - (4) Its 2007 calendar year payroll does not exceed \$55,000,000. Counties with a 2007 calendar year payroll of \$55,000,000 or more will not be eligible for membership in the Rating Plan. The maximum annual payroll amount may be adjusted annually by the CCAO Workers' Compensation Group Rating Plan.
  - (5) It is current in all financial obligations to the Group.

**Section V: BASIC OBLIGATIONS OF PARTIES**

Pursuant to Section I, hereof, CCAO, acting through CCAOSC, has established the CCAO Group Rating Plan.

3. CCAOSC shall:
  - (1) coordinate and administer the CCAO Group Rating Plan in accordance with this agreement.
  - (2) file or cause to be filed all necessary applications with OBWC to obtain membership for the Participants in the CCAO Group Rating Plan; and
  - (3) perform such additional duties as are required of it by this Agreement.
4. The Participant shall:
  - (1) join and participate in the CCAO Group Rating Plan; and
  - (2) perform such additional duties and pay such fees and expenses as are required of it by this Agreement.

**Section VI: PENALTY RATED PARTICIPANTS**

Additionally, the Participant recognizes that the inclusion of Group members with a penalty modification detrimentally affects the Group rate. Each year, CCAOSC, in consultation with the TPA, shall analyze the projected experience modification of all prior year plan members. CCAOSC, in its sole discretion, may determine that a plan Participant is not eligible for any subsequent year Group plan and not renew said Participant. Alternatively, CCAOSC, in its sole discretion, may create additional allocations or contributions of such Participants, including the formation of a "Premium Discount Pool".

Effective June 1, 1999, a penalty rated county that has not previously participated in the Plan will not be eligible for membership in the Plan.

**Section VII: PREMIUM DISCOUNT POOL PARTICIPANTS**

Effective for the policy year commencing January 1, 1998, CCAOSC created a Premium Discount Pool. Prior year Participants projected to be in a penalty rating **must participate** in the CCAOSC Premium Discount Pool in order to remain in the Group Rating Plan. CCAOSC Premium Discount Pool Participants are required to implement the **CCAO 10 Step Safety Plan for County Government**, and must submit an annual progress report to CCAOSC. However, enrollment in the Bureau of Workers' Compensation's Premium Discount Program (PDP) shall be at the discretion of the Participant. To enroll in the BWC's PDP, the Participant shall complete and submit directly to the BWC a "UA-5 Application for Premium Discount Program", and shall meet all requirements of the Bureau of Workers' Compensation for continued participation in the PDP.

The savings for Participants in the Premium Discount Pool shall be determined as follows: A savings calculation will be made as if all Premium Discount Pool members had been included in the Group as filed with the OBWC, without deducting any discounts from the BWC's PDP program. Premium Discount Pool Participants will receive the difference between a 10% reduction to their individual premium rate and the amount calculated as if the Participant was included in the Group program filed with the OBWC.

A penalty rated Participant who became penalty rated prior to January 1, 2002 will be eligible to participate in the Premium Discount Pool for a total of four years within a rolling seven year period, during which they remain penalty rated or otherwise ineligible for Group membership. A penalty rated Participant who became penalty rated after January 1, 2002, may remain in the Premium Discount Pool for not more than three years within a rolling five year period during which they remain penalty rated or otherwise ineligible for Group membership. A Participant who is predicted to be penalty rated and is therefore removed from the Group and placed in the Premium Discount Pool, but their actual premium rate comes in as a credit ratio, will not have that year counted toward their maximum years of Premium Discount Pool eligibility.

**Section VIII: RATE CONTRIBUTION AND REBATES**

The Participant understands that the Group rate must be estimated in advance of the experience period and is based upon the most recent experience period, and that the actual Group rate will vary depending upon multiple factors. The Participant is solely responsible for any assessment of premiums owed to the OBWC. In no event shall CCAO, CCAOSC, the third party administrator, or other Group members be held liable for premiums owed by the Participant to the OBWC.

The Participant understands the Group rate is subject to change during and subsequent to the policy period, and all debit and credit adjustments processed by the OBWC will be the premium responsibility of the individual Participant. In no event will CCAO, CCAOSC, the third party administrator, or the other Group members be held liable for premiums owed by the Participant to the OBWC resulting from subsequent rate revisions.

It is understood that in forming a group the OBWC will calculate a group rate for the CCAO Group Rating Plan which shall be applied uniformly to the members of the Group regardless of each Participant's individual rate. It is further understood that OBWC shall calculate premiums, as provided by law, multiplying the group rate (as described above) times each Participant's individual payroll.

In order to allocate the savings derived by formation of the Group, and to maximize the number of Participants in the Group, it is hereby agreed that annually the CCAOSC shall estimate the total savings which shall accrue to the Group through its formation which shall include the amount of savings for

Participants in the Premium Discount Pool (Section VII of this agreement). The CCAOSC shall notify each Participant of the estimated savings as well as the estimated rebates and/or additional billings required so that yearly budgeting may be facilitated on a timely basis for the Participants.

Upon receipt of the actual year-end payroll figures from each Participant, the CCAOSC shall calculate the total realized savings which shall accrue to the Group through its formation, and collect contributions from and pay rebates to the Group's various Participants. The Participants determined to be eligible for the Group filing shall receive the share of the Group savings which shall be equal to the total savings of all Group members less Premium Discount reimbursements multiplied by the percentage found by dividing the Participants' individual payroll by the total payroll of all participating Group members.

Premium Discount Pool Participants shall receive the difference between a 10% reduction in their individual premium rate and the amount determined as if the Participant was included in the Group program filed with the Ohio Bureau of Workers' Compensation. Individual payroll divided by the payroll of all plan members will be applied to the plan savings as if the Participants were included in the Group filing.

CCAOSC shall bill any contributions due from individual Participants no later than sixty (60) days following receipt by CCAOSC of all the payroll reports submitted by Participants to the OBWC. Bills for contributions are due and payable to CCAOSC within thirty (30) days of receipt. In the event of a delinquency, interest at a rate equal to the prime interest rate on the date of delinquency as charged by the bank in which CCAOSC Workers' Compensation Group Rating Plan funds are held may be added to the amount due and owing.

All rebate checks shall be paid to those Participants due rebates no later than ten (10) days from the date of receipt by CCAOSC of all contributions due from individual Participants.

**Section IX: ADMINISTRATIVE SERVICES**

CCAOSC, with approval of the Group Executive Committee, shall retain the services of a third party administrator ("TPA") specializing in the administration of workers' compensation claims. Such designated TPA shall assist CCAOSC staff in the day to day management of the plan, prepare and file necessary reports for both OBWC and members, assist with loss control program, and other duties, (excluding claims-related matters, which shall be the responsibility of each individual Participant, as provided in the second paragraph of this Section IX) relating to the Plan's activities. The cost of these TPA services shall be borne by the Participant in proportion to its payroll to the total payroll of the Group. CCAOSC shall bill the Participant for such services at such times as are determined by the Group Executive Committee and the Participant shall remit payment to CCAOSC within thirty (30) days of its receipt of such bill.

Each Participant may at its sole expense, engage the services of an attorney, or other qualified TPA, or representative for claims-related matters, such as hearings before the respective state agencies.

In any event, the Participant agrees to inform CCAOSC, the Group, and the Group's TPA, at all times, of all claims and related matters which will affect the rating of the Group.

**Section X: RISK MANAGEMENT SERVICES**

The Participant acknowledges that one of the statutory requirements for a group rating program is a substantial improvement in accident prevention and safety training by the Group. The Participant shall make a good faith effort to maintain a safe working environment for its employees and to implement the Group's model safety and claims management program, "The CCAO 10 Step Safety Plan for County Government". In addition, each Participant shall participate in and comply with any safety program or claims management procedure adopted by the Group Executive Committee. The costs for risk management services shall be allocated, billed and paid in the same manner as described in Section IX, above. The Participant may provide supplementary training and risk management consulting services to its employees at the Participant's sole expense.

CCAOSC reserves the right to require the Participant to undergo an occupational safety and health audit of its premises. For such audits, the Participant shall have the option of (1) using a qualified private safety consultant of the Participant's choice, subject to CCAOSC's approval; or (2) requesting CCAOSC to arrange for an audit performed by the Ohio Division of Safety and Hygiene ("ODSH"). It is understood that the ODSH will perform an audit at no additional cost. However, if the Participant chooses to utilize a private safety consultant it shall do so at its own cost. A copy of the audit results and safety recommendations shall be provided to CCAOSC upon CCAOSC's request. The Participant and CCAOSC agree that if a private consultant is engaged by the Participant to perform an audit, the consultant will act as an independent agent, not subject to the direction and control of CCAOSC.

**Section XI: GENERAL MANAGEMENT FEES**

The Participant agrees to pay anticipated general management fees during the term of the Agreement, if any, as described and in the manner specified in Section IX, above.

**Section XII: GROUP EXECUTIVE COMMITTEE**

There is hereby established a Group Executive Committee, which shall consist of nine members. Two of said members shall be the President and the Treasurer of CCAOSC; the remaining seven members shall be representatives of the Participants, elected by the Participants. No Participant shall have more than one member on the Group Executive Committee, and each Executive Committee Member shall be a county commissioner. However, any member county may by written instrument signed by two or more County Commissioners, appoint a designee who need not be a county commissioner but shall be an employee of the member county. A designee shall have the same powers as the appointing member.

The duties of the Group Executive Committee shall be:

- (1) to approve the selection of a TPA, as provided in Section IX hereof;
- (2) to review and approve proposed TPA fees, fees for risk management services, and general management fees, and to provide for the billing and collection thereof;
- (3) to determine ongoing eligibility of each Participant for continued participation in the Group; and
- (4) to perform such other acts and functions as may be delegated to it from time to time by the Group.

**Section XIII: TERM OF AGREEMENT**

Subject to the approval of the CCAO Group Rating Plan by the OBWC, the term of this Agreement shall commence on the date of execution hereof and shall be continuing and shall be applicable to all rating periods beginning January 1, 2009 and thereafter. CCAOSC may terminate this Agreement upon sixty (60) days written notice to the Participant. The Participant may terminate this Agreement so as not to be included in the CCAO Group Rating Plan for the next annual rating period provided sixty (60) days written notice of intent to withdraw from the CCAO Group Rating Plan is given to CCAOSC prior to the prescribed application deadline of OBWC, currently the last business day in August of the year prior to the applicable annual rating period. In any event, a Participant shall not be relieved of the obligation to pay any amounts owed for participation in the CCAO Group Rating Plan prior to withdrawal therefrom.

**Section XIV: APPLICATIONS BY PARTICIPANT**

Initial application of a Participant shall include: (1) a properly signed and authorized copy of this Agreement; and (2) a properly executed OBWC Form AC-26, allowing CCAOSC or its TPA to represent the CCAO Group Rating Plan before the OBWC. A Participant's initial application shall also include a one-time membership fee in the amount of \$2,000. In order to remain in good standing and to remain eligible for Group membership, a Participant must be current in all financial obligations to CCAO and to the Group, and shall provide to CCAOSC annually, prior to the OBWC group rating deadline: (1) a properly signed and authorized copy of this Agreement; and (2) a properly executed OBWC Form AC-26, allowing CCAOSC or its TPA to represent the CCAO Group Rating Plan before the OBWC.

**Section XV: GENERAL PROVISIONS**

CCAOSC shall strictly account for all funds collected and disbursed relating to the Group Rating Plan. All Group Rating funds shall be strictly segregated from all CCAOSC funds relating to the operations and activities of CCAO's other programs.

The Participant is solely responsible for any assessment of premiums levied by OBWC against it. Neither the CCAO Group Rating Plan nor its TPA shall be liable for any such charges.

If the Participant leaves the Group, it will allow representatives of the Group to access its loss experience for a period of three (3) years following the last year of participation.

The Participant acknowledges that group rate setting is solely the function of the OBWC. It is understood that such considerations as the "TM Calculation", "Credibility Factor", and "Loss Value Limitation", shall be assigned by the OBWC at the group level, rather than the individual, level.

The Participant hereby acknowledges receipt of the complete Agreement.

IN WITNESS THEREOF, the parties hereby enter into this Agreement on the date given below.

**CCAOS SERVICE CORPORATION**

Date: 6/1/2008 By: David W. Brooks /s/  
David W. Brooks

**Belmont County**

Date: 7/2/08 Gordie W. Longshaw /s/  
Signature of Authorized Official

County Name: Belmont County  
Address: Court House  
City, State, Zip: St. Clairsville OH 43950  
OBWC Number: 30700001

July 2, 2008

Name of Participant's TPA  
for claim-related matters: Comp Management  
APPROVED AS TO FORM  
David K. Liberati /s/ Assistant  
Prosecuting Attorney

Upon roll call the vote was as follows:

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

**BREAK 10:54 a.m.**

**IN THE MATTER OF THE VACATION OF  
A PORTION OF TOWNSHIP ROAD 1076  
PEASE TWP., SEC. 21, T-4, R-2/RD IMP 1101**

**"Hearing Had – 11:00 a.m."**

Present for the hearing were Ruth Graham, Engineer's Drafting Technician; Katie Matz of The Times Leader and Al Molnar, Intelligencer. Ruth stated the road view was attended by Pease Township Trustees, Roger Weaver and Mike Bianconi, Commissioner Probst and the Engineer. No one had any objections.

**REPORT OF COUNTY ENGINEER  
OHIO REV. CODE, SEC. 5553.06**

Date: 07/02/08

To the Board of County Commissioners of Belmont County, Ohio:

The undersigned, in obedience to your order, dated June 18, 2008, proceeded on July 2, 2008 to make an accurate survey and plat of the Public Road proposed to be improved and respectfully submits the following report:

In the opinion of the undersigned the proposed improvement should \_\_\_\_\_ be granted.

An accurate and detailed description of the proposed improvement describing therein the center line and right of way lines follow:

"See Attached plat"

The undersigned recommends the following changes in the proposed improvement which in his judgment should be made in the event the proposed improvement be granted, to-wit:

Fred F. Bennett /s/  
County Engineer of Belmont County, Ohio

**IN THE MATTER OF THE VACATION OF  
A PORTION OF TOWNSHIP ROAD 1076  
PEASE TWP., SEC. 21, T-4, R-2/ RD IMP 1101**

Office of County Commissioners  
Belmont County, Ohio

**RESOLUTION-GRANTING PROPOSED IMPROVEMENT  
ORDERING RECORD, ETC.  
Rd. Imp. #1101**

Mr. Thomas moved the adoption of the following Resolution:

WHEREAS, This day this matter came on to be heard on the report, survey, plat, and detailed and accurate descriptions as filed by the County Engineer, and said report having been read in open session, the Board proceeded with the hearing of testimony bearing upon the necessity of the said improvement for the public convenience or welfare and offered either for or against going forward with the proposed improvement by interested persons; and

WHEREAS, Said Board has considered said report and all the testimony offered, and all the facts and conditions pertaining to said matter; therefore, be it

RESOLVED, That said Board of County Commissioners do find said improvement will serve the public convenience and welfare; and be it further

RESOLVED, That said improvement as set forth and defined in said report, survey, plat and detailed and accurate descriptions as filed by the County Engineer be and the same is hereby granted and said road is hereby ordered vacated.

RESOLVED, That the County Engineer be and he is hereby directed to cause and record the proceeding, including the survey and plat and accurate and detailed description of said proposed improvement, to be forthwith entered in the proper road records of said County; and be it further

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

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

Adopted the 2nd day of July, 2008

Jayne Long /s/  
Clerk, Board of County Commissioners,  
Belmont County, Ohio

**IN THE MATTER OF BID OPENING FOR ENGINEER'S  
PROJECT 22-1 RESURFACING IN MEAD, PEASE,  
PULTNEY AND YORK TOWNSHIPS**

This being the day and 11:15 a.m. being the hour that bids were to be on file in the Commissioners' Office for the Belmont County Engineer's Project 08-6 (RE-BID) Applying Liquid Bituminous Material for dust control on various County Highways, they proceeded to open the following bids: (Engineer's Estimate: \$282,220.00)

NAME	BID BOND	BID AMOUNT
<b>Lash Paving, Inc.</b> PO Box 296 Colerain, OH 43916	X	\$ 280,282.00

Present for the bid opening were Fred Bennett, Engineer, Katie Matz of The Times Leader and Al Molnar of The Intelligencer.

Motion made by Mr. Thomas, seconded by Mr. Longshaw to turn over all bids received for the Belmont County Engineer's Project 08-6 APPLYING LIQUID BITUMINOUS MATERIAL for dust control on various county highways to Fred Bennett, Belmont County Engineer, for review and recommendation.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF DISCUSSION HELD**

**RE: NEFFS SEWAGE PROJECT/BELMONT COUNTY SANITARY SEWER DISTRICT**

Commissioner Thomas gave an update on the Neffs Sewage Project. He reported that Green & Associates has been contacted as of ten days ago to resume their engineering on the project and update their reports from 2003-2004 to define the exact number of homes now vs. then. Revised design costs are needed. Commissioner Thomas stated additional funding sources are needed other than infrastructure monies. Commissioner Longshaw said a tentative meeting is scheduled for 7:00 p.m. on July 22, 2007 at the Neffs Legion with the Neffs Committee on Sewage.

**IN THE MATTER OF ADJOURNING**

**COMMISSIONERS MEETING AT 11:25 A.M.**

Motion made by Mr. Thomas, seconded by Mr. Longshaw to adjourn the meeting at 11:25 a.m.

Upon roll call the vote was as follows:

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

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

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

Charles R. Probst, Jr. - Absent

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