

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 September 24, 2008, were read, approved and signed.

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. Thomas, seconded by Mr. Probst, 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-ACS Enterprise Solutions, Inc.	Landaccess.com sub. & Novell Indexing-Recorder/General Fund	3,850.69
A-Barrett Brothers	Forms/General Fund	28.39
A-Barrett Brothers	Forms/General Fund	14.61
A-Belmont Co. Dept. of Job & Family Services	October Mandated Share/General Fund	30,625.76
A-Cardmember Services	Contract services-C. Probst/General Fund	25.90
A-Cardmember Services	Travel expenses-M. Thomas/General Fund	187.96
A-Crowne Plaza	Conference/General Fund	209.00
A-Crystal Springs	Water/General Fund	59.54
A-C. Timothy Lara	Auctioneer Services/General Fund	3,945.18
A-Dell Business Credit	2 Computers for Mediation Dept./General Fund	1,494.00
A-Joseph A. Gaudio	Conference/General Fund	812.20
A-Smartbill	UPS Charges-Treasurer/General Fund	10.31
A-Thomson West	ORC Sub./General Fund	99.50
C-Thomas A. Ryncarz	Attorney Fees/Indigent Guardianship Fund	712.50
M-K-Mart	Clothing/Placement II Juvenile Court Fund	19.84
N-L. Kimball & Assoc., Architects	Parking garage study/Capital Projects Reserve Fund	4,786.72
N-Lyndco, Inc.	Pavement Markings/Rd. & Bridge Improvement Fund	1,368.00
N-Marshall Piccin	August contract/Jail Construction Fund	500.80
N-Ohio Bridge Corporation	Bridge Beams/Rd & Bridge Improvement Fund	24,550.00
N-S.A. Comunale Co., Inc.	Applic. #9/Jail Construction Fund	1,380.00
N-Southeastern Equip. Co.	Equipment rental/Rd. & Bridge Improvement Fund	4,500.00
O-Ohio Dept. of Development	October payment/Fox Commerce Park/State Loan Repayment Fund	3,299.64
P-American Electric Power	Misc. service/WWS#1 Revenue Fund	27.17
S-American Electric Power	Contract Services-GS/District Detention Home Fund	460.26
S-AT&T	Telephone/Certificate of Title Admn Fund	61.57
S-Belmont Co. Sanitary Sewer District	Contract Services-GS/District Detention Home Fund	120.25
S-Beth Andes, MS, PCC	Contract Services-GS/District Detention Home Fund	1,750.00
S-Crowne Plaza Hotel	Fall Conference/Eastern Court Gen. Special Projects Fund	297.00
S-D. Charlene Baker	Office Supplies/Eastern Court Gen. Special Projects Fund	18.70
S-OAMCCC	Fall Conference Dues/Eastern Court Gen. Special Projects Fund	200.00
S-Technology Services Group, Inc.	Software Support-Service/Eastern Div. Ct. Computer Fund	295.00
S-Wheeling Office Supply	Supplies/General Fund	101.74
T-Kelly Real Estate Appraisal	FEMA Buyouts/FEMA Hazard Mitigation, Neffs Fund	900.00
W-Wheeling Office Supply	Supplies/Prosecutor Victim Assistance Fund	38.27
Y-Barnesville, Village of	Resurfacing E. South Third St./Co. Motor Vehicle License Tax Fund	19,343.10
Y-Health Plan, HMO	October Premium/Employer's Share Holding Account	167,376.27
Y-Health Plan, PPO	October Premium/Employer's Share Holding Account	221,437.59

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

Motion made by Mr. Thomas, seconded by Mr. Probst to approve the Recapitulation of Vouchers dated for October 1, 2008 as follow:

FUND	AMOUNT
A-GENERAL	\$30,437.62; \$1,318.18; \$135.34
GENERAL/AUDITOR	\$7,150.94
GENERAL/SHERIFF	\$5,534.98; \$100.00; \$44.00; \$12,967.24
GENERAL/911	\$3,319.97
B-Dog and Kennel	\$632.77
B-Sheriff DUI Education	\$980.00
E-911	\$20,895.18
H-County Home, Park Health	\$7,328.21
H-Job & Family, Child Support	\$8,181.75
H-Job & Family, Public Assistance	\$1,825.92; \$1,196.48; \$28,359.93; \$41,308.34
H-Job & Family, WIA	\$22,274.21; \$35,000.00
K-Engineer MVGT	\$13,725.84; \$220.60
M-Juvenile Ct., Title IV-E Reimb	\$1,303.37
P-Oakview Admn Bldg	\$2,737.29
S-District Detention Home	\$4,985.27
S-Job & Family, Children Services	\$168,549.72; \$2,076.76
S-Oakview Juvenile Residential Center	\$655.42
S-Port Authority	\$92.80
S-Sheriff CCW	\$3,901.00
S-Sheriff Commissary	\$4,345.40

Upon roll call the vote was as follows:

Mr. Thomas	Yes
Mr. Probst	Yes
Mr. Longshaw	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-A24.000 Infrastructure	E-0257-A015-A14.000 Atty Fees	\$15,000.00
	E-0051-A001-A10.000 Prof Services	\$55,000.00
	E-0256-A014-A01.000 Bldg Ins	\$15,500.00

Upon roll call the vote was as follows:

Mr. Longshaw Yes
Mr. Probst Yes
Mr. Thomas 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	E-0055-A004-B15.000 Rentals	\$4,350.00
	E-0254-A009-E01.000 Public Assist	\$4,800.00
	E-0051-A001-A16.000 Indigent Burial	<u>\$1,500.00</u>
	Total	\$10,650.00

Upon roll call the vote was as follows:

Mr. Longshaw Yes
Mr. Probst Yes
Mr. Thomas 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	E-0181-A003-A02.002 Salaries Elec Bd (Salaries for Part time Employees)	\$4,000.00

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/CHEST CLINIC**

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

FROM	TO	AMOUNT
E-0300-A008-B05.011 Contract Services	E-0300-A008-B12.000 Other Expenses	\$ 200.00

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 ENGINEER'S MVGT FUND**

Motion made by Mr. Thomas, seconded by Mr. Longshaw to approve the following transfer within fund for the Engineer's MVGT Fund.

FROM	TO	AMOUNT
E-2813-K000-K29.011 Cont-Ser	E-2812-K000-K16.013 Cont-Proj	\$ 896.99

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
CARE AND CUSTODY JUVENILE COURT FUND**

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

FROM	TO	AMOUNT
CARE AND CUSTODY E-0400-M060-M50.000 Grant Holding Account	CARE AND CUSTODY E-0400-M060-M30.000 Other Expenses	\$ 22,553.06

Upon roll call the vote was as follows:

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

**IN THE MATTER OF TRANSFER BETWEEN THE GENERAL FUND
AND THE BELMONT CO 911 RADIO TOWER CONSTRUCTION FUND N13**

Motion made by Mr. Thomas, seconded by Mr. Longshaw to approve the following transfer from the Belmont County General fund to the Belmont County 911 Radio Tower Construction Fund N13.

FROM:	TO:	AMOUNT
E-0257-A015-A15.074 Transfers out	R-9013-N013-N06.574 Transfer In	\$15,454.00

*CORSA Insurance reimbursement for repairs to Alledonia 911 Tower-DOL 8/30/08
Claim # 0160018842

Upon roll call the vote was as follows:

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

**IN THE MATTER OF TRANSFERS BETWEEN FUNDS/
BELMONT COUNTY SANITARY SEWER DISTRICT**

Motion made by Mr. Thomas, seconded by Mr. Longshaw to approve the following transfers between funds from the Water and Sewer Guarantee Deposit Fund to the Revenue Receipt Fund for the months of July, August and September, 2008.

JULY

FROM	TO	AMOUNT
E-3711-T010-T04.074 WSGDF Transfer Out	R-3701-P003-P15.574 WWS#2 01004002 Transfers In	137.77
E-3711-T010-T04.074 WSGDF Transfer Out	R-3702-P005-P15.574 WWS#3 02004002 Transfers In	245.64
E-3711-T010-T04.074 WSGDF Transfer Out	R-3704-P051-P08.574 SSD #1 03004002 Transfers In	138.96
E-3711-T010-T04.074 WSGDF Transfer Out	R-3705-P053-P08.574 SSD #2 04004002 Transfers In	20.00
E-3711-T010-T04.074 WSGDF Transfer Out	R-3706-P055-P08.574 SSD#3A 06004002 Transfers In	<u>121.54</u>
TOTAL		663.91

AUGUST

FROM	TO	AMOUNT
E-3711-T010-T04.074 WSGDF Transfer Out	R-3701-P003-P15.574 WWS#2 01004002 Transfers In	224.61
E-3711-T010-T04.074 WSGDF Transfer Out	R-3702-P005-P15.574 WWS#3 02004002 Transfers In	807.86
E-3711-T010-T04.074 WSGDF Transfer Out	R-3704-P051-P08.574 SSD #1 03004002 Transfers In	135.21
E-3711-T010-T04.074 WSGDF Transfer Out	R-3705-P053-P08.574 SSD #2 04004002 Transfers In	52.40
E-3711-T010-T04.074 WSGDF Transfer Out	R-3706-P055-P08.574 SSD#3A 06004002 Transfers In	<u>274.96</u>
TOTAL		1,495.04

SEPTEMBER

FROM	TO	AMOUNT
E-3711-T010-T04.074 WSGDF Transfer Out	R-3701-P003-P15.574 WWS#2 01004002 Transfers In	63.36
E-3711-T010-T04.074 WSGDF Transfer Out	R-3702-P005-P15.574 WWS#3 02004002 Transfers In	430.52
E-3711-T010-T04.074 WSGDF Transfer Out	R-3704-P051-P08.574 SSD#1 03004003 Transfers In	77.05
E-3711-T010-T04.074 WSGDF Transfer Out	R-3705-P053-P08.574 SSD #2 04004002 Transfers In	77.18
E-3711-T010-T04.074 WSGDF Transfer Out	R-3706-P055-P08.574 SSD#3A 06004002 Transfers In	<u>175.10</u>
TOTAL		823.21

Upon roll call the vote was as follows:

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

**IN THE MATTER OF TRANSFERS BETWEEN FUNDS/
ENGINEER FEMA FLOOD 2004 FUND & ENGINEER MVGT FUND**

Motion made by Mr. Thomas, seconded by Mr. Longshaw to approve the following transfers between funds from the Engineer FEMA FLOOD 2004 Fund and Engineer MVGT Fund.

FROM	TO	AMOUNT
E-9708-T069-T02.000 Engineer Dept. Reimb.	R-2810-K000-K18.574 Transfers In	\$ 22,911.00
E-9708-T069-T02.000 Engineer Dept. Reimb.	R-2810-K000-K18.574 Transfers In	\$ 32,103.00

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADDITIONAL APPROPRIATION
FOR THE GENERAL FUND**

Motion made by Mr. Longshaw, 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 October 1, 2008

E-0051-A001-A28.000 Other Expenses	\$33,962.00
------------------------------------	-------------

(This amount represents the proceeds from the 2008 County Auction)

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**

Motion made by Mr. Thomas, 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 17, 2008.

E-0055-A004-B07.000 Jail Maintenance (Utilities)	\$15,000.00
E-0055-A004-B14.011 Contract Services (Utilities)	\$15,000.00
E-0131-A006-A08.000 Food (Jail)	\$40,000.00
E-0131-A006-A12.000 Travel (Gasoline – Sheriff)	<u>\$30,000.00</u>
Total	\$100,000.00

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADDITIONAL APPROPRIATIONS
FOR THE SHERIFF'S DEPARTMENT VARIOUS FUNDS**

Motion made by Mr. Probst, seconded by Mr. Thomas to make the following additional appropriations, in accordance with the Amended Official Certificate of Estimated Resources as revised by the Budget Commission, under the date of October 1, 2008.

General		
E-0131-A006-A09.000	Medical	0.00
E-0131-A006-A17.012	Cruiser Repairs	0.00
E-0131-A006-A20.000	False Alarm	350.00
E-0131-A006-A23.000	Background	105.00
E-0131-A006-A24.000	E-SORN	445.00
E-0131-A006-A26.000	K-9	0.00
E-0131-A006-A28.000	Shop w/Cop	0.00
E-0131-A006-A29.000	Mounted	0.00

Enforcement Education		
E-1652-B016-B02.000	Education Expenses	25.00
Commissary Fund		
E-5100-S000-S01.010	Supplies	8,072.20
Concealed Handgun License		
E-5101-S001-S06.000	License Issuance	2,073.50
E-5101-S001-S07.012	Equipment	2,073.50
Sheriff Reserve Account		
E-9710-U010-U06.000	Other Expenses	1,713.74

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADDITIONAL APPROPRIATION
FOR THE 911 FUND**

Motion made by Mr. Thomas, 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 October 1, 2008.

E-2200-E010-E05.012	Equipment	\$ 900.00
---------------------	-----------	-----------

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADDITIONAL APPROPRIATIONS
FOR THE ENGINEER'S MVGT FUND**

Motion made by Mr. Thomas, seconded by Mr. Longshaw to make the following additional appropriations in accordance with the Amended Official Certificate of Estimated Resources as revised by the Budget Commission, under the date of October 1, 2008.

E-2812-K000-K11.002	Salaries-Laborers	\$ 22,911.00
E-2812-K000-K11.002	Salaries-Laborers	\$ 32,103.00

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADDITIONAL APPROPRIATIONS
FOR VARIOUS OAKVIEW JUVENILE REHAB FUNDS**

Motion made by Mr. Probst, seconded by Mr. Longshaw to make the following additional appropriations, in accordance with the Amended Official Certificate of Estimated Resources as revised by the Budget Commission, under the date of October 1, 2008.

OV EDUCATIONAL SERVICES S027		
E-8007-S027-S05.000	Classroom Supplies	10,525.41
N.S.L.A. OAKVIEW JUVENILE S031		
E-8011-S031-S02.000	Food (Meal Tickets)	165.00
E-8011-S031-S02.000	Food (NSLA)	1,977.99
ACTIVITY FUND S032		
E-8012-S032-S00.000	Youth Activity Fund	300.00

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADDITIONAL APPROPRIATIONS
FOR THE BEL-HARRISON JUVENILE DISTRICT
DETENTION HOME-SARGUS FUND**

Motion made by Mr. Probst, seconded by Mr. Longshaw to make the following additional appropriations, in accordance with the Amended Official Certificate of Estimated Resources as revised by the Budget Commission, under the date of October 1, 2008.

Bel-Harrison Juvenile District Detention Home-Sargus Fund S033		
E-0910-S033-S33.002	Salaries	15,695.70
E-0910-S033-S44.003	OPERS/STRS	4,575.00
E-0910-S033-S50.005	Medicare	475.00
E-0910-S033-S47.006	Hospitalization	<u>2,000.00</u>
TOTAL		22,745.70

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADDITIONAL APPROPRIATIONS
FOR THE S070 BELMONT SENIOR SERVICES**

Motion made by Mr. Probst, seconded by Mr. Longshaw to approve the following additional appropriation in accordance with the Amended Official Certificate of Estimated Resources, as revised by the Budget Commission under the date October 1, 2008.

E-5005-S070-S05.011 Contract Services, In Home Care Levy	\$ 300,000.00
---	----------------------

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADDITIONAL APPROPRIATIONS
FOR THE ENGINEER'S FEMA FLOOD 2004 FUND**

Motion made by Mr. Thomas, seconded by Mr. Longshaw to make the following additional appropriations, in accordance with the Amended Official Certificate of Estimated Resources as revised by the Budget Commission, under the date of October 1, 2008.

E-9708-T069-T02.000	Engineer Dept. Reimbursement	\$ 22,911.00
E-9708-T069-T02.000	Engineer Dept. Reimbursement	\$ 32,103.00

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADDITIONAL APPROPRIATIONS
FOR THE BELMONT COUNTY PROSECUTOR'S OFFICE
VICTIM-WITNESS ASSISTANCE PROGRAM FUND**

Motion made by Mr. Probst, seconded by Mr. Longshaw to make the following additional appropriations in accordance with the Amended Official Certificate of Estimated Resources as revised by the Budget Commission, under the date of October 1, 2008.

E-1511-W080-P01.002	Salaries	1,800.00
E-1511-W080-P07.006	Hospitalization	1,506.00
E-1511-W080-P07.006	Hospitalization	255.00 (August)
E-1511-W080-P08.005	Medicare	<u>100.00</u>
TOTAL		3,661.00

Upon roll call the vote was as follows:

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

**IN THE MATTER OF CASH ADVANCE TO
BELMONT COUNTY PORT AUTHORITY FUND S017**

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

FROM	TO	AMOUNT
E-0051-A001-A50.000	R-9799-S012-S05.575	\$28,000.00
Budget Stabilization	Advances In	
(Money needed for Engineering and Surveying necessary for the Barnesville Industrial Park - to be reimbursement by a Grant)		

Upon roll call the vote was as follows:

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

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

Motion made by Mr. Thomas, seconded by Mr. Longshaw to execute payment of Then and Now Certification dated Oct. 1, 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. Thomas	Yes
Mr. Longshaw	Yes
Mr. Probst	Yes

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

Motion made by Mr. Probst, seconded by Mr. Longshaw granting permission for county employees to travel as follows:
AUDITOR – Don Harr to Columbus, OH, on Oct. 21-23, 2008 to attend Ohio Weights & Measures training seminar. Estimated expenses: \$250.00. A county car will be used.
CLERK OF COURTS – Randy Marple and Bob Hunker to Columbus, OH, on Sept. 17, 2008 to attend Ohio Clerk of Courts Monthly Meeting. Estimated expenses are: \$20.00. A county car will be used.

Upon roll call the vote was as follows:

Mr. Probst	Yes
Mr. Longshaw	Yes
Mr. Thomas	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.
IN HOME CARE LEVY FUND - \$300,000.00
PORT AUTHORITY FUND - \$ 28,000.00 This money will be reimbursed when grant money received.

Upon roll call the vote was as follows:

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

OPEN PUBLIC FORUM – Richard Hord noted that last year the county was experiencing some financial difficulties, but were able to overcome them. He asked if some of the solutions that worked then may work now. Commissioner Probst advised that the commissioners began tightening their belt approximately 18 months ago and asked other elected officials and department heads to do the same. He said the county did have a carryover last year that enabled the payment of a half year this year for medical insurance premiums, which is a substantial amount of money. But as Auditor Joe Pappano advised in a recent meeting, the sales tax revenue is down as of this point in time 2.5 million dollars compared to previous years. Commissioner Probst said with departments overspending their budget each year, (some with good reason, others may need to cut their expenses) and because of the 2.5 million dollar shortfall, which could pick up, but is not expected to because of the state of the economy now, the county is preparing to end the year in the black. “We are asking all county departments to stay within their budget and if they do run over budget in the last quarter, there will be no extra money. With the sales tax revenue down the amount that it is, what worked last year will not be the same this year”, said Probst.

Mr. Hord then asked about the Ohio Job Stimulus Package. Commissioner Probst advised the County Engineer is the chairman for the sub-committee meetings. The meetings are held sometime in October and are public meetings. The projects are ranked and then submitted. He said Mr. Hord is welcome to attend those meetings.

Mary Margaret Hudson advised the board she has been transferred to the Ohio Department of Development, Workforce and Talent Division, out of Columbus. Her office is still in the One Stop Connections office, Martins Ferry. She offered her assistance to the board.

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

Motion made by Mr. Thomas, seconded by Mr. Probst to approve the minutes of the Belmont County Board of Commissioners regular meeting of: September 17 and September 24, 2008.

Upon roll call the vote was as follows:

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

IN THE MATTER OF ENTERING INTO CONTRACT WITH BEL-O-MAR REGIONAL COUNCIL FOR ADMINISTRATIVE SERVICES RE:HUD COMMUNITY DEVELOPMENT BLOCK GRANT B-F-08-007-1

Motion made by Mr. Thomas, seconded by Mr. Probst to enter into a contract for administrative services with Bel-O-Mar Regional Council, in an amount not to exceed \$41,000.00, to administer and implement the HUD Community Development Block Grant No. B-F-08-007-1, effective immediately through February 28, 2009.

CONTRACT FOR ADMINISTRATIVE SERVICES

THIS AGREEMENT, made this 1st day of October, 2008, by and between the Belmont County Commissioners, hereinafter called "COUNTY", and Bel-O-Mar Regional Council with its principal office at 105 Bridge Street Plaza, Wheeling, West Virginia, hereinafter called "BEL-O-MAR."

WHEREAS, the COUNTY has been awarded a Community Development Block Grant (CDBG) from the U.S. Department of Housing and Urban Development (Grant No. B-F-08-007-1) for the purpose of undertaking community development projects, hereinafter called "PROJECTS," within Belmont County, Ohio.

WHEREAS, the COUNTY does desire to retain professional grant administration and implementation services for said PROJECTS; and,

WHEREAS, BEL-O-MAR does desire to provide grant administration/implementation services for said PROJECT:

NOW, THEREFORE, WITNESSETH, that the COUNTY and BEL-O-MAR do hereby agree as follows:

I.

Purpose

The COUNTY hereby engages and retains BEL-O-MAR to administer and implement the HUD Community Development Block Grant (No. B-F-08-007-1).

II.

Scope of Services

BEL-O-MAR agrees to perform the following grant administration services and duties:

1. To provide professional personnel and services to administer and coordinate grant-related activities for said PROJECT.
2. To review and oversee compliance with all applicable State and Federal laws, rules and regulations concerning said PROJECT including Citizen Participation requirements, Environmental Review Clearance, MBE/WBE Recruitment Efforts, Equal Employment Opportunity, Ohio Historic Preservation Clearance, Fair Housing Laws and Contracting and Procurement Laws.
3. To set up and maintain bookkeeping and financial records for said PROJECT.
4. To establish and maintain official relations with the Department of Housing and Urban Development and all other grantor agencies for the purpose of reporting the progress and status of said PROJECTS.
5. To oversee and participate in all monitoring visits and program audits conducted by the Department of Housing and Urban Development or any other grantor agency.
6. Review, approve and process payment of contractor invoices, change orders, and other work related documents during the construction phases of said PROJECT.
7. To make regular reports to the COUNTY concerning the status and progress of said PROJECT.
8. To make all grant related records accessible to Belmont County at all times.

III.

Duties of COUNTY

The COUNTY agrees as follows:

1. To abide by all State and Federal laws, rules and regulations concerning said PROJECT.
2. To execute all documents, writings or other instruments necessary for the efficient and effective administration of said PROJECT.
3. To retain and preserve all grant-related records after the close of said PROJECT for a period of not less than four (4) years after the completion of said PROJECT.

IV.

Compensation

The COUNTY agrees to pay a sum not to exceed Forty One Thousand and 00/100 Dollars (\$41,000.00) to BEL-O-MAR as compensation for administration services rendered, and payable at such time as said grant monies are received for distribution by the COUNTY. BEL-OMAR will invoice the COUNTY no more frequently than once per month. The method of compensation to be used is as follows:

LABOR – All labor costs related to the performance of the contract will be billed as direct labor at the employee rates shown below.

A.C. Wiethe	Hourly Rate	28.29
Rick Healy	Hourly Rate	20.95
Pam Douglas	Hourly Rate	31.29

FRINGE BENEFITS – include: holiday, vacation, sick leave, FICA, Workers Comp, unemployment, hospitalization, disability insurance, life insurance, and pension. These are considered a direct cost and are allocated based on the direct salary. The current rate for Fiscal Year 2008 is .8140.

TRAVEL – travel required to perform this contract will be billed as direct.

COMMUNICATIONS- telephone costs allocated as direct are long distance charges incurred on behalf of this contract.

OTHER – any other charges (publications, newspaper notices, etc.) Relating to this contract shall be charged as direct.

INDIRECT COSTS – All administrative, accounting and clerical labor costs in support of this contract; travel of the above listed personnel; printing and supplies; utilities; rent; other (including audit costs, insurances, dues, etc.); communications (including the equipment and service costs for the phone system). These costs are allocated based on direct salary. The current rate for Fiscal Year 2008 is .8702.

V.

Term of Agreement

This Agreement shall be binding upon the parties and shall remain in force and effect until February 28, 2009. The term of this Agreement may be extended upon the mutual written consent of the parties.

VI.

Termination of Contract for Cause

If, through any cause, BELOMAR fails to fulfill in a timely and proper manner their obligations under this Contract, or violates any of the covenants, agreements, or stipulations of this Contract, the COUNTY shall thereupon have the right to terminate this Contract by giving written notice to BELOMAR of such termination and specifying the effective date thereof, at least five days before the effective date of such termination. In such event, all finished or unfinished documents, data, studies and reports prepared by BELOMAR under this Contract shall, at the option of the COUNTY, become its property and BELOMAR shall be entitled to receive just and equitable compensation for any work satisfactorily completed hereunder.

VII.

Termination for Cause and Convenience of the COUNTY

The COUNTY may terminate this Contract at any time by giving at least ten (10) days notice in writing to BELOMAR. If the Contract is terminated by the COUNTY as provided herein, BELOMAR will be paid for the time provided and expenses incurred up to the termination date. If this Contract is terminated due to the fault of BELOMAR, Section VI hereof relative to termination shall apply.

VIII.

Records and Audits

BELOMAR shall maintain accounts and records, including personnel, property and financial records, adequate to identify and account for all costs pertaining to the Contract and such other records as may be deemed necessary by the COUNTY to assure proper accountability for all project funds. These records shall be made available for audit purposes to the COUNTY, HUD, the Comptroller General of the United States, the State of Ohio, or any authorized representative.

IX.

Compliance with Executive Order 11246

Under Title VI of the Civil Rights Act of 1964, no person shall, on the grounds of race, color, national origin, or sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

X.

This Agreement represents the entire agreement of the parties. No representations were made or relief upon by either party, other than those expressly set forth. No agent, employee, or other representative of either party is empowered to alter any of the terms hereof, unless done in writing and signed by the respective parties.

IN WITNESS WHEREOF, the parties hereto have executed this agreement as of the day and year first written above.

ATTEST:

Jayne Long /s/
Jayne Long
Clerk, Board of Commissioners

THE BELMONT COUNTY COMMISSIONERS

BY Gordie W. Longshaw /s/
Gordie W. Longshaw

BY Charles R. Probst, Jr. /s/
Charles R. Probst, Jr.

BY Mark A. Thomas /s/
Mark A. Thomas

BEL-O-MAR

ATTEST:

A.C. Wiethel /s/

BY William C. Phipps /s/
William C. Phipps

ITS Executive Director

APPROVED AS TO FORM ONLY David K. Liberati /s/ Assistant Prosecutor

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ENTERING INTO CONTRACT WITH
LASH PAVING, INC. FOR ENGINEER PROJECT 08-10
RESURFACING PORTIONS OF COUNTY HIGHWAYS 30 AND 214
(DIXON HILL ROAD AND BELLAIRE HIGH RIDGE ROAD)**

Motion made by Mr. Thomas, seconded by Mr. Probst to enter into a contract, on behalf of the Belmont County Engineer, with Lash Paving, Inc., for Project 08-10 "Resurfacing Portions of County Highway 30 (Dixon Hill Road) and County Highway 214 (Bellaire High Ridge Road)", in the amount of \$250,896.99.

**CONTRACT WITH BELMONT COUNTY COMMISSIONERS
PROJECT 08-10 RESURFACING PORTIONS OF COUNTY HIGHWAY 30
(Dixon Hill Road) and COUNTY HIGHWAY 214 (Bellaire High Ridge Road)**

Auditor's Office, Belmont County, Ohio

This contract made and entered into this 1st day of October, 2008 between **LASH PAVING, INC.**, P.O. Box 296 Colerain, OH 43916 and Gordie Longshaw, Charles Probst, Jr., and Mark Thomas, Commissioners of Belmont County, WITNESSETH that said **LASH PAVING, INC.** hereby agrees to furnish all material and do all work requisite necessary for the resurfacing of County Highway 30 & 214 in accordance with plans and specifications.

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

APPROX. QUAN.	ITEM	DESCRIPTION	ITEMIZED PROPOSAL	
			UNIT PRICE BID	TOTAL AMOUNT BID
3651 GAL	407	TACK COAT	\$2.70	\$9,857.70
469 CUBIC YARDS	448	ASPHALT CONCRETE INTERMEDIATE COURSE TYPE 1	\$158.25	\$74,219.25
996 CUBIC YARDS	448	ASPHALT CONCRETE SURFACE COURSE TYPE 1	\$158.25	\$157,617.00
2.49 MILES	614	WORK ZONE CENTERLINE, CLASS II	\$881.50	\$2,194.94
2.53 MILES	642	CENTERLINE, TYPE 1 OR TYPE 2	\$1,220.00	\$3,086.60
5.06 MILES	642	EDGELINE, TYPE 1 OR TYPE 2	\$775.00	\$3,921.50
		TOTAL		\$250,896.99

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

BELMONT COUNTY COMMISSIONERS

LASH PAVING, INC.

Mark A. Thomas /s/

BY: David P. Lash, Jr. /s/

Charles R. Probst, Jr. /s/

Gordie W. Longshaw /s/

Upon roll call the vote was as follows:

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

IN THE MATTER OF AUTHORIZING THE OFFER OF EMPLOYMENT FOR UTILITY WORKER POSITIONS/BCSSD

Motion made by Mr. Thomas, seconded by Mr. Probst to authorize Mark Esposito, Director, Belmont County Sanitary Sewer District, to offer employment to two individuals for the open Utility Worker positions.

Upon roll call the vote was as follows:

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

IN THE MATTER OF ENTERING INTO AMENDED AGREEMENT WITH M&G ARCHITECTS & ENGINEERS/NEW EASTERN DIVISION COURT BUILDING PROJECT

Motion made by Mr. Thomas, seconded by Mr. Probst to enter into Amended Architectural and Engineering Services Agreement with M&G Architects & Engineers, formerly known as CMG Architects & Engineers, 1027 Mount deChantal Road, Wheeling, WV, for the new Eastern Division Court Building project.

Note: This reduces the total square footage from 9,200 sq.ft. to 6,500 sq.ft. and the total estimated cost for the finished project from \$1,530,000.00 to \$1,269,000.00.

AMENDED ARCHITECTURAL AND ENGINEERING SERVICES AGREEMENT

This amended agreement is entered into by Matyskiela & Grant, Inc. d/b/a M & G Architects and Engineers, formerly known as and referred to in previous contracts as CMG Architects and Engineers, Inc., 1027 Mount de Chantal Road, Wheeling, WV, and the Belmont County Commissioners, Mark A. Thomas, Charles R. Probst, Jr., and Gordie Longshaw.

This agreement amends the previous proposal of Architectural and Engineering Services, dated January 22, 2007, and Standard Form Agreement between owner and architect dated March 21, 2007.

The owner, architect, and engineer agree that all work will be completed in accordance with the Standard Form Agreement dated March 21, 2007 and as described in the January 22, 2007 letter of proposal of architectural and engineering services sent by CMG Architects and Engineers, Inc., with the following amendments made to the size and scope of the project contained in the original proposal of January 22, 2007:

1. EASTERN DIVISION COURT: Total area of square footage shall be 6,500 square feet, reduced from the original proposal of 9,200 square feet.
2. FEE: M & G Architects & Engineers shall provide Building Design and Construction Services for this project for a fee of \$79,000, reduced from the original fee of \$104,000. This amount does not include the \$9,360.00 and \$3,918.75 already charged, as those amounts were for work previously completed, and hourly rates for redesign of the building.
3. COSTS: The estimated costs for the finished project, including the fee included above, is reduced to \$1,269,000.00 from the original estimate of \$1,530,000.00
4. The signing of this agreement shall not be construed as establishing a fixed limit of construction costs as referred to in section 5.2.2 of the Standard Form Agreement dated March 21, 2007.

This agreement amends the original agreements of January 22, 2007 and March 21, 2007, and the terms of the amendment override any previous contract terms that are in conflict with these contract terms.

This agreement entered into as of the _____ day of _____, 2008.

_____	Matyskiela & Grant, Inc.
Mark A. Thomas, Commissioner	d/b/a M & G Architects
_____	And Engineers
Charles R. Probst, Jr., Commissioner	By: _____
_____	Eric Matyskiela, Its _____
Gordie Longshaw, Commissioner	By: _____
Approved as to form:	Dan Grant, Its _____

Special Prosecuting Attorney
Upon roll call the vote was as follows:

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

DISCUSSION HELD: Commissioner Thomas explained the reason for the above amended agreement is the reduction of the total square footage of the building from 9,200 sq. ft. to 6,500 sq. ft., thereby reducing the total estimate from \$1,530,000. to \$1,269,000. The predominant reason for the reduction is this building was originally designed per the Ohio Supreme Court guidelines for the construction of a court that meets the guidelines of a municipal court in Ohio and not a county court. Commissioner Thomas said if the Supreme Courts ever abandon county courts, which has been long discussed, this building would then meet the standards of what would become a municipal court in Belmont County. In an attempt to reduce the costs and after discussions with the Judge and architects, the size was further reduced, yet the design will remain a functional court. Commissioner Probst added that the building as is designed now would be able to be expanded in the future if necessary. Commissioner Thomas then noted that the county will not purchase the ground from Maroon Enterprises until the site preparation is completed as per the bid. He commented that unfortunately, they have missed their deadline again for that work to be completed.

IN THE MATTER OF APPROVING PAYMENTS TO M&G ARCHITECTS & ENGINEERS, INC./NEW EASTERN DIVISION COURT BUILDING PROJECT

Motion made by Mr. Thomas, seconded by Mr. Probst to approve the following payments for M&G Architects & Engineers, Inc., 1027 Mt. de Chantal Road, Wheeling, WV for architectural and engineering services for the New Eastern Division Court Building Project:

Invoice #10714 in the amount of \$18,921.87 for the period of 7/1/08 through 7/31/08.

Invoice #10725 in the amount of \$21,341.20 for the period of 8/1/08 through 8/31/08.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF BID OPENING FOR FURNISHING
FOUR (4) NEW 4-WHEEL DRIVE VEHICLES FOR BCSSD**

This being the day and 11:00 a.m. being the hour that bids were to be on file in the Commissioners' Office for furnishing four (4) new 4-wheel drive vehicles for the Belmont County Sanitary Sewer District, they proceeded to open the following bids:

NAME	BID BOND	BID AMOUNT
Doan Ford Sales, Inc. 66870 Belmont-Morristown Road Belmont, OH 43718	X	\$ 88,048.00
Jim Williams c/o Jim Robinson Sales 250 Bethany Pike Wheeling, WV 26003	X	\$ 88,438.00
Whiteside Chevrolet, Olds, Inc. 50714 National Road St. Clairsville, OH 43950	X	\$ 99,505.00

Present for the bid opening were BCSSD Director Mark Esposito, Project Manager Kelly Porter, Carl Dieter of Doan Ford, Eric Ayres of The Times Leader and Al Molnar of The Intelligencer.

Motion made by Mr. Probst, seconded by Mr. Thomas to turn over all bids received for furnishing four (4) new four-wheel drive pickup trucks for the Belmont County Sanitary Sewer District to Mark Esposito, Director, for review and recommendation.

Upon roll call the vote was as follows:

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

11:05 a.m. BREAK

11:17 Variance Request Hearing

**IN THE MATTER OF GRANTING VARIANCE REQUEST FOR
THE PROPOSED "THE RIDGES OF OLDE CUMBERLAND – THE
FLATS" SUBDIVISION/RICHLAND TOWNSHIP**

"Hearing Had 11:17 A.M."

Present for the hearing were Fred Bennett, County Engineer and Ruth Graham, Engineer's Drafting Technician; Greg Bizzarri, Richland Township Trustees; John Dutton and Chris Dutton of Windemere Drive, property developers; and Eric Ayres, The Times Leader.

Motion made by Mr. Thomas, seconded by Mr. Probst to approve the variance request of John Dutton, property developer, for a 25 foot building setback for the proposed "The Ridges of Olde Cumberland-The Flats" subdivision located in Richland Township, Section 15, T7, R4 off of County Road 56 (Country Club Road).

Commissioner Thomas noted that this is a 5' deviation from the standard 30' building setback per the county's subdivision regulations

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 11:30 A.M. WITH SUE DOUGLASS, ASSOCIATE DIRECTOR
BELMONT COUNTY DOD/CIC AND ATTORNEY RICHARD MYSER**

Motion made by Mr. Probst, seconded by Mr. Longshaw to enter into executive session with Sue Douglass, Associate Director of the Department of Development/CIC, Attorney Richard Myser, and Linda Shepherd pursuant to Ohio Revised Code 121.22(G)(2) Property Exception to consider the sale of property.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADJOURNING EXECUTIVE
SESSION AT 11:43 A.M.**

Motion made by Mr. Probst, seconded by Mr. Thomas to adjourn executive session with Sue Douglass, Associate Director of the Department of Development/CIC, Attorney Richard Myser, and Linda Shepherd pursuant to Ohio Revised Code 121.22(G)(2) Property Exception to consider the sale of property.

Upon roll call the vote was as follows:

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

AS A RESULT OF EXECUTIVE SESSION THE FOLLOWING ACTION WAS TAKEN:

**IN THE MATTER OF AUTHORIZING THE COMMISSIONERS
TO SIGN A GENERAL WARRANTY DEED FROM THE CIC TO
CONVEY LOT #31 IN THE FOX COMMERCE PARK**

Motion made by Mr. Thomas, seconded by Mr. Probst to authorize the Belmont County Commissioners to sign a General Warranty Deed from the County of Belmont to the Belmont County Community Improvement Corporation which would convey Lot #31 in the Belmont County Fox Commerce Park to the Community Improvement Corporation for in turn a sale to a Belmont County business.

GENERAL WARRANTY DEED

THE COUNTY OF BELMONT, a political subdivision of the State of Ohio, by and through the Belmont County Commissioners, the Grantor, for valuable consideration paid, grants, with covenants of general warranty, to **THE BELMONT COUNTY COMMUNITY IMPROVEMENT CORPORATION**, a non-profit corporation, the Grantee, whose tax mailing address is 117 East Main Street, St. Clairsville, Ohio 43950, the following described real property:

Situated in the County of Belmont, State of Ohio, Richland Township, Section 32 and 33, Township 7, Range 4 and being identified as Lot 31 of the Belmont County Fox Commerce Park of record in Cabinet E, Slide 318 of the Records of Plats of Belmont County, Ohio.

Parcel No. _____

Subject to the restrictive covenants for Belmont County Fox Commerce Park which are set forth more specifically on the Plat of record in Cabinet E, Slide 318 of the Records of Plats of Belmont County, Ohio.

Also excepting and reserving all conveyances, restrictions, exceptions, reservations and easements, including coal and/or other minerals heretofore sold and conveyed, or of record.

Being a part of the same premises conveyed to the County of Belmont Ohio by Warranty Deed of record in Volume 752, Page 356 of the Records of Deeds of Belmont County, Ohio.

SUBJECT TO AN EXCEPTING taxes and assessments for the year 2008 and thereafter which taxes and assessments the Grantee assumes and agrees to pay as a part of the consideration for this conveyance.

Executed this 1st day of October, 2008.

THE COUNTY OF BELMONT, OHIO

By: Gordie W. Longshaw /s/

Gordie W. Longshaw

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

Charles R. Probst, Jr.

By: Mark A. Thomas /s/

Mark A. Thomas

Upon roll call the vote was as follows:

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

DISCUSSION HELD – Commissioner Thomas explained the process when selling a piece of property in Fox Commerce Park wherein Belmont County conveys the land to CIC, as the land agent, and they in turn convey the property to the business. He then introduced Sue Douglass, Associate Director of the CIC. Sue thanked the board for their approval and guidance regarding this sale and introduced Linda Shepherd, owner of Sew Biz, the new tenant in the park. Ms. Douglass explained this is an expansion of an existing business that will create new jobs. She said Sew Biz is a sound, stable business and that Ms. Shepherd has a vested interest in Belmont County as a resident. She said Ms. Shepherd follows sound business principals and protocol. Ms. Shepherd noted her employees are also Belmont County residents who are hardworking and dedicated.

IN THE MATTER OF ADJOURNING
COMMISSIONERS MEETING AT 11:58 A.M.

Motion made by Mr. Probst, seconded by Mr. Thomas to adjourn the meeting at 11:58 a.m.

Upon roll call the vote was as follows:

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

Read, approved and signed this 8th day of October, 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