

The Board of Commissioners of Belmont County, Ohio, met this day in regular session. Present: Charles R. Probst, Jr., Matt Coffland and Ginny Favede, Commissioners and Jayne Long, Clerk of the Board.

MEETINGS ARE NOW BEING RECORDED
ALL DISCUSSIONS ARE SUMMARIZED. FOR COMPLETE PROCEEDINGS
PLEASE SEE CORRESPONDING CD FOR THIS MEETING DAY.

IN THE MATTER OF ALLOWANCE OF BILLS
AS CERTIFIED IN THE AUDITOR'S OFFICE

"BILLS ALLOWED"

The following bills having been certified in the Auditor's office, on motion by Mrs. Favede, 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-Christy Taylor	Travel expenses-Veterans/General Fund	73.92
A-DLT Solutions, Inc.	License Subscriptions-GIS Projects/General Fund	4,561.28
A-Draft-Co., Inc.	Web Hosting-GIS Projects/General Fund	500.00
A-Ohio AFSCME Care Plan	Dental & Drug Coverage/General Fund	736.00
A-Treasurer of State	Audit Fees/General Fund	2,308.79
D-Lash Paving, Inc.	Asphalt/Road & Bridges Fund	7,101.05
D-Wilson Blacktop Corp.	Asphalt/Road & Bridges Fund	20,515.00
M-Bellaire High School Thespians	School Fees/Placement II-Juvenile Court Fund	340.00
M-Belmont Co. DHS Children Services	Placement/Placement Services-Juvenile Court Fund	2,657.76
M-Deb Shops	Clothing/Placement II-Juvenile Court Fund	100.00
N-U S Bridge	Steel-Drip Strip/Bridge & Retain Wall Construct Improv Fund	4,935.00
O-Ohio Dept. of Development	October Loan payment/Fox Commerce Park/St Oh Loan Repay Fund	3,293.38
P-High Angle Associates	SAR Equipment/State Homeland Security Grant/EMA	4,712.40
P-Renee' Wilson	Travel expenses/BCSSD Funds	128.25
P-Software Solutions, Inc.	Equipment/BCSSD Funds	181.00
S-Belmont Co. Sheriff Dept.	Gals/Juvenile Ct. General Special Projects Fund	225.00
S-Crystal Springs	Water/Western Ct. General Special Projects Fund	32.77

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

Motion made by Mrs. Favede, seconded by Mr. Probst to approve the Recapitulation of Vouchers dated for October 7, 2009 as follow:

FUND	AMOUNT
A-GENERAL	\$58,932.61; \$1,278.01; \$2,146.52; \$37.68
A-GENERAL/AUDITOR	\$2,009.27
A-GENERAL/SHERIFF	\$14,047.23
A-GENERAL/EMA	\$1,024.14
A-GENERAL/911	\$504.87
B-Dog and Kennel	\$1,469.98
E-911	\$450.00
H-Job & Family, CSEA	\$90,761.05; \$3,494.93
H-Job & Family, Public Assistance	\$36,320.18
H-Job & Family, WIA	\$150,606.31
K-Engineer MVGT	\$19,205.46; \$27,989.95; \$685.32
M-Juvenile Ct. – Title IV-E Reimb	\$517.13
P-Oakview Admin. Bldg.	\$3,366.95
P-Sanitary Sewer District	\$88,383.70; \$2,742.82; \$1,702.40; \$34,670.15
S-District Detention Home	\$4,259.20
S-Eastern Ct. Computer	\$1,134.00
S-Eastern Ct. General Special Projects	\$1,357.86
S-Job & Family, Children Services	\$133,496.69; \$14,847.60; \$29,409.00
S-Northern Div. Ct. Computer Fund	\$7,801.45
S-Oakview Juvenile Residential Center	\$6,052.43
S-Western Court Gen. Special Projects	\$579.26; \$1,049.81
U-Sheriff Reserve	\$726.63

Upon roll call the vote was as follows:

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

IN THE MATTER OF TRANSFER OF FUNDS WITHIN
THE BELMONT COUNTY GENERAL FUND

Motion made by Mr. Coffland, seconded by Mr. Probst to approve the following transfer of funds within the Belmont County General Fund.

FROM	TO	AMOUNT
E-0051-A001-A28.000 Other Expenses	E-0051-A001-A10.000 Professional Serv	\$ 20,000.00
E-0051-A001-A28.000 Other Expenses	E-0051-A001-A14.012 Equip,Xerox Leases	\$ 15,000.00
E-0051-A001-A28.000 Other Expenses	E-0256-A014-A01.000 Corsa, Insurance	\$ 5,278.00
E-0051-A001-A28.000 Other Expenses	E-0257-A015-A14.000 Attorney Fees	\$ 17,000.00
E-0055-A004-B31.000 Meditt.Building	E-0055-A004-B32.000 Eastern Court Bldg	\$ 2,000.00
E-0055-A004-B31.000 Meditt.Building	E-0256-A004-B15.000 Rentals	\$ 1,750.00
E-0055-A004-B18.000 Other Exp. (fuel)	E-0256-A004-B15.000 Rentals	\$ 3,428.00

Upon roll call the vote was as follows:

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

IN THE MATTER OF TRANSFER WITHIN FUND FOR THE GENERAL FUND/BOARD OF ELECTIONS

Motion made by Mrs. Favede, seconded by Mr. Coffland to approve the following transfer within fund for the General Fund.

FROM	TO	AMOUNT
E-0181-A003-A02.000 Poll Workers Salary Account	E-0181-A003-A11.000 Other Expenses	\$ 10.75

Upon roll call the vote was as follows:

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

IN THE MATTER OF TRANSFER WITHIN FUND FOR THE GENERAL FUND/911

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

FROM	TO	AMOUNT
E-0056-A006-E01.002 Salaries-Employees	E-0056-A006-E11.006 Hospitalization	\$ 14,800.00

Note: Coverage thru December.

Upon roll call the vote was as follows:

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

IN THE MATTER OF TRANSFER WITHIN GENERAL FUND /VETERANS

Motion made by Mrs. Favede, seconded by Mr. Probst to approve the following transfer within General Fund.

FROM	TO	AMOUNT
E-0257-A017-A00.000 Contingency (Monies needed for Professional Services)	E-0161-A009-C08.000 Other Expenses Vets	\$9,000.00

Upon roll call the vote was as follows:

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

IN THE MATTER OF TRANSFER WITHIN FUND FOR THE ENGINEER'S MVGT FUND

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

FROM	TO	AMOUNT
E-2811-K000-K03.010 Supplies	E-2811-K000-K04.012 Equipment	\$ 3,000.00

Upon roll call the vote was as follows:

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

IN THE MATTER OF TRANSFER OF FUNDS WITHIN THE SOIL CONSERVATION FUND

Motion made by Mr. Probst, seconded by Mr. Coffland to approve the following transfer of funds within the Soil Conservation Fund.

FROM	TO	AMOUNT
E-1810-L001-L08.000 Scholarship & Education	E-1810-L001-L06.000 Rental	\$ 4,523.53

Upon roll call the vote was as follows:

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

IN THE MATTER OF TRANSFER WITHIN FUND FOR THE BELMONT COUNTY SANITARY SEWER DISTRICT

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

FROM	TO	AMOUNT
WWS #3 E-3702-P005-P17.002 Salaries	WWS #3 E-3702-P005-P24.013 Projects	\$ 26,000.00

Upon roll call the vote was as follows:

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

IN THE MATTER OF TRANSFER OF FUNDS WITHIN THE PROSECUTOR'S OFFICE/DRETAC FUND

Motion made by Mr. Probst, seconded by Mr. Coffland to approve the following transfer of funds within the Prosecutor's Office/DRETAC Fund.

FROM	TO	AMOUNT
E-1510-W081-P01.002 Salaries	E-1510-W081-P05.003 PERS	\$ 2,700.00

Upon roll call the vote was as follows:

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

**IN THE MATTER OF TRANSFER BETWEEN THE
GENERAL FUND AND PARK HEALTH
BOND RETIREMENT O25 FUND**

Motion made by Ms. Favede, seconded by Mr. Probst to approve the following transfer from the Belmont County General Fund into the Park Health Bond Retirement Fund.

FROM	TO	AMOUNT
E-0257-A015-A15.074 Trans Out (monies necessary for the final bond payment)	R-9211-O025-O06.574 Trans In	\$2,596,533.75

Upon roll call the vote was as follows:

Ms. Favede	Yes
Mr. Probst	Yes
Mr. Coffland	Yes

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

Motion made by Mr. Probst, seconded by Mr. Coffland to approve the following transfers between funds from the Water and Sewer Guarantee Deposit Fund to the Revenue Receipt Fund for the months of August and September, 2009.

AUGUST

FROM	TO	AMOUNT
E-3711-T010-T04.074 WSGDF Transfer Out	R-3701-P003-P15.574 WWS#2 01004002 Transfers In	190.64
E-3711-T010-T04.074 WSGDF Transfer Out	R-3702-P005-P15.574 WWS#3 02004002 Transfers In	726.48
E-3711-T010-T04.074 WSGDF Transfer Out	R-3704-P051-P08.574 SSD #1 03004002 Transfers In	208.50
E-3711-T010-T04.074 WSGDF Transfer Out	R-3705-P053-P08.574 SSD #2 04004002 Transfers In	20.20
E-3711-T010-T04.074 WSGDF Transfer Out	R-3706-P055-P08.574 SSD#3A 06004002 Transfers In	<u>197.49</u>
TOTAL		1,343.31

SEPTEMBER

FROM	TO	AMOUNT
E-3711-T010-T04.074 WSGDF Transfer Out	R-3701-P003-P15.574 WWS#2 01004002 Transfers In	136.89
E-3711-T010-T04.074 WSGDF Transfer Out	R-3702-P005-P15.574 WWS#3 02004002 Transfers In	569.42
E-3711-T010-T04.074 WSGDF Transfer Out	R-3704-P051-P08.574 SSD#1 03004003 Transfers In	49.50
E-3711-T010-T04.074 WSGDF Transfer Out	R-3705-P053-P08.574 SSD #2 04004002 Transfers In	99.17
E-3711-T010-T04.074 WSGDF Transfer Out	R-3706-P055-P08.574 SSD#3A 06004002 Transfers In	<u>334.97</u>
TOTAL		1,189.95

Upon roll call the vote was as follows:

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

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

Motion made by Mr. Probst, seconded by Mr. Coffland 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 7, 2009.

General

E-0131-A006-A07.000	Training	0.00
E-0131-A006-A09.000	Medical	0.00
E-0131-A006-A17.012	Cruiser Repairs	0.00
E-0131-A006-A20.000	False Alarm	610.00
E-0131-A006-A21.000	Sheriff's Towing	140.00
E-0131-A006-A23.000	Background	1,180.00
E-0131-A006-A24.000	E-SORN	405.00
E-0131-A006-A29.000	Mounted	0.00
E-0131-A000-A30.000	Lifesaver	60.00

Enforcement Education

E-1652-B016-B02.000	Education Expenses	25.00
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Commissary Fund

E-5100-S000-S01.010	Supplies	9,320.73
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Concealed Handgun License

E-5101-S001-S06.000	License Issuance	2,463.00
E-5101-S001-S07.012	Equipment	1,487.00

Sheriff Reserve Account

E-9710-U010-U06.000	Other Expenses	300.00
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Upon roll call the vote was as follows:

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

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

Motion made by Mrs. Favede, seconded by Mr. Probst to make the following additional appropriation, in accordance with the Amended Official Certificate of Estimated Resources as revised by the Budget Commission, under the date of October 7, 2009.

E-0257-A015-A15.074 Transfer Out	\$2,596,533.75
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Upon roll call the vote was as follows:

Ms. Favede	Yes
Mr. Probst	Yes
Mr. Coffland	Yes

**IN THE MATTER OF ADDITIONAL APPROPRIATIONS
FOR THE W.W. S. #3 PHASE II - BOND FUND**

Motion made by Mr. Probst, seconded by Mr. Coffland 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 7, 2009.

W.W. S. #3 PHASE II - BOND FUND

E-9204-0007-001.050	Principal	80,000.00
E-9204-0007-002.051	Interest	35,852.50
E-9204-0007-002.051	Interest	200,000.00

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADDITIONAL APPROPRIATIONS
FOR THE BOND RETIREMENT PARK HEALTH O-25 FUND**

Motion made by Ms. Favede, seconded by Mr. Probst to make the following additional appropriation, in accordance with the Amended Official Certificate of Estimated Resources as revised by the Budget Commission, under the date of October 7, 2009.

E-9211-0025-001.050	Principal Payment	\$2,515,000.00
E-9211-0025-003.051	Interest Payment	\$ 58,433.75
E-9211-0025-004.055	Other Expenses	\$ 23,100.00
	Total	\$2,596,533.75

Upon roll call the vote was as follows:

Ms. Favede	Yes
Mr. Coffland	Yes
Mr. Probst	Yes

**IN THE MATTER OF ADDITIONAL APPROPRIATION
FOR THE BELMONT CO. SANITARY SEWER DISTRICT
W.W. SYSTEM #3 REVENUE FUND**

Motion made by Mr. Coffland, 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 7, 2009.

E-3702-P005-P34.074	Transfers-Out	\$ 115,852.50
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Upon roll call the vote was as follows:

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

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

Motion made by Mr. Probst, seconded by Mr. Coffland 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 7, 2009.

E-5005-S070-S05.011 Contract Services, In Home Care Levy	\$800,000.00
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Upon roll call the vote was as follows:

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

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

Motion made by Mrs. Favede, seconded by Mr. Probst to execute payment of Then and Now Certification dated October 7, 2009, 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:

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

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

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

- GENERAL FUND - \$3,913,871.00.** This represents monies received from the sale of Park Health Center.
- PARK HEALTH BOND RETIREMENT FUND - \$2,596,533.75.** This represents monies received from the sale of Park Health Center.
- SENIOR SERVICES/IN HOME CARE LEVY FUND - \$800,000.00**

Upon roll call the vote was as follows:

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

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

Motion made by Mr. Coffland seconded by Mr. Probst granting permission for county employees to travel as follows:

ELECTION BOARD – Deputy Director Kelly McCabe to travel to Columbus, OH, on October 9, 2009, to attend the Premier Voting System Post-Warranty Options Information Session with the Ohio Secretary of State.

JUVENILE COURT – Dave Carter, Drug Court Coordinator, to travel in a county car to the Supreme Court in Columbus, OH, on October 8, 2009, to attend Specialized Docket Training. The training is free.

SANITARY SEWER DISTRICT – Todd Krebs, Justin Mowery, Eric Taylor and Travis Vensel to travel to Columbus, OH, on November 5, 2009, to take the Ohio EPA Water Test. County vehicles will be used for travel.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF AUTHORIZING AUDITOR
ANDREW SUTAK TO ESTABLISH A NEW FUND/
LAW LIBRARY RESOURCE FUND**

Motion made by Mrs. Favede, seconded by Mr. Coffland authorizing Belmont County Auditor Andrew Sutak to establish a new fund for the following:

	Law Library Resource Fund	
Upon roll call the vote was as follows:	Mrs. Favede	Yes
	Mr. Coffland	Yes
	Mr. Probst	Yes

OPEN PUBLIC FORUM – Richard Hord had questions concerning the Social Service Levy and how those monies would be utilized. Commissioner Probst said Dwayne Pielech, BCDJFS Director, is evaluating that now. A brief discussion was held on the use of TANF monies several years ago and if those funds could have been used for a Children’s Advocacy Center. Commissioners explained that no such center was being proposed at that time.

Patty Goletz from Barton asked if anything has been found out about the wastewater in her area. Mrs. Favede advised that Sanitary Sewer District Project Manager, Kelly Porter, is coming in next week to explain what he has looked into. He has contacted the people in Deersville per Mrs. Favede’s request with the article that was provided by Mrs. Goletz.

**IN THE MATTER OF A RESOLUTION AUTHORIZING THE TRANSFER
OF FUNDS FROM WATERWORKS NO. 1, WATERWORKS NO. 2,
WATERWORKS NO. 3 TO NEW FUNDS IN THE CONSOLIDATED
BELMONT COUNTY WATER DISTRICT**

RESOLUTION

WHEREAS, pursuant to Sections 5705.15 and 5705.16 of the Ohio Revised Code, the Board of County Commissioners of Belmont County, Ohio, desires to transfer certain funds enumerated below due to the proposed consolidation of water districts in Belmont County, Ohio, into one consolidated water district to be known as The Belmont County Water District:

- Waterworks No. 1 Operating Fund PO1 in the amount of \$1,496.10 to Waterworks P05
- Waterworks No. 2 Operating Fund P03 in the amount of \$401,564.87 to Waterworks P05
- Waterworks No. 3 Operating Fund P05 in the amount of \$645,893.33 to Waterworks P05
- Waterworks No. 1 Capital Improvement Fund N15 in the amount of \$72,527.82 to Capital Improvement N22
- Waterworks No. 2 Capital Improvement Fund N16 in the amount of \$377,792.95 to Capital Improvement N22
- Waterworks No. 3 Capital Improvement Fund N22 in the amount of \$1,665,560.08 to Capital Improvement N22
- Account designated as WWS#3 Phase I Bond Account transferred to an account by the same name in the newly formed district.
- Account designated as WWS#3 Phase I Reserve Bond Account transferred to an account by the same name in the newly formed district.
- Account designated as WWS#3 Phase II Bond Account transferred to an account by the same name in the newly formed district.
- Account designated as WWS#3 Phase II Reserve Bond Fund transferred to an account by the same name in the newly formed district.

WHEREAS, the Board of County Commissioners of Belmont County intends to consolidate all of the Belmont County Sanitary Sewer Districts into one consolidated sewer district and thereafter, consolidate all of the water districts into one consolidated water district; and

WHEREAS, the consolidation of these water districts requires that these separate funds be consolidated into one Waterworks Fund and one Capital Improvement Fund.

WHEREAS, Belmont County has heretofore issued its Subordinated Waterworks System Revenue Bonds dated December 2, 1992 and Subordinated Waterworks System Revenue Bonds, Series 1997 dated November 20, 1997 (together, the "Bonds") pursuant resolutions adopted by the board of county commissioners of the Issuer (the "Board") on December 2, 1992 and November 20, 1997 (together, the "Bond Resolution"), which are payable solely from the revenues of Belmont County Water District No. 3, and which are the only outstanding obligations so secured; and

WHEREAS, the United States of America, acting through its Department of Agriculture, as the sole holder of the Bonds has consented to such consolidation and to the transfer of funds authorized hereby;

NOW, THEREFORE; BE IT RESOLVED by the Board of County Commissioners of Belmont County, Ohio, as follows:

Section 1: That it is necessary to transfer the following funds in order to provide for the continued water service for the consolidated water district to be known as the Belmont County Water District:

- Waterworks No. 1 Operating Fund PO1 in the amount of \$1,496.10 to Waterworks P05
- Waterworks No. 2 Operating Fund P03 in the amount of \$401,564.87 to Waterworks P05
- Waterworks No. 3 Operating Fund P05 in the amount of \$645,893.33 to Waterworks P05
- Waterworks No. 1 Capital Improvement Fund N15 in the amount of \$72,527.82 to Capital Improvement N22
- Waterworks No. 2 Capital Improvement Fund N16 in the amount of \$377,792.95 to Capital Improvement N22
- Waterworks No. 3 Capital Improvement Fund N22 in the amount of \$1,665,560.08 to Capital Improvement N22
- Account designated as WWS#3 Phase I Bond Account transferred to an account by the same name in the newly formed district.
- Account designated as WWS#3 Phase I Reserve Bond Account transferred to an account by the same name in the newly formed district.
- Account designated as WWS#3 Phase II Bond Account transferred to an account by the same name in the newly formed district.
- Account designated as WWS#3 Phase II Reserve Bond Fund transferred to an account by the same name in the newly formed district.

Section 2: That the Prosecuting Attorney with the assistance of Bond Counsel is hereby authorized to take all steps necessary regarding the filing of any petition or legal action necessary to cause such funds to be transferred.

Section 3: That upon Court approval, the Treasurer is hereby authorized to make the transfers set forth above.

Section 4: That from and after the effective dates of the consolidations of the water districts and the transfers referred to in Section 1 above, the Bonds shall be secured by and payable solely from the revenues of the consolidated Belmont County Water District and that references in the Bond Resolution to the "System" shall be deemed to refer to the water supply, treatment and distribution system in the consolidated Belmont County Water District, and to the "Revenue Fund", the "Bond Payment Account" and the "Reserve Account" shall be deemed to refer to equivalent funds and accounts to be created for the consolidated Belmont County Water District. In all other respects, the Bonds and the Bond Resolution are hereby approved, ratified and confirmed.

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

Mrs. Favede moved the adoption of the foregoing resolution. It was seconded by Mr. Probst, and upon call of the roll the following vote resulted;

Ms. Favede Yes, Mr. Probst Yes, Mr. Coffland Yes.

DISCUSSION HELD RE: CONSOLIDATED BELMONT COUNTY WATER & SEWER DISTRICT – Mark Esposito explained this will streamline their operations and save on paperwork. He said monies can now be combined which will allow better structure of the monies for operation and maintenance, bond debt, and capital improvements. Mr. Esposito said their current name, Belmont County Sanitary Sewer District, is confusing as it is both a water and sewer district. The new name will be Belmont County Water & Sewer District. He explained there will be two water sub districts (System A & System B) with different rates. There will be five sub districts under sanitary sewer, soon to be narrowed down to three. Mr. Esposito said the money put in the capital improvements line item will grow over time and money will be available for maintenance and repairs.

11:00 Roberta Jenkins, Director, Belmont Co. Fair Housing Commission

Mrs. Jenkins presented her report which she explained is required annually by the state. She said this analysis is intended to identify impediments to fair housing choice and to develop strategies to eliminate the same. Several topics are reviewed in this report: State/Local Economy Outlook; Housing Market/Foreclosure Update; Home Mortgage Lending; Government Stimulus Funding; Auto Industry Crisis; and Predatory Lending Update. Commissioner Probst thanked Ms. Jenkins and Joe Bencur, Fair Housing Board member, who was also present.

IN THE MATTER OF APPROVING THE FAIR HOUSING ANALYSIS OF IMPEDIMENTS REPORT

Motion made by Mrs. Favede, seconded by Mr. Probst to approve the Fair Housing Analysis of Impediments Report as submitted by Roberta Jenkins, Director, Belmont County Fair Housing Commission.

Upon roll call the vote was as follows:

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

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

Motion made by Mrs. Favede, seconded by Mr. Probst to approve the minutes of the Belmont County Board of Commissioners regular meeting of: September 23, 2009

Upon roll call the vote was as follows:

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

IN THE MATTER OF APPROVING MINUTES OF SPECIAL MEETING OF BOARD OF COMMISSIONERS RE: BELMONT HARRISON GUERNSEY REGIONAL WATERLINE PROJECT

Motion made by Mrs. Favede, seconded by Mr. Probst to approve minutes of the Special Meeting of Sept 24, 2009 regarding the proposed Belmont Harrison Guernsey Regional Waterline project.

Upon roll call the vote was as follows:

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

IN THE MATTER OF APPROVING PAY REQUEST #1 FROM OHIO WEST-VIRGINIA EXCAVATING, INC. FOR THE MT. VICTORY ROAD WATERLINE PROJECT PHASE I

Motion made by Mrs. Favede, seconded by Mr. Probst to approve Pay Request #1 for the Mt. Victory Road Waterline Project Phase I based upon the recommendation of Kelly Porter, Belmont County Sanitary Sewer District Project Manager and Hammontree & Associates, Inc., Project Engineer as follows:

Ohio West-Virginia Excavating, Inc. in the amount of \$258,468.80

Upon roll call the vote was as follows:

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

IN THE MATTER OF APPROVING PAY REQUEST #4 FOR CENTRAL PAINTING & SANDBLASTING, INC. FOR KOLTAS AND LANSING WATER STORAGE TANK RECOATING PROJECT/BCSSD

Motion made by Mrs. Favede, seconded by Mr. Probst to approve Pay Request #4 for Central Painting & Sandblasting, Inc. in the amount of \$65,102.40 for Contract No. 1-Koltas and Lansing Water Storage Tank Recoating Project, based upon the recommendation of Mark Esposito, Director, Belmont County Sanitary Sewer District and Jeff Vaughn, Project Engineer.

Upon roll call the vote was as follows:

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

IN THE MATTER OF ENTERING INTO CONTRACT WITH COLAIANNI CONSTRUCTION, INC./NEW EASTERN DIVISION COURT BUILDING PROJECT

Motion made by Mrs. Favede, seconded by Mr. Probst to enter into contract with Colaianni Construction, Inc. in the amount of \$1,137,400.00 for the new Eastern Division Court Building project in Bellaire, Ohio, based upon the recommendation of M&G Architects & Engineers, Project Engineer.

Upon roll call the vote was as follows:

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

DISCUSSION-Mr. Bianconi stated it is his opinion the courts should be combined and attached to the new jail to save transportation costs.

IN THE MATTER OF RESOLUTION AUTHORIZING THE REDEMPTION OF ALL THE COUNTY'S OUTSTANDING COUNTY HOME IMPROVEMENT REFUNDING BONDS, SERIES 1999, DATED AS OF APRIL 1, 1999 ISSUED FOR THE PURPOSE OF REFUNDING BONDS OF THE COUNTY PREVIOUSLY ISSUED TO PAY PART OF THE COST OF CONSTRUCTING A COUNTY HOME, AND MATTERS RELATED THERETO.

The Board of County Commissioners of Belmont County, Ohio, met in regular session at 10:00 o'clock a.m. on October 7, 2009, at the commissioners' meeting room located in the Belmont County Courthouse, 101 West Main Street, St. Clairsville, Ohio with the following members present:

Charles R. Probst, Jr. Ginny Favede Matt Coffland

Mrs. Favede moved the adoption of the following resolution:

RESOLUTION NO. _____

RESOLUTION AUTHORIZING THE REDEMPTION OF ALL THE COUNTY'S OUTSTANDING COUNTY HOME IMPROVEMENT REFUNDING BONDS, SERIES 1999, DATED AS OF APRIL 1, 1999 ISSUED FOR THE PURPOSE OF REFUNDING BONDS OF THE COUNTY PREVIOUSLY ISSUED TO PAY PART OF THE COST OF CONSTRUCTING A COUNTY HOME, AND MATTERS RELATED THERETO.

WHEREAS, this Board of County Commissioners (sometimes referred to herein as the "Board") has previously authorized and issued County Home Improvement Refunding Bonds, Series 1999 of this County, dated as of April 1, 1999 (the "Prior Bonds") for the purpose of refunding this County's County Home Improvement Bonds, dated as of March 1, 1992, issued for the purpose paying part of the cost of constructing a county home (the "Facility"); and

WHEREAS, the Facility has been sold and the proceeds of such sale (the "Sale Proceeds") have been received by the County Treasurer and deposited into this County's General Fund pursuant to Ohio Revised Code Section 5155.33; and

WHEREAS, this Board desires to apply a portion of the Sale Proceeds to retire all the outstanding Prior Bonds at the earliest possible time;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Belmont County, Ohio:

SECTION 1. That it is hereby determined to apply the Sale Proceeds as described herein to the optional redemption of the Prior Bonds on December 1, 2009 (the "Redemption Date"), which is the first optional redemption date for the Prior Bonds, in accordance with their terms.

SECTION 2. That there is hereby appropriated from the Sale Proceeds such amount as is necessary to pay (a) when due, the scheduled principal of and interest on the Prior Bonds until and including the Redemption Date, (b) on the Redemption Date, all the then unpaid principal of and redemption premium on the Prior Bonds, and (c) when due, any fees and expenses associated with the redemption of the Prior Bonds including the fees and expense of the Paying Agent (as hereinafter defined), and such amount is hereby appropriated for such purpose from the Sale Proceeds and ordered transferred into the Bond Retirement Fund for the Facility to be applied as aforesaid. It is further ordered that such amount as is necessary to pay such principal of and interest and redemption premium on the Prior Bonds shall be transferred to The Bank of New York Mellon Trust Company, N.A. (the "Paying Agent"), the paying agent for the Prior Bonds as soon as possible after the transfer to the Bond Retirement Fund described above.

SECTION 3. That the Prior Bonds shall be and hereby are ordered called for optional redemption according to their terms on the Redemption Date, being the first optional redemption date following the receipt by the County of the Sale Proceeds. At least two members of this Board of County Commissioners, the County Auditor or the County Treasurer, or any of them acting alone, are hereby separately authorized to execute and deliver such documents, give such notices, and make such arrangements with the Paying Agent to implement the redemption of the Prior Bonds on the Redemption Date, as the officer(s) executing may approve, the execution thereof by such officer or officers to be conclusive evidence of such authorization and approval. Any such actions heretofore taken by such officers are hereby approved, ratified and confirmed.

SECTION 4. That the Paying Agent is hereby ordered to call all of the outstanding Prior Bonds for optional redemption by the County on the Redemption Date as described above, and to timely give all appropriate notices concerning such optional redemption to the holders of the Prior Bonds and others.

SECTION 5. That the Clerk of this Board is hereby directed to forward a certified copy of this resolution to the County Auditor and to the Paying Agent.

SECTION 6. That it is found and determined that all formal actions of this Board concerning and relating to the adoption of this resolution were adopted in an open meeting of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law, including Section 121.22 of the Revised Code of Ohio.

SECTION 7. That this resolution shall take effect immediately upon its adoption.

Mr. Probst seconded the resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

Ayes: Mrs. Favede Mr. Probst Mr. Coffland

Nays:

ADOPTED: this 7th day of October, 2009.

Jayne Long /s/

Clerk

Board of County Commissioners

County of Belmont, Ohio

IN THE MATTER OF EXTENDING CURRENT CONTRACT BETWEEN COMMISSIONERS AND MS. ELLEN HUDY

Motion made by Mrs. Favede, seconded by Mr. Probst to extend the current contract between the Belmont County Board of Commissioners and Ms. Ellen Hudy (Contractor) dated August 12, 2009 for a second four week term, effective October 7, 2009 to November 4, 2009; all other terms and conditions of the contract remain the same.

Note: Ms. Hudy continues to assist in the monitoring and payment of all outstanding residents' bills related to the Park Health Center prior to the July 31, 2009 lease.

Upon roll call the vote was as follows:

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

IN THE MATTER OF AUTHORIZING THE SIGNING AS THE CERTIFYING OFFICER FOR THE RELEASE OF FUNDS AND CERTIFICATION, ENVIRONMENTAL CERTIFICATION FOR THE BELMONT METROPOLITAN HOUSING AUTHORITY

Motion made by Mrs. Favede, seconded by Mr. Coffland to authorize Commission President Charles R. Probst, Jr., to sign as the Certifying Officer for the Release of Funds and Certification, Environmental Certification, Form HUD-7015.15, for the Belmont Metropolitan Housing Authority.

Note: The Department of Housing and Urban Development requires an environmental review be completed on any work items included in their stimulus capital funds before work can be initiated. HUD identifies the local government as the responsible entity for environmental review. Belmont County contracts with Belmont Metropolitan Housing Authority to complete the required environmental review.

Upon roll call the vote was as follows:

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

IN THE MATTER OF ENTERING ANNUAL MAINTENANCE AGREEMENT WITH STALEY COMMUNICATIONS/BELMONT CO. 911

Motion made by Mrs. Favede, seconded by Mr. Probst to enter into annual maintenance agreement with Staley Communications, on behalf of Belmont County 911, in the amount of \$80,325.00, effective January 1, 2010 through December 31, 2010; this is the annual maintenance agreement for all mobile radios, portable radios, pagers for both fire and police departments and cameras on tower sites.

Note: to be paid from E-0056-A006-E05.000 911 Contract/Repairs

Upon roll call the vote was as follows:

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

IN THE MATTER OF ENTERING A TWO YEAR ONLINE DOG LICENSING SYSTEM AGREEMENT WITH FAIRFIELD COMPUTER SERVICES, LLC/AUDITOR

Motion made by Mrs. Favede, seconded by Mr. Probst to enter into a two year Online Dog Licensing System Agreement with Fairfield Computer Services, LLC, on behalf of the Belmont County Auditor's Office, for the provision of a website for the sale of dog licenses as follows:

Cost Summary

Setup:	\$1500.00
Monthly:	150.00
Surcharge for Licenses Purchased Online:	\$2.00

Note: Costs to be paid by the Auditor's Office. Mail-in, walk-in and online registrations will reside in the same system. Annual renewal forms and receipts will be generated by the system.

ONLINE DOG LICENSING SYSTEM AGREEMENT

OVERVIEW. This is an agreement between the County Commissioners of BELMONT County, Ohio, (COUNTY) of 101 WEST MAIN STREET, ST. CLAIRSVILLE, OHIO 43950 and Fairfield Computer Services, LLC, (FCS) of 1246 Sheridan Dr. Unit K, Lancaster, Ohio 43130 for use of the Online Dog Licensing System (SYSTEM) and related website development (WEBSITE).

DURATION. This agreement is in force for two (2) years from the date of signing. After completion of the initial term, the following apply: this agreement remains in force until terminated; either party may terminate this agreement with a sixty (60) day written notice; either party may request renegotiation of terms with a sixty (60) day written notice.

SPECIFICATIONS. FCS will provision and develop SYSTEM and WEBSITE in accordance to the terms given in "Exhibit 1. Project Specifications."

DELIVERY. FCS will use reasonable diligence to make available for use SYSTEM and WEBSITE no later than eight weeks after receiving all the necessary information relating to the project from COUNTY. COUNTY acknowledges, however, that this is an estimate and not a guarantee of the delivery time.

OWNERSHIP RIGHTS. COUNTY shall retain all its rights in any text, images, or other material it owns and transmits to FCS for use in SYSTEM or WEBSITE. COUNTY shall have a nonexclusive and nontransferable lease for use of SYSTEM and WEBSITE for the duration of this agreement. FCS shall hold all right, title, and interest in and to all interfaces, navigational devices, menu structures or arrangements, and all other components of any source or object computer code that make up SYSTEM and WEBSITE. COUNTY shall not do anything that may infringe upon or in anyway undermine the right, title, and interest of FCS in SYSTEM and WEBSITE.

COMPENSATION. For all the services provided under this agreement, COUNTY shall compensate FCS in accordance to the terms given in "Exhibit 2. Cost Summary."

TRIAL PERIOD. COUNTY may terminate this agreement with a written notice within 120 days from the deployment of SYSTEM and WEBSITE. In the event of termination, COUNTY shall not be held liable to FCS for any work done prior to the termination date. In the event the trial period lapses without termination, County shall compensate FCS in accordance to the terms given in "Exhibit 2. Cost Summary".

DEVELOPER BRAND. COUNTY shall allow FCS to place on WEBSITE an inconspicuous phrase or mark identifying FCS as the developer of the system with a hyperlink back to the website of FCS.

INDEMNIFICATION. COUNTY warrants that everything it gives FCS for use in SYSTEM or WEBSITE is legally owned by or licensed to COUNTY. COUNTY agrees to indemnify and hold FCS harmless from any and all claims brought by any third party relating to any aspect of SYSTEM or WEBSITE, including, but without limitation, any and all demands, liabilities, losses, costs, and claims, including attorney's fees, arising out of injury caused by COUNTY.

DISCLAIMER. FCS DISCLAIMS ALL IMPLIED WARRANTIES INCLUDING, WITHOUT LIMITATION, ANY IMPLIED WARRANTIES AS TO THE SUITABILITY, MERCHANTABILITY, FITNESS FOR ANY PARTICULAR PURPOSE OR NON-INFRINGEMENT OF THE EQUIPMENT, SOFTWARE OR SERVICES PROVIDED HEREUNDER. FCS DOES NOT WARRANT THAT THE EQUIPMENT OR SOFTWARE PROVIDED HEREUNDER WILL OPERATE UNINTERRUPTED OR ERROR-FREE. FCS DOES NOT WARRANT THAT SYSTEM OR WEBSITE WILL WORK ON ALL PLATFORMS. NO REPRESENTATION OR OTHER AFFIRMATION OF FACT, INCLUDING, BUT NOT LIMITED TO, STATEMENTS REGARDING CAPACITY, SUITABILITY FOR USE OR PERFORMANCE OF THE SERVICES, WHETHER MADE BY FCS'S EMPLOYEES OR OTHERWISE THAT IS NOT CONTAINED IN THIS AGREEMENT SHALL BE DEEMED TO BE A WARRANTY BY FCS FOR ANY PURPOSE, OR GIVE RISE TO ANY LIABILITY OF FCS WHATSOEVER.

LIMITATION. IN NO EVENT SHALL FCS OR COUNTY BE LIABLE FOR ANY LOST OR ANTICIPATED PROFITS, OR ANY INDIRECT, INCIDENTAL, EXEMPLARY, SPECIAL, RELIANCE, OR CONSEQUENTIAL DAMAGES, REGARDLESS OF WHETHER FCS OR COUNTY HAS BEEN ADVISED OR HAS REASON TO KNOW OF THE POSSIBILITY OF SUCH DAMAGES. Notwithstanding any provision contained herein to the contrary, the maximum liability of FCS to COUNTY or any person whatsoever arising out of or in connection with this agreement or any use of or inability to use services, whether such liability arises from any claim based upon contract, warranty, tort, or otherwise, shall in no case exceed the actual amount paid to FCS by COUNTY during the six-month period preceding the claim. The foregoing limitations of liability will not apply to claims for personal injury caused by FCS's intentional misconduct or negligence, or claims for infringement, whether actual or alleged.

LIMITATION ON ACTIONS. Neither FCS nor COUNTY may institute any action in any form arising out of this agreement more than fifteen (15) years after the cause of action has arisen.

FORCE MAJEURE. FCS shall not have any liability whatsoever or be deemed to be in default for any delay or failure in performance under this agreement resulting from acts beyond the control of FCS, including, but without limitation, acts of God, emergency, accident, fire, lightning, riot, strikes, lock-outs, industrial disputes (whether or not involving FCS's employees) or epidemics.

GOVERNING LAW AND JURISDICTION. The laws of the State of Ohio govern this agreement and COUNTY and FCS hereby submit to the exclusive jurisdiction of the Ohio courts.

ACCEPTANCE. By signature below the parties agree to the terms and conditions identified in this document. Parties further agree that they are authorized to act on behalf of their respective organizations and to bind said organizations to the terms and conditions outlined herein.

CUSTOMER ACKNOWLEDGES THAT HE HAS READ THIS AGREEMENT, UNDERSTANDS IT, AND AGREES TO BE LEGALLY BOUND BY IT.

WHEREFORE, the parties have caused this Agreement to be executed by their duly authorized representatives.

COUNTY COMMISSIONER(S)

Charles R. Probst, Jr. /s/

Ginny Favede /s/

Matt Coffland /s/

Date: 10/7/09

FAIRFIELD COMPUTER SERVICES, LLC

By: _____
(signature)

(printed)

Title: _____

Date: _____

Approved as to form

By: David K. Liberati /s/

Prosecuting Attorney

Date: 9-29-09

Upon roll call the vote was as follows:

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

IN THE MATTER OF SIGNING AND APPROVING AGREEMENT WITH GUARDIAN PROTECTION SERVICES/HEALTH DEPARTMENT

Motion made by Mrs. Favede, seconded by Mr. Probst to sign and approve the 3 year agreement with Guardian Protection Services for an upgrade to the existing outdated alarm system at the Belmont County Health Center in the amount of \$1226.00 to be paid by the Belmont County Health Department.

Upon roll call the vote was as follows:

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

IN THE MATTER OF LIQUOR PERMIT FOR OHIO CVS STORES, LLC, DBA CVS PHARMACY, RICHLAND TWP., ST. CLAIRSVILLE, OH

Motion made by Mrs. Favede, seconded by Mr. Probst to advise the Ohio Division of Liquor Control, the Board of Belmont County Commissioners does not request a hearing on the matter of a request for the transfer of a C1, C2 Liquor Permit for Ohio CVS Stores LLC, DBA CVS Pharmacy 6271, 67661 Mall Ring Rd., Unit 955, Richland Township, St. Clairsville. There have been no objections received and the Board of County Commissioners has no objections to the permit

Upon roll call the vote was as follows:

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

IN THE MATTER OF ACCEPTING AND SIGNING THE BCDJFS REVISED BELMONT COUNTY PREVENTION, RETENTION AND CONTINGENCY (PRC)

Motion made by Mrs. Favede, seconded by Mr. Probst to accept and sign the Belmont County Department of Job and Family Services' revised Belmont County Prevention, Retention and Contingency (PRC) Plan to provide assistance to Children Services families.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF QUARTERLY TOURISM
REPORT FOR JULY, AUGUST AND SEPTEMBER**

Tourism Director Doc Householder gave his report for July, August and September. A total of 320 campers were parked for Jamboree In The Hills bringing in \$18,000.00. The Belmont County Rubberneck Tour will be in the Bethesda area this year. A dog show was held at the Carnes Center in August. Tourism continues to send out brochures to travel shows and people continue to stop in office for information on lodging and things to do in Belmont County.

OPEN PUBLIC FORUM – Mike Bianconi asked for a status of the Belmont Senior Services contract. Mr. Probst advised Accountant Don McIntosh has been hired to work with the board and Senior Services to work out the details on a new contract and to come up with a way to track revenues and expenditures. He further stated we are looking for a way to streamline the levy money reports that come in to the board every month. Mr. Bianconi is of the opinion that the Commissioners do not have enough people on the BSS board watching over the monies.

Mr. Bianconi advised he is still getting information on the Infrastructure monies and where it has been spent.

Mrs. Favede noted that Don McIntosh has done a fabulous job on the agreed upon procedures report for Belmont Senior Services. There now is a very good portfolio of how money has been spent in the past. The board can now evaluate exactly how it is going to allocate them funds in the future. Mrs. Favede commends the Board of Belmont Senior Services for their cooperation.

Mr. Coffland asked that the record reflect thanks to be given to Attorney Michael Shaheen, who was a contact for the Murphy Group regarding the sale of Park Health Center.

**IN THE MATTER OF ADJOURNING
COMMISSIONERS MEETING AT 1:19 P.M.**

Motion made by Mr. Probst, seconded by Mrs. Favede to adjourn the meeting at 1:19 p.m.

Upon roll call the vote was as follows:

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

Read, approved and signed this 14th day of October, 2009.

_____ COUNTY COMMISSIONERS

We, Charles R. Probst, Jr., and Jayne Long, President and Clerk respectively of the Board of Commissioners of Belmont County, Ohio, do hereby certify the foregoing minutes of the proceedings of said Board have been read, approved and signed as provided for by Sec. 305.11 of the Revised Code of Ohio.

_____ PRESIDENT

_____ CLERK