

St. Clairsville, Ohio

September 24, 2008

The Board of Commissioners of Belmont County, Ohio, met this day in regular session. Present: Gordie W. Longshaw, Charles R. Probst, Jr. Commissioners and Jayne Long, Clerk of the Board. Absent: Mark A. Thomas. Minutes of the meeting of September 17, 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. Longshaw, 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-Fleet Services (Marathon)	August gasoline/General Fund	52.36
A-Lowes	Maintenance Supplies/General Fund	2,827.13
A-Richard L. Gross	Investigator Fee/General Fund	400.00
A-Smartbill	UPS Charge-Treasurer/General Fund	18.58
C-Pure Water Finance	Water/Indigent Guardianship Fund	79.95
K-Lash Paving, Inc.	Cold Patch/Engineer MVGT Fund	598.40
K-Staples Credit Plan	Supplies/Engineer MVGT Fund	120.97
N-Deluxe Doors	Install Doors/Capital Imp. Park Health Center Fund	3,089.00
N-Kelly Paving, Inc.	Asphalt/Rd. & Bridge Improve. Fund	17,434.59
P-American Electric	Service/WWS#1 Revenue Fund	272.61
P-Belmont Co. Sanitary Sewer District	August service/WWS#1 Revenue Fund	3,925.35
P-Belmont Technical College	Class fee/BCSSD Funds	115.00
P-Bd. of Trustees of Public Affairs	July service/WWS#1 Revenue Fund	19,359.23
P-Bd. of Trustees of Public Affairs	August service/WWS#1 Revenue Fund	21,438.70
P-Buckeye Exterminating	August service/Oakview Admn. Building Fund	135.00
P-Eastern Ohio Regional Wastewater Authority	Sewage Disposal/BCSSD Funds	182.00
P-Ohio Pump Co.	Materials/BCSSD Funds	303.61
P-Rose Products & Services	Supplies/BCSSD Funds	62.88
P-Water & Sewer Develop. Fund	Transfer/BCSSD Funds	5,098.46
P-Wilson Blacktop Corp.	Supplies/BCSSD Funds	187.50
S-Chase VISA	Supplies-GS/District Detention Home Fund	261.70
S-Comcast	Internet/Western Div. Ct. Computer Fund	125.00
S-Maximus, Inc.	Service agreement/Clerk of Courts Computer Fund	3,618.25
S-National City	Activities-GS/District Detention Home Fund	334.94
S-Ohio Imaging Products	Supplies/Certificate of Title Admn Fund	105.00
S-Randy Marple	Reimburse expenses/Certificate of Title Admn Fund	16.78
T-Chase Bank	CDBG Funds	70,195.00
T & P-Cynthia Wilson	Deposit Refund/BCSSD Funds	33.10
T-Tracy Newsome	Deposit Refund/BCSSD Funds	48.95
W-Judith Bruney	Reimburse travel expenses/Prosecutor Victim Assistance Fund	249.20

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

Motion made by Mr. Longshaw, seconded by Mr. Probst to approve the Recapitulation of Vouchers dated for Sept. 23, 2008 as follow:

FUND	AMOUNT
A-GENERAL	\$625.21; \$2,569.94; \$14,820.32; \$1,494.77; \$607.15
GENERAL/AUDITOR	\$2,707.15
GENERAL/EMA	\$483.14
GENERAL/WESTERN DIV. CT.	\$159.50
GENERAL/911	\$2,689.49
B-Dog and Kennel	\$6,837.99
E-911	\$5,163.75
H-County Home, Park Health	\$1,757.31
H-Job & Family, Public Assistance	\$528.98; \$8,076.96; \$9,019.36; \$29,640.50; \$9,753.53; \$4,707.90; \$1,238.68; \$12,628.68; \$433.22; \$1,497.89
H-Job & Family, WIA	\$77,169.80; \$2,311.68
K-Engineer MVGT	\$23,283.75; \$1,020.13
M-Juvenile Court, Placement Services	\$44,289.00
M-Juvenile Court, Title IV-E Reimb	\$2,381.50
M-Juvenile Court, Placement II	\$454.67
P-Sanitary Sewer District	\$11,244.56; \$6,046.67; \$22,553.63; \$381.97; \$3,600.98; \$2,983.80; \$871.43; \$212.35 \$130.13; \$3,768.24
S-District Detention Home	\$7,517.38
S-Job & Family, Children Services	\$90.00; \$8,703.64
S-Oakview Juvenile Residential Center	\$4,917.65
S-Port Authority	\$56.49
S-Western Ct. General Special Projects	\$845.43

Upon roll call the vote was as follows:

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

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

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

FROM	TO	AMOUNT
E-0012-A001-B12.002 Salaries	E-0013-A001-B16.002 Salaries	\$ 17,000.00

Upon roll call the vote was as follows:

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

IN THE MATTR OF TRANSFER WITHIN INFRASTRUCTURE FUND N38

Motion made by Mr. Longshaw, seconded by Mr. Probst to approve the following transfer within Infrastructure Fund N38.

FROM	TO	AMOUNT
E-9038-N038-N05.055 Contract Services (Paving Project Money for 2008)	E-9038-N038-N21.501 MVGT Projects	\$250,000.00

Upon roll call the vote was as follows:

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

IN THE MATTER OF TRANSFER WITHIN EMERGENCY OPERATIONS CONSTRUCTION FUND N33

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

FROM	TO	AMOUNT
E-9033-N033-N06.012 Equipment	E-9033-N033-N07.075 Advances Out	\$1689.14

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 BELMONT COUNTY SANITARY SEWER DISTRICT

Motion made by Mr. Probst, seconded by Mr. Longshaw to approve the following transfers within fund for the Belmont County Sanitary Sewer District.

FROM	TO	AMOUNT
WWS#2 E-3701-P003-P25.000 Purchased Water	WWS#2 E-3701-P003-P21.000 Materials	10,000.00
WWS#3 E-3702-P005-P25.000 Purchased Water	WWS#3 E-3702-P005-P23.011 Services	25,000.00
E-3702-P005-P31.000 OE Oper	E-3702-P005-P24.013 Projects	8,200.00
SSD#2 E-3705-P053-P14.000 OE Employee	SSD#2 E-3705-P053-P15.000 OE Oper	4,000.00
E-3705-P053-P16.074 OE Trans Out	E-3705-P053-P07.011 Services	9,000.00

Upon roll call the vote was as follows:

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

IN THE MATTER OF REPAYMENT OF CASH ADVANCE OF FUNDS FROM THE EOC CONSTRUCTION GRANT N-33 TO THE GENERAL FUND

Motion made by Mr. Probst, seconded by Mr. Longshaw to approve the following repayment of cash advance of funds from the EOC Construction Fund N-33 to the Belmont County General Fund as follows:

FROM	TO	AMOUNT
E-9033-N033-N07.575 Advances Out	R-0040-A000-A48.575 Adv In	\$1,689.14

(Repayment of Cash Advance from Budget Stab to EOC Construction on 10/25/06 & 11/01/06)

Upon roll call the vote was as follows:

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

IN THE MATTER OF REPAYMENT OF CASH ADVANCE OF FUNDS FROM THE HOMELAND SECURITY GRANT P-93 TO THE GENERAL FUND

Motion made by Mr. Probst, seconded by Mr. Longshaw to approve the following repayment of cash advance of funds from the Homeland Security Grant Fund P93 to the Belmont County General Fund as follows:

FROM	TO	AMOUNT
E-1723-P093-P10.075 Advances Out	R-0040-A000-A48.575 Adv In	\$6,714.99

(Repayment of Cash Advance from Budget Stab to Homeland Security Grant on 11/28/07)

Upon roll call the vote was as follows:

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

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 September 24, 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	Absent

FOR S.A. COMUNALE, INC./BELMONT CO. JAIL ADDITION PROJECT

Motion made by Mr. Probst, seconded by Mr. Longshaw to approve payment of Invoice No. L33508 for S.A. Comunale Co., Inc., Fire Protection contractor for the Belmont County Jail Addition Project, in the amount of \$1,380.00 based upon the recommendation of Wachtel & McAnally Architects/Planners, Inc. and Marshall Piccin, Project Engineer.

Upon roll call the vote was as follows:

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

IN THE MATTER OF ENTERING RENEWAL OF CONTRACT ON BEHALF OF BCDJFS CHILD SUPPORT ENFORCEMENT AGENCY AND BELMONT CO. JUVENILE COURT FOR MAGISTRATE SERVICES

Motion made by Mr. Probst, seconded by Mr. Longshaw to enter into a renewal of the Title IV-D Service Contract, on behalf of BCDJFS Child Support Enforcement Agency between Belmont County Child Support Enforcement Agency and Belmont County Juvenile Court for Magistrate services, in the amount of \$124,803.00, effective July 1, 2008 through June 30, 2009.

66% Federal share- \$82,369.98

34% Local share-\$42,433.02.

Upon roll call the vote was as follows:

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

IN THE MATTER OF RENEWAL OF GRANT AGREEMENT FOR COMMUNITY CORRECTIONS FACILITIES BETWEEN ODYS AND OAKVIEW JUVENILE RESIDENTIAL CENTER

Motion made by Mr. Probst, seconded by Mr. Longshaw to sign the renewal of the Grant Agreement for Community Corrections Facilities between the State of Ohio Department of Youth Services and Oakview Juvenile Residential Center (Grantee), in the amount of \$1,023,416.00, for the period beginning July 1, 2008 and ending June 30, 2009.

Note: This grant provides the operating money for the facility. There is no match required.

Ohio Department of Youth Services

GRANT AGREEMENT FOR COMMUNITY CORRECTIONS FACILITIES

This Grant Agreement is made and entered into by and between the State of Ohio, Department of Youth Services (hereinafter referred to as "Department") and the Oakview Juvenile Residential Center in Belmont County (hereinafter referred to as "Grantee" as defined in Ohio Administrative Code 5139-61-02(H), located in St. Clairsville, Ohio (Belmont County).

The Grantee has made application to the Department for funds made available for start up of the Facility, and has submitted a grant plan for the use of these funds. The Department approves funding for the Grantee in the sum of **\$1,023,416.00** for the period beginning **July 1, 2008, and ending June 30, 2009**, subject to the terms and conditions of this agreement.

A. TERMS AND CONDITIONS:

- 1) The Grantee agrees to implement the plan as outlined in the grant application submitted by the Grantee and approved by the Department (including any conditions hereafter imposed by the Department for purposes of provisional approval), which is attached hereto as Appendix A, and incorporated herein by reference.
- 2) The Grantee agrees to comply with Ohio Administrative Code Chapter 5139-61, "Community Juvenile Corrections Facilities Program Rules and Procedures" and 5139-63, "Community Juvenile Corrections Facilities Fiscal Rules and Procedures"; and Ohio Revised Code Section 5139.36, and other related sections.
- 3) The obligations of the Department under this agreement are subject to the determination of the Director that sufficient funds have been appropriated by the General Assembly to the Department for the purposes of this agreement and to the certification of the availability of such funds by the Director of Budget and Management as required by R.C. 126.07.
- 4) The initial amount of funding approved by the Department under this agreement is subject to quarterly review by the Department and may be increased or reduced based upon **occupancy**, operational and maintenance needs of the Facility and availability of funds. Budget adjustments will not be made without this review. The Facility will be notified in writing of any change in the initial funding within 10 working days after the review of the budget. The decision of the Director shall be final and is not appealable.
- 5) The Grantee agrees that it will not employ as staff, or on a contract basis, any employee of the Department.
- 6) The Grantee will make its best efforts to augment the funding received from the Department through other funding resources, including but not limited to: tuition reimbursement, Medicaid, NSLA, and other sources identified by the Department.
- 7) The Grantee agrees that the only youth admitted and served by the Facility shall be those who would have otherwise been committed to the Department.
- 8) The Grantee agrees that the approved funds shall only be used to support operations and maintenance costs of the Facility and shall not be used for the provision of aftercare services.

B. PROGRAM EVALUATION:

- 1) The Grantee shall maintain statistical records for the grant in the format and frequency as established by the Department.
- 2) The Grantee shall prepare and submit to the Department a report comprised of statistical data pursuant to the Department's instructions.
- 3) The Grantee shall prepare and submit to the Department reports comprised of the statistical data set forth above based upon the time frame established by the Department.
- 4) The Grantee agrees to maintain intake and assessment forms for each youth referred or placed in the Facility.
- 5) The Grantee acknowledges that failure to comply with Items (B) (1) through (4) of this Grant Agreement may result in delayed grant payments to the Grantee.

C. COMPLIANCE:

- 1) The Grantee agrees that it will cooperate with and provide any additional information as may be required by the Department to fulfill its obligation in the administration and evaluation of the community-based corrections facility and program.
- 2) The Grantee understands that failure to comply with the rules of Chapter 5139.61 and 5139.63 of the Ohio Administrative Code, which are applicable under this Grant Agreement, may be cause for the Director of the Department of Youth Services to terminate further funding. Furthermore, the Grant Agreement may be terminated by the Department if:
 - a) There has been a reduction in the quality and extent of the program services.
 - b) There has been a financial or audit disclosure involving misuse of state funds.
 - c) A substantial reduction in commitments to the Department is not achieved, as indicated in the approved plan.
 - d) Program modifications required by the Department are not made.
- 3) The Grantee agrees to compensate the Department for the costs of any audit performed by the Auditor of State which is deemed necessary by the Department.

D. TERMINATION

- 1) The Department shall provide written notice to the Grantee of any intention to terminate funding. This notice will be provided thirty (30) days prior to any such action being taken.
- 2) The Grantee shall have thirty (30) days following the receipt of such notice to present a request for reconsideration to the Director of the Department of Youth Services. The decision of the Director shall be final and is not appealable.
- 3) Either the Department or the Grantee may terminate this agreement without cause, by providing the other party written notification of the date of the termination, which shall not be less than thirty (30) days from the date of the written notice.

E. AUTHORIZED SIGNATURES:

THE OHIO DEPARTMENT OF YOUTH SERVICES:

Director	_____	_____	Date
FACILITY:			
Facility Administrator	_____	_____	Date
Oakview Juvenile Residential Center			
JUDGE (one for each county):			
<i>J.M. Costine /s/</i>	_____	9/19/08	_____
Belmont County Juvenile Court Judge			Date
COUNTY COMMISSIONER (one for each county): Belmont			
<i>Gordie W. Longshaw /s/</i>	_____	9/24/08	_____
Belmont County Commissioner			Date
Upon roll call the vote was as follows:			
	Mr. Probst		Yes
	Mr. Longshaw		Yes
	Mr. Thomas		Absent

**IN THE MATTER OF ACCEPTING PROPOSAL FROM
BRUCE L. BAILEY, BAILEY APPRAISAL SERVICES**

Motion made by Mr. Probst, seconded by Mr. Longshaw to accept the proposal from Bruce L. Bailey, Bailey Appraisal Services, in the amount of \$1,500.00 for appraisal services for the Mediterranean Property located on Mediterranean Road (TR-1570), Morristown, Ohio.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF BID OPENING FOR ENGINEER'S
PROJECT 08-10 RESURFACING PORTIONS OF COUNTY
HIGHWAYS 30 & 214 (DIXON HILL & HIGH RIDGE ROADS)**

This being the day and 11:00 a.m. being the hour that bids were to be on file in the Commissioners' Office for the Belmont County Engineer's Project 08-10 Resurfacing portions of County Highways 30 & 214 (Dixon Hill and High Ridge Road), they proceeded to open the following bids: (Engineer's Estimate: \$257,819.00)

NAME	BID BOND	BID AMOUNT
Shelly & Sands, Inc. PO Box 66 Rayland, OH 43943	X	\$ 269,432.25
Lash Paving, Inc. PO Box 296 Colerain, OH 43916	X	\$ 250,896.99

Present for the bid opening were Engineer Fred Bennett, Deputy Engineer Mike Wahl, Ed Leonard of Shelly & Sands, Scott Schnegg of Lash Paving and Eric Ayres of The Times Leader.

Motion made by Mr. Probst, seconded by Mr. Longshaw to turn over all bids received for the Belmont County Engineer's Project 08-10 Resurfacing portions of County Highways 30 & 214 (Dixon Hill and High Ridge Road), to County Engineer Fred Bennett for review and recommendation.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF AWARDING BID FOR ENGINEER PROJECT
08-10 RESURFACING PORTIONS OF COUNTY HIGHWAYS 30 & 214
(DIXON HILL AND HIGH RIDGE ROADS)**

Motion made by Mr. Probst, seconded by Mr. Longshaw to award the bid for Belmont County Engineer Project 08-10 Resurfacing portions of County Highways 30 & 214 (Dixon Hill and High Ridge Road), in the amount of \$250,896.99, to Lash Paving, Inc., based upon the recommendation of Fred Bennett, County Engineer.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADJOURNING
COMMISSIONERS MEETING AT 11:25 A.M.**

Motion made by Mr. Longshaw, seconded by Mr. Probst to adjourn the meeting at 11:25 a.m.
Upon roll call the vote was as follows:

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

Read, approved and signed this 1st day of October, 2008.

COUNTY COMMISSIONERS

Mark A. Thomas - 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