

St. Clairsville, Ohio

November 25, 2002

The Board of Commissioners of Belmont County, Ohio, met this day in regular session. Present: Mark A. Thomas, Charles R. Probst, and Ryan E. Olexo Commissioners and Darlene Pempek, Clerk of the Board. Minutes of the meeting of November 20, 2002, were read, approved and signed.

EVENING MEETING HELD AT COURTHOUSE-6:00 P.M.

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

IN THE MATTER OF THE 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.

Claim of	Purposes	Amount
Mark Thomas, Commissioner	Reimburse travel expense-General	121.81
Judy Jenewein	Reimburse expenses/Auditor-General	92.68
Walden Book Co., Inc.	Book-GIS Projects-General	19.99
Conference Account/CCAO	Registration fees/CCAO-CCEO Winter Conf.-Gen.	100.00
Treasurer, State of Ohio	Fire inspection/Bethesda Building-General	100.00
American Electric Power	Service/MF Building-General	471.47
American Electric Power	Service-Bethesda Satellite Building	376.70
Belmont County Human Services	Dec. mandated share/PA Grants-General	27,615.24
Maxim Healthcare Services	Nursing service/Jail-General	297.00
B-Columbus Serum Company	Medical supplies-Dog Kennel	198.76
Bob's Transmission Shop	New oil pan-Dog Kennel	294.82
N-William Elliott	SSD #2 Avondale-Sanitary Sewer	140.00
USDA Rural Development	WWS #3 Phase I Bond Pmt-Sanitary Sewer	135,415.00
Eastern Ohio Regional	Sewage disposal-Sanitary Sewer	27,357.82
O-Belmont National Bank	Prin/Correctional-Jail Constrct Bond	100,000.00
Belmont National Bank	Trust/Correctional-Jail Constrct Bond	1,045.90
Belmont National Bank	Trust Fee/Jail-Jail Constrct Bond	256.00
Belmont National Bank	Principal-Jail Construction Bond	95,000.00
Belmont National Bank	Interest-Jail Construction Bond	36,531.25
Belmont National Bank	Trust/Park Health Ctr-Bond Retirement	615.00
Belmont National Bank	Principal/Park Health-Bond Retirement	175,000.00
Belmont National Bank	Interest/Park Health-Bond Retirement	86,342.50
Belmont National Bank	Trust/Human Services-Bond Retirement	192.00
Belmont National Bank	Interest/Human Services-Bond Retirement	16,332.50
Belmont National Bank	Principal/Human Services-Bond Retirement	130,000.00
Belmont National Bank	Interest/Correctional-Jail Constrct Bond	63,630.00
Eastern Ohio Regional Wastewater	October service-Eastern Satellite Bldg.	39.50
Belmont Senior Services	Sept 2002/6 th billing-In Home Care Levy	61,037.54
Belmont Senior Services	Nov 2002/2 nd billing-In Home Care Levy	2,806.06
Belmont Senior Services	Nov 2002/1 st billing-In Home Care Levy	3,542.45
Belmont Senior Services	Oct 2002/5 th billing-In Home Care Levy	1,911.68
Belmont Senior Services	Oct 2002/4 th billing-In Home Care Levy	4,730.50
Belmont Senior Services	Oct 2002/4 th billing-In Home Care Levy	4,730.50
Belmont Senior Services	Jan 2002/7 th billing-In Home Care Levy	13,116.09
Jeter Systems Corp.	Supplies-Eastern Spec Projects	407.49
West Group	Westlaw chgs Oct 02-Western Computer	293.25
Anderson Publishing Co.	Rules Governing Ohio Courts-Western Computer	96.11
Sommer Stenographic	Court Reporter fee-Western Spec Projects	75.00
Christopher M. Berhalter	Guardian Ad Litem-Wade-Common Pleas	876.75

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

Motion made by Mr. Thomas, seconded by Mr. Olexo to approve the Recapitulation of Vouchers for the various funds dated for November 25, 2002 as follows:

FUND	AMOUNT
General	\$2,873.67, \$4,226.19
General/Sheriff's	\$1,254.35, \$818.55, \$849.05
General/Northern Ct. Spec. Proj.	\$474.75
Dog Kennel	\$1,377.52
BCDJFS/PA	\$20,740.00, \$341.54, \$118.13
BCDJFS/CSEA	\$25,782.09
Litter Control	\$4,350.11
Park Health Center	\$8,245.38
Engineer's MVGT	\$12,220.13, \$1,403.31
Oakview Juv Rehab New Construct.	\$255,734.92
Oakview Juvenile Rehab	\$19,061.36
Oakview Administration Building	\$218.79
P-Sanitary Sewer District	\$234,865.89, \$4,841.67, \$608.64, \$19,750.08 \$3,387.05, \$6,943.32, \$282.68, \$74,522.48, \$128,897.42
District Detention Center	\$2,865.90,
Bel Har Juv. Dist.-Grants	\$2,272.00, \$502.58
Certificate of Title Admin.	\$470.34
Oakview Juvenile Aftercare Program	\$1,921.20
Oakview Juvenile Rehab Dist.	\$1,643.24
Sheriff's Commissary	\$1,333.52, \$63.00

Upon roll call the vote was as follows:

Mr. Thomas	Yes
Mr. Olexo	Yes
Mr. Probst	Yes

**IN THE MATTER OF TRANSFER OF FUNDS FOR THE CHARGEBACKS
FOR WAIVED HOSPITALIZATION FOR
THE MONTHS OF SEPTEMBER, OCTOBER AND NOVEMBER 2002**

Motion made by Mr. Thomas, seconded by Mr. Olexo to make the following transfer of funds for Waived Hospitalization for the months of September, October and November 2002.

FROM E101-E12	COUNTY HEALTH	TO Y091-Y03	250.00
FROM T079-T01	WELCOME HOME	TO Y091-Y03	83.33
FROM H430-H14	COUNTY HOME	TO Y091-Y03	916.66
FROM B100-B10	DOG & KENNEL	TO Y091-Y03	125.00
FROM Y090-Y14	WATER & SEWER	TO Y091-Y03	250.00
FROM S230-S66	OAKVIEW JUVENILE REHAB	TO Y091-Y03	0.00
FROM S230-S16	OAKVIEW JUVENILE REHAB	TO Y091-Y03	500.00
FROM S033-S47	DISTRICT DETENTION	TO Y091-Y03	375.00
FROM S036-S11	GENDER SPECIFIC GRANT	TO Y091-Y03	125.00
FROM T075-T52	WIC FRINGES 2002	TO Y091-Y03	83.34
FROM T075-T02	WIC FRINGES 2003	TO Y091-Y03	166.66
FROM H300-H13	PUBLIC ASSISTANCE	TO Y091-Y03	4,812.50
FROM H310-H08	PUBLIC ASSISTANCE/CS	TO Y091-Y03	750.00
FROM S049-S63	MENTAL HEALTH	TO Y091-Y03	500.00
FROM K200-K24	MVGT-K11 ENGINEERS	TO Y091-Y03	375.00
FROM S066-S79	MENTAL RETARDATION	TO Y091-Y03	2,499.99
FROM S082-S14	WESTERN COURT/ HOSP.	TO Y091-Y03	125.00
FROM S277-S02	CORRECTION ACT GRANT	TO Y091-Y03	0.00
FROM L001-L13	SOIL AND WATER	TO Y091-Y03	125.00
FROM S078-S14	RECORDER/SUPP EQUIPMENT	TO Y091-Y03	0.00
FROM M071-M05	DRUG CT. ENHANCEMENT	TO Y091-Y03	125.00
FROM M055-M10	C-CAP DONATED	TO Y091-Y03	0.00
FROM W080-PO7	VICTIM ASSISTANCE	TO Y091-Y03	125.00
FROM S079-S07	CERTIFICATE OF TITLE/CLK OF COURTS	TO Y091-Y03	250.00

Upon roll call the vote was as follows:

Mr. Thomas	Yes
Mr. Olexo	Yes
Mr. Probst	Yes

**IN THE MATTER OF MONTHLY TRANSFER OF
FUNDS FOR BELMONT COUNTY SANITARY SEWER**

Motion made by Mr. Thomas, seconded by Mr. Olexo to make the following monthly transfer of funds dated for the month of November for the Belmont County Sanitary Sewer Department.

FROM		TO		AMOUNT
P003-P18	SUPPLIES	Y090-Y02	SUPPLIES	419.10
P003-P19	EQUIPMENT	Y090-Y03	EQUIPMENT	400.90
P003-P20	LABOR	Y090-Y04	LABOR	0.00
P003-P21	MATERIALS	Y090-Y05	MATERIALS	2344.96
P003-P22	CONTRACT REP.	Y090-Y06	CONTRACT REP.	263.62
P003-P23	CONTRACT SERV.	Y090-Y07	CONTRACT SERV.	234.00
P003-P24	CONTRACT PROJ.	Y090-Y08	CONTRACT PROJ.	.00
P003-P25	PURCHASED H2O	Y090-Y09	PURCHASED H2O	47702.38
P003-P27	ADV & PRINTING	Y090-Y04	ADV & PRINTING	0.00
P003-P28	TRAVEL & EXP.	Y090-Y11	TRAVEL & EXP.	47.04
P003-P29	PERS	Y090-Y12	PERS	0.00
P003-P30	WORKERS' COMP	Y090-Y13	WORKERS' COMP	0.00
P003-P31	OTHER EXPENSES	Y090-Y14	OTHER EXPENSES	1012.89
P003-P32	TRANSFERS-OUT	Y090-Y17	TRANSFERS-OUT	926.78
P003-P35	MEDICARE	Y090-Y18	MEDICARE	0.00
TOTAL				53351.67
P005-P18	SUPPLIES	Y090-Y02	SUPPLIES	791.25
P005-P19	EQUIPMENT	Y090-Y03	EQUIPMENT	756.91
P005-P21	MATERIALS	Y090-Y05	MATERIALS	11695.63
P005-P22	CONTRACT REP.	Y090-Y06	CONTRACT REP.	1547.62
P005-P23	CONTRACT SERV.	Y090-Y07	CONTRACT SERV.	24593.02
P005-P24	CONTRACT PROJ.	Y090-Y08	CONTRACT PROJ.	0.00
P005-P25	PURCHASED H2O	Y090-Y09	PURCHASED H2O	1048.43
P005-P27	ADV & PRINTING	Y090-Y10	ADV & PRINTING	0.00
P005-P28	TRAVEL & EXP.	Y090-Y11	TRAVEL & EXP.	88.84
P005-P29	PERS	Y090-Y12	PERS	0.00
P005-P30	WORKERS' COMP	Y090-Y13	WORKERS' COMP	0.00
P005-P31	OTHER EXP.	Y090-Y14	OTHER EXP.	166562.44
P005-P34	TRANSFERS-OUT	Y090-Y17	TRANSFERS-OUT	1390.96
P005-P35	MEDICARE	Y090-Y18	MEDICARE	0.00
TOTAL				208475.10
P051-P02	SUPPLIES	Y090-Y02	SUPPLIES	179.06
P051-P03	EQUIPMENT	Y090-Y03	EQUIPMENT	171.30
P051-P05	MATERIALS	Y090-Y05	MATERIALS	346.13
P051-P06	CONTRACT REP.	Y090-Y06	CONTRACT REP.	9.80
P051-P07	CONTRACT SERV.	Y090-Y07	CONTRACT SERV.	148.26
P051-P08	CONTRACT PROJ	Y090-Y08	CONTRACT PROJ	0.00
P051-P09	SEWAGE DIS.	Y090-Y08	SEWAGE DIS.	12584.60
P051-P11	ADV & PRINTING	Y090-Y10	ADV & PRINTING	0.00
P051-P12	TRAVEL & EXP	Y090-Y11	TRAVEL & EXP	20.10
P051-P13	PERS	Y090-Y12	PERS	0.00
P051-P14	WORKERS' COMP	Y090-Y13	WORKERS' COMP	0.00
P051-P15	OTHER EXP.	Y090-Y14	OTHER EXP.	719.10
P051-P16	TRANSFERS OUT	Y090-Y17	TRANSFERS OUT	0.00
P051-P35	MEDICARE	Y090-Y18	MEDICARE	0.00
TOTAL				14178.35
P053-P02	SUPPLIES	Y090-Y02	SUPPLIES	72.36
P053-P03	EQUIPMENT	Y090-Y03	EQUIPMENT	69.21
P053-P05	MATERIALS	Y090-Y05	MATERIALS	332.69
P053-P06	CONTRACT REP.	Y090-Y06	CONTRACT REPAIRS	3.96
P053-P07	CONTRACT SERV.	Y090-Y07	CONTRACT SERV.	4115.41
P053-P08	CONTRACT PROJ	Y090-Y08	CONTRACT PROJ	0.00
P053-P09	SEWAGE DIS.	Y090-Y09	SEWAGE DIS.	14773.22

P053-P11	ADVER.&PRINTING	Y090-Y10	ADVER.&PRINTING	0.00
P053-P12	TRAVEL & EXP.	Y090-Y11	TRAVEL & EXP	10.46
P053-P13	PERS	Y090-Y12	PERS	0.00
P053-P14	WORKERS' COMP	Y090-Y13	WORKERS' COMP	0.00
P053-P15	OTHER EXP.	Y090-Y14	OTHER EXP.	82623.21
P053-P16	TRANSFERS OUT	Y090-Y17	TRANSFERS OUT	0.00
P053-P35	MEDICARE	Y090-Y18	MEDICARE	0.00
TOTAL				102000.52
P054-P02	SUPPLIES	Y090-Y02	SUPPLIES	0.00
P054-P03	EQUIPMENT	Y090-Y03	EQUIPMENT	0.00
P054-P05	MATERIALS	Y090-Y05	MATERIALS	0.00
P054-P06	CONTRACT REPAIRS	Y090-Y06	CONTRACT REPAIRS	0.00
P054-P07	CONTRACT SERV.	Y090-Y07	CONTRACT SERV.	0.00
P054-P11	ADVER & PRINTING	Y090-Y07	ADVER & PRINTING	0.00
P054-P12	TRAVEL & EXP.	Y090-Y11	TRAVEL & EXP.	0.00
P054-P13	PERS	Y090-Y12	PERS	0.00
P054-P14	WORKERS' COMP	Y090-Y13	WORKERS' COMP	0.00
P054-P15	OTHER EXP.	Y090-Y14	OTHER EXP.	0.00
P054-P35	MEDICARE	Y090-Y18	MEDICARE	0.00
TOTAL				0.00
P055-P02	SUPPLIES	Y090-Y02	SUPPLIES	0.00
P055-P03	EQUIPMENT	Y090-Y03	EQUIPMENT	0.00
P055-P05	MATERIALS	Y090-Y05	MATERIALS	296.79
P055-P06	CONTRACT REPAIRS	Y090-Y06	CONTRACT REPAIRS	0.00
P055-P07	CONTRACT SERV.	Y090-Y07	CONTRACT SERV.	793.65
P055-P11	ADVER & PRINTING	Y090-Y07	ADVER & PRINTING	0.00
P055-P12	TRAVEL & EXP.	Y090-Y11	TRAVEL & EXP.	3.29
P055-P13	PERS	Y090-Y12	PERS	0.00
P055-P14	WORKERS' COMP	Y090-Y13	WORKERS' COMP	0.00
P055-P15	OTHER EXP.	Y090-Y14	OTHER EXP.	287.70
P055-P35	MEDICARE	Y090-Y18	MEDICARE	0.00
TOTAL				1381.43
P056-P02	SUPPLIES	Y090-Y02	SUPPLIES	0.00
P056-P07	CONTRACT SERV.	Y090-Y07	CONTRACT SERV.	0.00
P056-P09	SEWAGE DISP.	Y190-Y08	SEWAGE DISP.	0.00
P056-P13	PERS	Y090-Y12	PERS	0.00
P056-P14	WORKERS' COMP	Y090-Y13	WORKERS' COMP	0.00
P056-P15	OTHER EXP.	Y090-Y14	OTHER EXP.	2295.99
P056-P16	TRANSFERS OUT	Y090-Y14	TRANSFERS OUT	0.00
P056-P35	MEDICARE	Y090-Y18	MEDICARE	0.00
TOTAL				2295.99

Upon roll call the vote was as follows:

Mr. Thomas	Yes
Mr. Olexo	Yes
Mr. Probst	Yes

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

Motion made by Mr. Olexo, seconded by Mr. Thomas to approve the following transfer within the General fund for the Belmont County Probate Court.

FROM	TO	AMOUNT
A002-D03 Supplies	A402-D13 Other Expenses	\$1500.19
A002-D09 Travel	A402-D13 Other Expenses	26.42

Upon roll call the vote was as follows:

Mr. Olexo	Yes
Mr. Thomas	Yes
Mr. Probst	Yes

IN THE MATTER OF TRANSFERS WITHIN FUND FOR THE BCDJFS/CSEA ADMN. FUND H010

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

FROM	TO	AMOUNT
H010-H11 Other Expenses	H010-H07 PERS	\$4,000.00
H010-H11 Other Expenses	H310-H08 Hospitalization	4,000.00
H010-H11 Other Expenses	H010-H09 Contracts	10,000.00

Upon roll call the vote was as follows:

Mr. Thomas	Yes
Mr. Probst	Yes
Mr. Olexo	Yes

IN THE MATTER OF TRANSFERS WITHIN FUND FOR THE SANITARY SEWER DISTRICT FUND

Motion made by Mr. Olexo, seconded by Mr. Probst to approve the following transfers within fund for the Sanitary Sewer District Fund.

FROM	TO	AMOUNT
WWS #2	WWS #2	
P003P17 Salaries	P003P21 Materials	10,000.00
SSD #2	SSD #2	
P053P03 Equipment	P053P01 Salaries	5,000.00
P053P08 Projects	P053P09 Sewage Disposal	4,400.00
P053P07 Services	P053P16 Transfers	500.00
Total		\$19,900.00

Upon roll call the vote was as follows:

Mr. Olexo	Yes
Mr. Probst	Yes
Mr. Thomas	Yes

IN THE MATTER OF TRANSFER OF FUNDS BETWEEN THE GENERAL FUND AND THE 030 JAIL BOND RETIREMENT FUND

Motion made by Mr. Olexo, seconded by Mr. Thomas to make the following transfer of funds between the General Fund and the H10 Child Support Enforcement Fund.

FROM	TO	AMOUNT
A015-A15 Transfers Out	Transfers In 0030-008	\$ 297,000.00

Jail Bond payment due December 1, 2002
Upon roll call the vote was as follows:

Mr. Olexo	Yes
Mr. Thomas	Yes
Mr. Probst	Yes

IN THE MATTER OF TRANSFER WITHIN FUND FOR THE BCDJFS/PUBLIC ASSISTANCE H00 FUND

Motion made by Mr. Thomas, seconded by Mr. Olexo to approve the following transfer within fund for the BCDJFS/Public Assistance Fund H00.

FROM	TO	AMOUNT
H000-H04 Contracts	H000-H02 Supplies	\$15,000.00

Upon roll call the vote was as follows:

Mr. Thomas	Yes
Mr. Olexo	Yes
Mr. Probst	Yes

IN THE MATTER OF ADDITIONAL APPROPRIATIONS FOR THE 025 BOND RETIREMENT FUND/ PARK HEALTH CENTER

Motion made by Mr. Probst, seconded by Mr. Thomas 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 November 25, 2002.

	025 PARK HEALTH CENTER BOND RETIREMENT FUND
0025-001 Bond Payment	\$ 175,000.00
0025-002 INTEREST	\$ 86,342.50
0025-003 Other Expenses	\$ 615.00

Upon roll call the vote was as follows:

Mr. Probst	Yes
Mr. Thomas	Yes
Mr. Olexo	Yes

IN THE MATTER OF ADDITIONAL APPROPRIATIONS FOR THE 020 HUMAN SERVICES BOND RETIREMENT FUND

Motion made by Mr. Probst, seconded by Mr. Thomas to make the following additional appropriation in accordance with the Amended Official Certificate of Estimated Resources, as revised by the Budget Commission under the dates of **January 4, 2002 (balance of 59,765.01) and November 25, 2002.**

	020 HUMAN SERVICES BOND RETIREMENT FUND
0020-001 Bond Payment	\$130,000.00
0020-002 INTEREST	\$ 16,332.50
0020-003 Other Expenses	\$ 192.00

Upon roll call the vote was as follows:

Mr. Probst	Yes
Mr. Thomas	Yes
Mr. Olexo	Yes

IN THE MATTER OF ADDITIONAL APPROPRIATIONS FOR THE BELMONT COUNTY COMMISSIONERS T11 CDBG 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 November 25, 2002.

T011 Belmont County Commissioners CDBG Fund

T011-T01 Grants	\$2,373.00
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Upon roll call the vote was as follows:

Mr. Thomas	Yes
Mr. Probst	Yes
Mr. Olexo	Yes

IN THE MATTER OF ADDITIONAL APPROPRIATIONS FOR THE BELMONT COUNTY SHERIFF DEPARTMENT T08 DOMESTIC VIOLENCE GRANT 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 January 04, 2002.

T008 DOMESTIC VIOLENCE GRANT FUND

T008-T01 Salaries	\$630.64
T008-T02 PERS/SPRS	105.35
T008-T04 Workers Comp	18.92
T008-T08 Medicare	1.34
Total appropriation	\$756.25

Upon roll call the vote was as follows:

Mr. Thomas	Yes
Mr. Probst	Yes
Mr. Olexo	Yes

IN THE MATTER OF ADDITIONAL APPROPRIATIONS
FOR THE BELMONT COUNTY MENTAL HEALTH AND RECOVERY BOARD'S
S49 MENTAL HEALTH 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 November 25, 2002.

S049 Belmont County Mental Health and Recovery Board's Mental Health Fund

S049-S54	Contract Services	\$850,000.00
S049-S60	PERS	800.00
S149-S63	Medicare	200.00

Total this appropriation \$851,000.00

Upon roll call the vote was as follows:

Mr. Thomas	Yes
Mr. Probst	Yes
Mr. Olexo	Yes

IN THE MATTER OF ADDITIONAL APPROPRIATIONS
FOR THE OAKVIEW JUVENILE REHABILITATION DISTRICT'S
N20 OAKVIEW RESIDENTIAL CENTER 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 January 4, 2002 (\$6,003.98) and February 27, 2002 (\$240,542.89) and November 25, 2002 (\$9,498.34).

N020 Oakview Residential Center Fund

N020-N04	General Contractor	\$256,045.21
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Upon roll call the vote was as follows:

Mr. Thomas	Yes
Mr. Probst	Yes
Mr. Olexo	Yes

IN THE MATTER OF ADDITIONAL APPROPRIATIONS
FOR THE BELMONT COUNTY GENERAL FUND/ SHERIFF DEPARTMENT

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 November 25, 2002.

General Fund/ Sheriff Department Fund

A806-A14	False Alarm	\$125.00
A006-A02	Salaries	1,000.00

Total this appropriation \$1,125.00

Upon roll call the vote was as follows:

Mr. Thomas	Yes
Mr. Probst	Yes
Mr. Olexo	Yes

IN THE MATTER OF ADDITIONAL APPROPRIATIONS
FOR THE BELMONT COUNTY 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 dates of **April 10, 2002**, (2,127.36), June 19, 2002 (1,766), July 31, 2002 (519.22), August 27, 2002 (1,339.44), Sept. 11, 2002 (9,928.52), Oct. 23, 2002 (31,974.46) and Nov. 7, 2002 (3,000.00).

General Fund/ Sheriff Department Fund

A206-A03	Housing of Prisoners	\$35,655.00 total
A106-A03	Food	\$15,000.00

Upon roll call the vote was as follows:

Mr. Thomas	Yes
Mr. Probst	Yes
Mr. Olexo	Yes

IN THE MATTER OF ADDITIONAL APPROPRIATIONS
FOR THE 030 BOND RETIREMENT FUND/JAIL CONSTRUCTION

Motion made by Mr. Probst, seconded by Mr. Thomas 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 November 25, 2002.

JAIL CONSTRUCTION BOND RETIREMENT FUND

0030-001	Bond Payment	\$195,000.00
0030-002	Interest	\$100,161.25
0030-003	Other Expense	\$ 1,301.90

Upon roll call the vote was as follows:

Mr. Thomas	Yes
Mr. Probst	Yes
Mr. Olexo	Yes

IN THE MATTER OF GRANTING PERMISSION
FOR MARK ESPOSITO, ACTING DIRECTOR OF
SANITARY SEWER DISTRICT TO TRAVEL

Motion made by Mr. Thomas, seconded by Mr. Probst granting permission for Mark Esposito, Acting Director of Belmont County Sanitary Sewer District to travel to Columbus, Ohio for the annual CCAO meeting on December 1-4, 2002. Estimated expenses: \$500.00 plus use of a District vehicle.

Upon roll call the vote was as follows:

Mr. Thomas	Yes
Mr. Probst	Yes
Mr. Olexo	Yes

**IN THE MATTER OF REQUEST FOR
CERTIFICATION OF MONIES**

Motion made by Mr. Thomas, seconded by Mr. Probst requesting the following monies be certified by the Belmont County Budget Commission.

030 JAIL CONSTRUCTION BOND RETIREMENT FUND-\$297,000.00 TRANSFERRED IN FROM GENERAL FUND/NOVEMBER 25, 2002
025 PARK HEALTH CENTER BOND RETIREMENT FUND-\$264,000.00
020 HUMAN SERVICES BOND RETIREMENT FUND-\$95,000.00
CDBG FUND-\$2,373.00 PAID INTO T011-T01 ON NOVEMBER 22, 2002, GRANT #B-F-01-007-1,
DRAWDOWN #278

Upon roll call the vote was as follows:

Mr. Thomas	Yes
Mr. Probst	Yes
Mr. Olexo	Yes

**IN THE MATTER OF ENTERING EXECUTIVE
SESSION WITH BCDJFS EMPLOYEES AND CLERK
AT 6:00 P.M.**

Motion made by Mr. Thomas, seconded by Mr. Olexo to enter executive at 6:00 P.M. with Dwayne Pielech Director, Mike Kinter Human Resource Administrator, Lynn Jeffries, Fiscal Administrator, BCDJFS and Clerk Darlene Pempek to discuss compensation of public employees upon adoption of the following.

RESOLUTION OF THE BELMONT COUNTY

BOARD OF COUNTY COMMISSIONERS

WHEREAS, the Board of Belmont County Commissioners are permitted to meet in executive session in order to consider those matters specifically authorized by R.C. 121.22 (G) (1); and

WHEREAS, a majority of a quorum of the Board of Belmont County Commissioners has determined, by roll call vote, to hold an executive session to consider **compensation of a public employee**;

WHEREFORE, BE IT RESOLVED THAT: the Board of Belmont County Commissioners shall hold an executive session to consider **compensation of a public employee**;

WHEREFORE, BE IT FURTHER RESOLVED THAT: the Board of Belmont County Commissioners shall only adopt a resolution, resolution or formal action regarding the matters considered in executive session at an open meeting of the Board.

ROLL CALL on the adoption of the Resolution resulted as follows:

Mr. Thomas	Yes
Mr. Olexo	Yes
Mr. Probst	Yes

**IN THE MATTER OF ADJOURNING EXECUTIVE
SESSION WITH BCDJFS EMPLOYEES AND CLERK
AT 6:15 P.M.**

Motion made by Mr. Thomas, seconded by Mr. Olexo to adjourn executive at 6:15 P.M. with Dwayne Pielech Director, Mike Kinter Human Resource Administrator, Lynn Jeffries Fiscal Administrator, BCDJFS and Clerk Darlene Pempek to discuss compensation of public employees.

Upon roll call the vote was as follows:

Mr. Thomas	Yes
Mr. Olexo	Yes
Mr. Probst	Yes

*FOLLOWING ACTION TAKEN

**IN THE MATTER OF ADOPTING RESOLUTION
DESIGNATING BCDJFS AS SUBORDINATE "EMPLOYING UNIT"**

Motion made by Mr. Thomas, seconded by Mr. Probst to adopt the Resolution designating the Belmont County Department of Job and Family Services as a subordinate "employing unit" pursuant to Ohio Revised Code (A) (3) (C) for the purpose of the Ohio Revised Code Section 145.297(B) to establish a retirement incentive plan.

RESOLUTION

WHEREAS, on December 16, 1986, A. Sub. H.B. 706 passed the Ohio General Assembly and became effective authorizing Ohio's public employers to establish a retirement incentive plan, pursuant to Sections 145.297 and 145.298 of the Ohio Revised Code;

WHEREAS, Ohio Revised Code Section 145.297 (A) (3) (C) authorized the Board of County Commissioners to designate as an "employing unit" any county agency;

WHEREAS, Ohio Revised Code Section 145.297 (B), authorizes an "employing unit" to establish a retirement incentive plan pursuant to the provisions of Section 145.297 (C), (D) and (E);

NOW, THEREFORE, it is resolved that the Board of County Commissioners of Belmont County, does hereby designate the Belmont County Department of Job and Family Services as a subordinate "employing unit" for the purpose of Ohio Revised Code Section 145.297.

Ryan E. Olexo /s/
Ryan E. Olexo, Commissioner
Charles R. Probst, Jr. /s/
Charles R. Probst, Jr., Commissioner
Mark A. Thomas /s/
Mark A. Thomas, Commissioner

This resolution adopted by the Belmont County, Ohio, Board of County Commissioners on the 25th day of November, 2002.

Upon roll call the vote was as follows:

Mr. Thomas	Yes
Mr. Probst	Yes
Mr. Olexo	Yes

IN THE MATTER OF DISCUSSION HELD

Commissioner Thomas stated, "The Ohio Revised Code allows County Departments of Job and Family Services to enter into an early retirement agreement by resolution. This is a downsizing of the Department of Job and Family Services. These persons will be retiring early and the positions are not going to be filled. There are nine positions between management and labor. The key issue for the residents is that there will be a 2.2 million dollar savings over a five-year period by not replacing these positions. We are offering this plan in order to preserve the other positions in the department from layoff. There are also other management issues. This would not be possible if we were using general fund monies. Because of the manner in which the Department of Job and Family Services is funded, we are able to do this."

Mr. Dwayne Pielech, Director, Department of Job and Family Services commented, "I would like to thank the Board for the opportunity to look at this. I have had discussions with Representatives Carnes and Wilson. What they hear and see in Columbus is that it does not look good. Joel Potts, Ohio DJFS, says there are future budget cuts coming."

IN THE MATTER OF DISCUSSION HELD (cont'd)

Mr. Pielech stated his department works as a leadership team. Management will be taking on more responsibility and the case managers would take on more cases, he stated, "Everybody is pitching in." Mr. Pielech continued by stating these nine early retirements would amount to a six percent reduction in the workforce, "The cost of this buyout is nine hundred thousand spread over a five year period. The total savings to the county would be three point one million. The dates in which the retirements would take place will be between March 1, 2003 and April 29, 2004."

IN THE MATTER OF PRESS RELEASE

RE: EARLY RETIREMENT FOR JOB AND FAMILY SERVICES

FOR IMMEDIATE RELEASE

November 25, 2002

Commissioners Approve Early Retirement Plan for Job and Family Services

ST. CLAIRSVILLE-In an effort to reduce operating costs in future years at the county Department of Job and Family Services (BCDJFS), the Board of Commissioners approved an Early Retirement Incentive Plan today that will reduce the Agency workforce in the next 18 months by at least six percent.

Working at the request of BCDJFS Director Dwayne Pielech, the Board approved the plan which calls for up to 20 workers to be eligible for up to a five-year incentive buy-out plan. The employees will be offered the plan beginning March 1, 2003 thru February 29, 2004. Nine workers have already indicated they will accept the Early Retirement plan.

Board President Mark Thomas said the nine positions are split between management and labor. He said the Agency is able to offer the plan because they are not replacing any of the workers.

"The Department will save more than \$2.2 million over the five years by not replacing the workers, while reorganizing the work units to continue to offer quality core services," Thomas said. "The cost of offering the Early Retirement Plan is far outweighed by the long-term costs to the County. With current State and Federal budget discussions, it is just a matter of time before this Agency will be faced with laying-off workers. This Plan provides the County with a progressive, proactive approach to dealing with certain, future budget cuts."

Thomas pointed out that in other Counties, Job and Family Services agencies are already laying-off workers. He said decisions made by BCDJFS management in the past few years have helped eliminate current lay-offs in Belmont County.

"We appreciate the work of labor and management to address the needs of the public while working to save taxpayer dollars," Thomas said. "Working together, the Agency employees understand it is better to add more to your daily workload as opposed to going to bed each night not knowing if you will have a job in the morning."

BCDJFS Director Dwayne Pielech offered the following facts:

The program is being offered to reduce the Department's operating costs over the next five years.

Under the Early Retirement Incentive, the program could only be offered with the elimination of the retiring positions. In total, a long-term cost savings to the Department is possible because at least nine were eliminated (About six percent of the Agency workforce).

While the Department offers the Early Retirement Incentive Program, management staff has identified a reorganization plan in order to continue offering the same level of client services.

Nine employees retiring under the program will cost the Department approximately \$900,000. The Agency will save almost \$2.2 million dollars during the next five-years in wages and benefits by not replacing the nine workers.

It allows the Department and County Commissioners to reduce the workforce and begin planning for future state and federal budget cuts. (BCDJFS received a cut in July 2002).

IN THE MATTER OF DISCUSSION HELD

RE: OPEN PUBLIC FORUM

Mr. Red Doleski, resident of the County commented on the high cost of housing of prisoners for Belmont County stating, "This is a very serious problem." Commissioner Thomas stated, "Yes, you are absolutely correct. That is why we are exploring our options, one of which is to build on to the jail. Sheriff McCort, at the time the jail was built, could have no idea or way to predict the crime rate of Belmont County. The jail is currently filled to capacity more than it is not. It is outrageous what this county is paying for housing of prisoners. We are seriously looking at our options."

Mr. Doleski then asked if the Belmont Senior Services had submitted a financial report at the time that Mr. Bob Laxton, former Director of that agency, had submitted his resignation. He stated, "He was behind, way in arrear. Did he ever submit a report?" Commissioner Olexo stated he did not, and then asked, "Are you asking about the financial report by quarter?" Commissioner Thomas stated, "That report is current through September 2002." Commissioner Probst stated, "I would have liked to see an audit for the transition period and after the fiscal officer left as well."

Commissioner Thomas stated that these questions had been answered - Commissioner Olexo had spent over two and one half hours explaining many, most, if not all questions by the public regarding senior services in the county. Commissioner Probst stated, "A lot of money in accounts receivables is not coming in. Hundreds and thousands of dollars have not been collected for 2001."

Mr. Doleski thanked the Commissioners and Mr. Bennett, County Engineer for paving County Road 18, and stated he would like to see Mr. Bennett submit a report of future paving projects. Commissioner Thomas stated Mr. Bennett does indeed submit such a report, however, it may not be in as great a detail as Mr. Doleski would like.

Mr. Michael Bianconi, resident of the county commented that he would like to see the Commissioners instill the "pay for stay" program at the county jail. Mr. Bianconi offered some suggestions to the Commissioners pertaining to the topic of housing of prisoners. Commissioner Thomas stated, "Pay for stay is being addressed by this Board. Commissioner Probst is handling it and as the Vice Chair of Courts and Corrections Committee for the County Commissioners Association of Ohio - I am handling this not only for our county, but for the other 87 counties. Some counties already participate, about ten or fifteen, seventy counties do not." Commissioner Probst stated, "If and when we decide to expand the jail, it doesn't have to be extravagant. We'll meet the minimum law standards according to the State of Ohio, and that's it. It is not going to be a Taj Mahal. This could be a solution to some problems, expanding the jail and also pay for stay to help recoup costs."

Mr. Bianconi then asked if the Board was comfortable with the Belmont Senior Services. Commissioner Olexo stated, "There is always room for improvement in any agency. The reason that a large amount of bills go through here (at one time) is because we as a Board actually sit down and take time to go through the bills. When we have questions, we call them, we send them back, we clarify things... There is always room for improvement. We're working on that everyday. We'd like to see the bills come in a more expedient manner, unfortunately, because they work on a reimbursement basis it's hard to do..."

IN THE MATTER OF DISCUSSION HELD
RE: OPEN PUBLIC FORUM (cont'd)

Mr. Bianconi asked the status of individuals being appointed to the new board of advisors for this agency. Commissioner Olexo stated, "The new Board will have four persons appointed by this Board. We have reviewed the names and are currently reviewing some changes in the contract. Their organization needs to change their by-laws and charter, before they can accept new board members. This is not a process we can wave a magic wand and make it happen. It takes time to put changes in and make all these changes happen in a legal and justified manner."

Mr. Bianconi asked, "When you change this contract will it be out for anyone to participate?" Commissioner Olexo stated, "That will be determined at the end of the contract in June of the coming year."

IN THE MATTER OF APPROVING
MINUTES OF COMMISSIONERS' REGULAR MEETING

Motion made by Mr. Thomas, seconded by Mr. Probst to approve the minutes of the Belmont County Commissioners' regular meeting of November 20, 2002.

Upon roll call the vote was as follows:

Mr. Thomas	Yes
Mr. Probst	Yes
Mr. Olexo	Yes

IN THE MATTER OF ENTERING INTO 2003

RECYCLE OHIO GRANT AGREEMENT WITH O.D.N.R./LITTER CONTROL

Motion made by Mr. Thomas, seconded by Mr. Olexo to enter into the 2003 Recycle Ohio Grant Agreement with the Department of Natural Resources for the period of January 1, 2003 through June 30, 2003, at which time it may be renewed by the Department through written notification to the Grantee, for a term ending December 31, 2003. Grant award amount-\$56,600.00

2003 RECYCLE, OHIO! GRANT AGREEMENT

This Agreement is made and entered into by and between the Director of the Department of Natural Resources, through the Chief of the Division of Recycling and Litter Prevention, hereinafter referred to as the **Department**, and Belmont County, hereinafter referred to as the **Grantee**.

WITNESSETH THAT:

WHEREAS, the Grantee, as authorized under Ohio Revised Code (ORC) Section 1502.06(B) has applied to the Department for a grant to fund the implementation of a Recycle, Ohio! Grant as outlined in the **Grantee's 2003** Recycle, Ohio! Grant Application and Attachment A of this Agreement; and,

WHEREAS, the **Grantee** has been authorized by its governing body to enter into Agreement with the **Department** to administer said grant; and,

WHEREAS, the **Grantee** has been certified by the Recycling and Litter Prevention Advisory Council and approved by the **Department** as an eligible applicant pursuant to ORC Sec. 1502.04(B) and,

WHEREAS, the **Department**, under provisions of ORC Sec. 1502.05 (A), may provide grants to applicants certified as eligible to implement recycling and/or litter prevention programs; and

WHEREAS, Recycle, Ohio! Grant funds in the amount of **\$56,600** have been encumbered by Commitment Document Number _____. Obligations of the State of Ohio are subject to the provisions of ORC Sec. 126.07.

NOW THEREFORE, in consideration of the mutual covenants by and between the parties hereto, the parties agree as follows:

I. That the Department hereby awards to the Grantee a grant not to exceed **\$56,600** for the purpose of implementing a local recycling and/or litter prevention program with said activities being detailed in the Grantee's application and as modified in the Errata Sheet included as Attachment B, and with allowable costs as specified in the Approved Budget included as Attachment A, which are hereby made a part of this Agreement. Costs incurred by the **Grantee** for items not part of the approved budget, any unapproved revisions to the approved budget, or costs in excess of amounts specified in the approved budget shall not be reimbursed by the **Department**.

II. That the Grantee shall provide a match equal to fifty percent (50%) of the grant award for those fifty percent match activities awarded and specified by the **2003** Recycle, Ohio! Grant Application Handbook and provide a match equal to **0** percent of the grant award for those variable match activities awarded and specified by said Application Handbook.

III. That the Department shall pay to the Grantee from its original total grant award, a sum of money in the amount of eighty (80) percent of its total grant award, payable in two equal installments, to be used for program costs according to the Grantee's approved application. The remaining twenty (20) percent shall be held by the Department for reimbursement at the time of close-out, if necessary. All grant funds not expended or obligated by the termination date of this Agreement shall be returned to the Department within forty-five (45) days of notification of close-out by the Department. The Grantee shall provide funds to operate the program until the first payment is received and any time during the grant period that expenditures exceed the amount of funds advanced. Any payments authorized under this grant agreement may be withheld by the Department if the Grantee has any outstanding payments due to the Department from prior or current grant agreements. Upon payment of any outstanding payments, the Department shall comply with the terms of this grant agreement. The Department shall be responsible for notifying the **Grantee** of any outstanding payments.

IV. That the Grantee shall implement such a program and manage such grant funds according to the following **Standard Conditions** for Recycle, Ohio! Grants:

A. Use of Grant Funds

1. Grant funds shall be used only for the purposes and projects covered by the **Grantee's** approved program and budget.

2. Grant funds shall not, without prior written Department approval, be obligated after the termination date of the grant.

3. Grant funds shall not be used to supplant or to replace any existing funding for recycling and/or litter prevention projects.

4. Grant funds used for travel expense reimbursement will be subject to the limitations set forth by the Department.

5. Grant funded computer hardware, software, and software services shall not be used for purposes unrelated to grant activities.

6. General purposes for which the Grantee shall neither expend grant monies nor seek reimbursement include, but are not limited to, the following:

a. Paying individuals, crews or organizations to pick up litter (other than crew supervisors);

b. Purchase, lease, or servicing of dumpsters or other containers when not part of an approved activity;

c. Routine refuse and solid waste disposal, removal, processing or hauling;

d. Refuse Derived Fuel (RDF) projects of any kind;

e. Any collection, recycling, or processing of hazardous waste, yard waste, or Christmas trees;

- f. Any collection, recycling, or processing of tires that are not collected as part of an approved Litter Collection activity;
- g. Solid waste collection equipment not part of an approved P-A-Y-T project, street cleaning vehicles, and related equipment;
- h. Landfill operation and maintenance;
- i. Land acquisition;
- j. Entertainment costs (banquets, parties, etc.) and alcoholic beverages;
- k. Beautification projects (plantings, mowing, weeding, etc.)
- l. Routine litter law enforcement surveillance activities, and costs to enforce laws/ordinances not regulating litter or littering and/or for enforcement officers without authority to enforce litter laws/ordinances as defined in ORC Chapter 1502;
- m. Newspaper subscriptions and individual membership fees to organizations;
- n. Personal clothing items other than promotional t-shirts under the line item 'Other' and approved safety supplies under the line item 'Supplies';
- o. Clerical personnel other than those clerical expenditures approved under the 'Overhead' line item; and,
- p. Interior recycling collection containers desk-side recycling containers or container liners for private facility ownership;
- q. Laptop computers; and,
- r. Costs otherwise excluded under ORC Chapter 1502 or the **2003** Recycle, Ohio! Grant Application Handbook and Grant Manager's Manual.

B. Grant Revisions

The Grantee shall obtain prior written Department approval for any significant revision of approved projects or revisions to the Approved Budget. Grant Revision Requests shall be prepared in a format determined by the Department. Costs incurred by the Grantee for items not part of the Approved Budget, and unapproved amendments to the Approved Budget, or costs in excess of amounts specified in the Approved Budget shall not be reimbursed.

C. Financial Management

1. The Grantee shall create a separate account for grant funds received through this Agreement and for cash donations received that qualify for the donor credit allowed by ORC section 5733.064.

2. Monies generated from any grant-funded activity are not required to be deposited into the separate account. These monies shall be used to support recycling and/or litter prevention projects described in 1502.03(A)(1), (2), and (3) of the Ohio Revised Code and may be used any time during or after the effective date of the grant award.

3. The Grantee shall establish fiscal control and accounting procedures which follow the procedures set forth in the **2003** Recycle, Ohio! Grant Manager's Manual and which will assure proper disbursement of, and accounting for, all grant funds. This responsibility applies to all third party agreements and contracts. Accounting procedures shall provide for an accurate and timely recording of receipt of funds by source, expenditures made from such funds, and unexpended balances. Adequate controls must be established to assure that expenditures charged to grant projects are allowable and that documentation is readily available to verify the accuracy of these charges, including all purchase and charge receipts. The Grantee shall keep all appropriate records to provide and audit trail for all expenditures. Accounting records must be maintained for six (6) years from the effective date of this grant agreement, or be consistent with the local government records retention schedule, whichever is longer.

4. The Grantee shall abide by its local procurement regulations or standards for contract agreements provided that the standards set forth in this Agreement are followed. However, a written agreement is required between the Grantee and the service provider where personal services greater than \$1,000.00 (one thousand dollars) will be paid for with grant funds. The written agreement must be fully executed before the provision of any service and a copy shall be retained in the Grantee's financial record for audit purposes.

5. The Grantee shall submit financial and program summaries in accordance with the procedure established by the Department. This statement shall be in a format and contain such information as determined by the Department and as outlined in the **2003** Recycle, Ohio! Grant Application Handbook and/or Grant Manager's Manual.

6. The Grantee shall document all cash donations received for its recycling and/or litter prevention program as to the amount, name and address of the donor, and the date each donation was received. The Grantee shall use cash donations received for **tax credit purposes** pursuant to ORC Sec. 5733.064 for any purpose identified under Sec. 1502.03, and in a manner consistent with the same. Said donations may be used any time during or after the effective dates of the grant award.

D. Equipment Purchased with Grant Funds

1. The Grantee shall maintain records for each piece of equipment costing \$300 (three hundred dollars) or more and acquired through this grant. These records shall be in the format outlined in the **2003** Recycle, Ohio! Grant Manager's Manual and shall be maintained for five years from the date the Grantee receives said equipment. Upon request, they shall be made available to the Department for inspection.

2. During the five year period from the date the Grantee receives any equipment costing greater than \$3,000 (three thousand dollars), the Grantee shall not convert said equipment to uses other than those originally approved by the Department, shall not transfer said equipment without cost, and shall not sell said equipment without written approval of the Department. If for any reason during said five year period the Grantee finds that such equipment is no longer needed for its originally approved use, the Grantee shall notify the Department in writing of such finding. With written approval of the Department, the Grantee may convert said equipment to a use other than that originally approved, transfer said equipment without cost or sell said equipment. For conversions or sales made during said five year period, the Grantee shall repay to the Department any funds granted by the Department for the originally approved purchase of said equipment. The Grantee shall repay these funds within forty-five days of the approved conversions or sale of said equipment according to the following schedule:

a. If such conversion, transfer or sale is made within one year of the date the Grantee received said equipment, the Grantee shall repay to the Department ninety percent (90%) of any expended funds granted by the Department for the originally approved purchase of said equipment.

b. If such conversion, transfer or sale is made during the second year after the date the Grantee received said equipment, the Grantee shall repay to the Department seventy percent (70%) of any expended funds granted by the Department for the originally approved purchase of said equipment.

c. If such sale is made during the third (3rd) year after the date the Grantee received said equipment, the Grantee shall repay to the Department fifty percent (50%) of any expended funds granted by the Department for the originally approved purchase of said equipment.

d. If such sale is made during the fourth (4th) year after the date the Grantee received said equipment, the Grantee shall repay to the Department twenty-five percent (25%) of any expended funds granted by the Department for the originally approved purchase of said equipment.

e. If such conversion, transfer or sale is made during the fifth (5th) year after the date the Grantee received said equipment and the market value of said equipment is greater than \$1,000 (one

thousand dollars) the Grantee shall develop a disposition plan and request approval from the Department. If the market value of said equipment is less than \$1000, the Grantee may dispose of the equipment in a manner consistent with local regulations.

3. Following the fifth year after the date the Grantee received said equipment, the Grantee may dispose of said equipment in a manner consistent with local regulations and without the approval of the Department.

4. During the five (5) year period from the date the Grantee is the recipient of any grant funds for site improvements exceeding \$3,000.00 (three thousand dollars), the Grantee shall not convert, transfer nor sell facilities where site improvements were made pursuant to this agreement to uses other than those originally approved by the Department, without written approval of the Department. If for any reason during said five (5) year period the Grantee finds that facilities where site improvements were made pursuant to this agreement are no longer needed for their originally approved use, the Grantee shall notify the Department in writing of such finding. With written approval of the Department, the Grantee may convert such facilities to a use other than that originally approved, transfer such facilities without cost or sell said facilities. For sales made during said five (5) year period, the Grantee shall make payment to the Department, within forty-five (45) days of the approved sale of said facilities according to the same repayment schedule outlined in Section D (2a-e).

E. Insurance

The Grantee shall maintain sufficient insurance on any property on which grant funds have been expended, to improve the property site and to help re-establish the physical plant of the operation in case of fire, theft or other destructive occurrence. Furthermore, the property shall be maintained in compliance with all directives given by health, safety or fire officials resulting from regular or special inspections by said agencies. The Grantee shall also maintain insurance in an amount sufficient to cover the replacement value of any grant-funded equipment.

F. Reporting

The Grantee shall monitor and report program performance for all grant-supported projects to assure that time schedules are met, projects are accomplished, funds are properly expended and other performance objectives are met. The Grantee shall submit reports as required to the office of the Grantee's District Coordinator as identified in the **2002 Recycle, Ohio! Grant Manager's Manual**. These reports shall be in the formats determined by the Department and as outlined in the **2002 Recycle, Ohio! Grant Manager's Manual**.

G. Advertising and Awareness Policies

The Grantee shall obtain written approval from the Department prior to the commitment and/or expenditure of any grant funds for the purchase of media time, advertising space, and/or publicly-available printed matter. For all communications the Grantee may issue concerning work performed under this agreement, the Grantee shall, at least two weeks prior to the printer or producer deadline, submit to the office of the Grantee's District Coordinator an Advertising Approval Request including the final advertising copy, script, or camera-ready art which shall include in the text a funding credit line as outlined in the **2002 Recycle, Ohio! Grant Manager's Manual**, and shall have obtained written approval from the Department prior to the date of publication or broadcast.

H. Site Visits

The Department reserves the right to conduct site visits with the Grantee and any subcontractor as arranged between the respective parties. The visits will be conducted to review program progress, visually inspect activity performance, discuss any difficulties encountered in project implementation, receive any recommendations or requests for project changes, or to consider anything else mutually beneficial to program implementation.

V. That the Grantee shall not discriminate against any employee or applicant for employment based on race, color, religion, national origin, ancestry, age, sex, sexual orientation or any disability as defined in the Americans with Disabilities Act (ADA). The Grantee will take affirmative action to ensure that applicants are employed, and that, during employment, employees are treated without regard to race, color, religion, national origin, ancestry, age, sex, sexual orientation, or any disability (as defined in the ADA). Furthermore, the Grantee agrees to comply with all pertinent provisions of ORC Sec. 125.111 and the Drug Free Workplace Act.

VI. That the Grantee shall, in all solicitations or advertisements for employees placed by or on its behalf, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, national origin, ancestry, age, sex, sexual orientation, or disability as defined in ADA.

VII. That the Grantee shall cooperate with the State Equal Employment Opportunity Coordinator, with any other officials or agencies of the State or Federal Government that seek to eliminate unlawful employment discrimination, and with all other State and Federal efforts to assure equal employment practices under this Agreement. Before and during performance, the Grantee shall promptly comply with all requests and direction from the state of Ohio or any of its officials and agencies in this regard.

VIII. That upon the Grantee's noncompliance with the nondiscrimination clauses of this Agreement, this Agreement may be canceled, terminated or suspended in whole or in part and the Grantee may be ineligible for further State Contracts and such other sanctions may be imposed and remedies instituted as otherwise provided by the law.

IX. That neither the Grantee nor its employees are public employees of the Department under federal and state law for tax, Workers' Compensation and retirement deduction purposes and that the Grantee has Workers' Compensation Coverage.

X. That the Grantee shall carry out and administer the Recycle, Ohio! Grant according to all applicable state and local laws, all terms of this Agreement, and as outlined in the **2003 Recycle, Ohio! Grant Application Handbook** and/or **Grant Manager's Manual**.

XI. That the Department shall at any reasonable time have the right of access to and the right to audit all books and records, financial or otherwise, pertinent to the administration and operation of this grant. The Grantee shall keep said books and records in a common file to facilitate audits and inspections. All accounting records must be maintained for six years or be consistent with the local government records retention schedule, whichever is longer.

XII. Implementation of the approved Recycle, Ohio! Grant projects as outlined in the Grantee's **2003 Recycle, Ohio! Grant Application** and this Agreement, for which grant funds have been provided under this Agreement, shall not commence until the Agreement is signed by all parties or January 1, 2003, whichever is later. The Department shall not be responsible for any cost incurred by the Grantee prior to the effective date of the Agreement.

XIII. That the Department reserves the right, at any time after execution of this Agreement, to terminate the grant in whole or in part upon written notification to the Grantee. In the event of such termination, the grantee will be paid for approved expenditures incurred and for any noncancelable obligations properly incurred prior to termination. All unspent funds and/or unallowed expenditures shall be returned to the Department within forty-five (45) days of such termination.

XIV. That the Grantee reserves the right, at any time after execution of this Agreement, terminate the grant, in whole or in part, upon written notification to the Department. In the event of such termination, the Grantee shall not incur any new obligations and shall make a good faith effort to cancel

as many outstanding obligations as possible. All unspent funds and/or unallowed expenditures shall be returned to the Department within forty-five (45) days of such termination.

XV. This Agreement shall terminate **December 31, 2003**.

IN WITNESS WHEREOF, this Agreement is effective upon execution by the Chief of the Division of Recycling and Litter Prevention.

Grantee: Belmont County

Federal Tax ID #: 34-6000236

Grant Award: \$56,600

(I, we) have the authority to sign this Agreement and do so in (my/our) respective capacities:

GRANTEE SIGNATURE:

Signed: Ryan E. Olexo /s/

Title: Chairperson,

Date: November 25, 2002

OHIO DEPARTMENT OF NATURAL RESOURCES SIGNATURES:

Signed: Ronald L. Kolbash /s/

Ronald L. Kolbash, Ph.D.

Chief, Division of Recycling and Litter Prevention.

Date: _____

Upon roll call the vote was as follows:

Mr. Thomas	Yes
Mr. Olexo	Yes
Mr. Probst	Yes

**IN THE MATTER OF AUTHORIZING THE SIGNING
AND SUBMITTING OF THE JUVENILE ACCOUNTABILITY INCENTIVE
BLOCK GRANT APPLICATION/OAKVIEW AFTERCARE PROGRAM**

Motion made by Mr. Olexo, seconded by Mr. Probst authorizing Board President, Mark A. Thomas to sign and submit the Juvenile Accountability Incentive Block Grant application to the Ohio Department of Youth Services for Fiscal Year 2003 for funding in the amount of \$126,691.65 for the Oakview Aftercare Program. Belmont County's contribution to the local match would be \$2,660.50. The Aftercare Program is designed to address the ongoing needs of youth that are transitioning from Oakview back into the community. The program includes follow-up in probation, education, employment and social services.

Upon roll call the vote was as follows:

Mr. Olexo	Yes
Mr. Probst	Yes
Mr. Thomas	Yes

**IN THE MATTER OF ANNUAL DUES
AND MEMBERSHIP TO THE PUBLIC CHILDREN SERVICES ASSOCIATION OF OHIO**

Motion made by Mr. Probst, seconded by Mr. Olexo to adopt the following Resolution approving the annual dues and membership to the Public Children Services Association of Ohio for the Director of the Belmont County Department of Job and Family Services for the year 2003 at the cost \$1,559.00.

R E S O L U T I O N

WHEREAS, the Public Children Services Association of Ohio has annual membership dues for the Department, and

WHEREAS, the Belmont County Department of Job and Family Services wishes to renew its annual dues and membership registration for 2003, and

WHEREAS, Such membership requires the approval of the Belmont County Commissioners,

NOW, THEREFORE, BE IT RESOLVED, that the Board of Belmont County Commissioners does approve the full membership and annual dues of the Belmont County Department of Job and Family Services in the Public Children Service Association of Ohio for 2003 at the cost of \$1,559.00.

Upon roll call the vote was as follows:

Mr. Olexo
Mr. Probst
Mr. Thomas

**IN THE MATTER OF LIQUOR
PERMIT FOR PAULA ARMSTRONG, DBA ARMSTRONG CATERING
& SHANNON'S PLACE, DILLONVALE, OHIO**

Motion made by Mr. Olexo, seconded by Mr. Thomas to approve the following request for a Liquor Permit.

LIQUOR PERMIT

The Board this day approved one D1 permit for Paula Armstrong, DBA Armstrong Catering & Shannon's Place, Dillonvale, Ohio, and the Clerk is hereby authorized and directed to sign the form and return it to the Ohio Department of Liquor Control, Reynoldsburg, OH 43068.

D1 Beer only for on premises consumption and in sealed containers for carry out until one a.m.

There have been no objections received and the Board of County Commissioners have no objections to the permit.

Upon roll call the vote was as follows:

Mr. Olexo	Yes
Mr. Thomas	Yes
Mr. Probst	Yes

**IN THE MATTER OF ADOPTING RESOLUTION
ESTABLISHING THRESHOLD FOR COUNTY ASSETS/GASB 34**

Motion made by Mr. Olexo, seconded by Mr. Thomas to adopt the following Resolution establishing the threshold for infrastructure assets at \$10,000.00 and the threshold for all other fixed assets at \$5,000.00 due to the implementation of GASB 34.

RESOLUTION

WHEREAS, within the 2002 Comprehensive Annual Financial Report (CAFR) a new rule has been added called Governmental Accounting Standards Board (GASB) 34, and

WHEREAS, part of GASB 34 includes expanding the county fixed asset listings to include infrastructures such as roads, bridges, lighting systems, drainage systems, dams, and tunnels.

WHEREAS, the Belmont County Auditor has run a report to determine how many asset items would be affected. The report showed 2419 assets with a total value of five million dollars would be eliminated from the fixed asset list. The 2,419 assets are still required to be listed on the individual offices annual inventory which are submitted to the offices of the auditor and commissioners in January of each year.

WHEREAS, with the addition of the infrastructure values, according to the state auditor's office the value of the deleted items is not material and will not affect the annual audit.

NOW, THEREFORE, BE IT RESOLVED that the Board of Belmont County Commissioners does hereby declare that the threshold for infrastructure assets is set at ten thousand dollars (\$10,000.00) and the threshold for all other fixed assets be raised from one thousand dollars (\$1,000.00) to five thousand dollars (\$5,000.00)

Upon roll call the vote was as follows:

Mr. Olexo	Yes
Mr. Thomas	Yes
Mr. Probst	Yes

**IN THE MATTER OF APPROVING
CHANGE ORDERS AND PAY REQUESTS FOR THE
AVONDALE/SHADYSIDE WATERLINE EXTENSION PROJECT/
SANITARY SEWER**

Motion made by Mr. Olexo, seconded by Mr. Thomas to approve the following Pay Requests and Change Orders for The James White Construction Company, Weirton, WV for the Avondale / Shadyside Waterline Extension Project based upon the recommendation of Bill Street, Street Engineering, Project Engineer and David Grum, Belmont County Sanitary Sewer Project Consultant:

- Pay request #2 in the amount of \$ 134,958.71
- Pay Request #3/ FINAL in the amount of \$19,137.42

Change Order #1 Install additional downspout connections	\$ 8,560.00
Change Order #2 Install 6" Laterals under concrete retaining wall	\$ 2,580.00
Change Order #3 Additional excavation / 2 manholes	\$ 2,730.00
Change Order #4 Additional excavation plus 3 catch basins	\$ 5,784.00

Upon roll call the vote was as follows:

Mr. Olexo	Yes
Mr. Thomas	Yes
Mr. Probst	Yes

**IN THE MATTER OF MOTION TO INCREASE
THE HOURLY WAGE OF TODD MCGILTON, UTILITY
MAINTENANCE WORKER EMPLOYEE OF BELMONT
COUNTY SANITARY SEWER**

Motion made by Mr. Thomas, seconded by Mr. Olexo to approve a wage increase for Todd McGilton, Utility Maintenance Worker, Belmont County Sanitary Sewer District, who has satisfactorily completed his probationary period. This wage increase is to be retroactive to pay period ending November 19, 2002. Mr. McGilton is granted the standard fifty cents (.50) per hour increase. The wage increase is based upon the recommendation of Mark Esposito, Acting Director, Sanitary Sewer District.

Upon roll call the vote was as follows:

Mr. Olexo	Yes
Mr. Thomas	Yes
Mr. Probst	Yes

**IN THE MATTER OF ADOPTING RESOLUTION
DESIGNATING BELMONT COUNTY, OHIO AS A RURAL ENTERPRISE ZONE
AND PETITIONING OHIO DEPT. OF DEVELOPMENT FOR CERTIFICATION OF THE COUNTY AS A ZONE/
VILLAGE OF FLUSHING**

The Board of County Commissioners of Belmont County, Ohio met in Regular session on the 25th day of November, 2002, at the office of the Commissioners with the following members present:

Mark A. Thomas, President
Charles R. Probst, Jr, Vice President
Ryan E. Olexo

Mr. Thomas moved the adoption of the following:

RESOLUTION

WHEREAS, Ohio Revised Code Section 5709.61 through 5709.66 ("The Act") has authorized counties, with the consent and agreement of affected municipalities and townships therein, to designate areas as Enterprise Zones and to execute agreements with certain enterprises for the purpose of establishing, expanding, renovating or occupying facilities and hiring new employees and preserving jobs within said zones in exchange for specified local tax incentives granted by the county; and

WHEREAS, the Board of County Commissioners, Belmont County, Ohio, ("The Board") upon due consideration desires to implement said Act and to designate an Enterprise Zone within the boundaries of Belmont County ("The County") to promote the economic welfare of said county; and

WHEREAS, the Board finds and determines that designation of the zone pursuant to the Ohio Revised Code Section 5709.63 will promote the economic welfare of the residents of Belmont County and the Village of Flushing, by creating new jobs and retaining and preserving current jobs and employment opportunities within such areas and is in the best interest of said county, and village; and

WHEREAS, pursuant to the Act, the Village of Flushing, has authorized the Board to designate an area as an Enterprise Zone ("The Zone") which consists of the Village of Flushing and to petition the Director of the Ohio Department of Development to certify the area described as such a zone; and

WHEREAS, The Board of County Commissioners is required by law to administer all Enterprise Zone and agreements within the County and will therefore appoint a designee to be responsible for:

1. The establishment and operation of the Tax Incentive Review Council as specified in Ohio Revised Code section 5709.85,
2. To ensure that the Enterprise Zone Incentive Agreements contain the information required in Ohio Revised Code Sections 5709.631 , including but not limited to the following:
 - A. A description of the project
 - B. The amount to be invested
 - C. The number of jobs created and/ or retained
 - D. The annual new payroll associated with these jobs,
 - E. The specific percentage and term of the tax exemptions being granted toward real and/or personal property.
3. To forward copies of all Enterprise Zone Incentive Agreements to both the Ohio Department of Development and the Ohio Department of Taxation within fifteen (15) days after the agreement is entered into, as specified in Ohio Revised Code Section 5709.63 (D), and
4. To notify affected school boards of proposed projects a minimum of 14 (fourteen) days prior to formal local legislative consideration and to include comments by the school boards as part of the review process as required under Ohio Revised Code Section 5709.83 and
5. To maintain a centralized record of all aspects of the Zone including the following:
 - A. Copies of the agreements
 - B. A list of the members of the Tax Incentive Review Council

- C. A summary of the Tax Incentive Review Council's annual review of each agreement
- D. To submit a comprehensive annual zone activities on or before March 31 of each year pursuant to Section 5709.68

WHEREAS, the Board of County Commissioners does hereby delegate to the legislative authority of the Village of Flushing, Ohio, within the County of Belmont all powers and duties given to counties by Section 5709.63C of the Ohio Revised Code to negotiate and administer Enterprise Zone Incentive Agreements with regard to enterprises located or locating in its boundaries within the zone. All agreements shall be first approved by the legislative authority of the affected Municipality or Township and then approved by the County Commissioners; and

WHEREAS, the Board by this Resolution does hereby agree to form a Tax Incentive Review Council or Councils having the characteristics set forth in Ohio Revised Code Section 5709.63 (B) and this Tax Incentive Review Council shall be formed within two months of the state development director's certification at the Zone; and

BE IT FURTHER RESOLVED, that based upon the aforesaid factual data, reports and conditions, the Board hereby finds and determines the Village of Flushing meets all the requirements of the Act for designation and the Board hereby designates the area shown in Exhibit "A" and described in Exhibit "B" as an Enterprise Zone of the County pursuant to and in accordance with the requirements of the Act; and

BE IT FURTHER RESOLVED, that based upon the factual data, reports and conditions, the Board hereby finds and determines that the zone has a population of at least one thousand (1,000) persons according to the best and most recent data available to the Director of Department of Development and the zone meets characteristics outlined in the Ohio Revised Code Section 5709.61 (A) (2) (a), (b) and (c). This includes Ohio Revised Code Section 5709.61 (A) (1)(c), i.e., the proposed zone contains substantial portions of vacant or undeveloped lands and that the development of the lands would create and preserve employment opportunities in the Zone and would improve the economic climate of the Village.

BE IT FURTHER RESOLVED, that the Clerk of the Board of County Commissioners, Belmont County, Ohio, is hereby authorized and directed to provide a certified copy of this Resolution to the Director of the Ohio Department of Development.

Upon roll call the vote was as follows:

Mr. Thomas	Yes
Mr. Olexo	Yes
Mr. Probst	Yes

IN THE MATTER OF ADOPTING RESOLUTION
ALLOCATING CDBG ECONOMIC DEVELOPMENT REVOLVING LOAN FUND MONIES
FOR VILLAGE OF BELLAIRE BOAT RAMP PROJECT

Motion made by Mr. Olexo, seconded by Mr. Thomas to adopt the following Resolution authorizing the allocation of Community Development Block Grant Economic Development Revolving Loan Fund monies in the amount of \$125,000.00 be appropriated to the Village of Bellaire for the Boat Ramp Project

R E S O L U T I O N

WHEREAS, The Belmont County Commissioners have received approval from the Ohio Department of Development, Office of Housing and Community Partnerships to transfer Revolving Loan Funds to the Village of Bellaire and;

WHEREAS, Belmont County desires to transfer \$125,000.00 (one hundred and twenty-five thousand dollars) in RLF to assist the Village of Bellaire with its boat ramp project and;

WHEREAS, The Village of Bellaire is considered to be 52% low to moderate income, and;

WHEREAS, The Village must abide by all Federal and State regulations of the Belmont County Community Development Block Grant Economic Development Revolving Loan Fund program and;

NOW THEREFORE, BE IT RESOLVED, the Board of Belmont County Commissioners does hereby authorize the transfer and appropriation of \$125,000.00 in Revolving Loan Funds to the Village of Bellaire to assist in its boat ramp project.

Upon roll call the vote was as follows:

Mr. Olexo	Yes
Mr. Thomas	Yes
Mr. Probst	Yes

IN THE MATTER OF ADJOURNING

COMMISSIONERS' MEETING AT 7:35 P.M.

Motion made by Mr. Thomas, seconded by Mr. Olexo to adjourn the meeting at 7:35 P.M.
Upon roll call the vote was as follows:

Mr. Thomas	Yes
Mr. Olexo	Yes
Nr, Probst	Yes

Read, approved and signed this 4th day of December A.D., 2002.

_____ COUNTY COMMISSIONERS

We, Mark A. Thomas and Darlene Pempek, 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