

St. Clairsville, Ohio

November 30, 2005

The Board of Commissioners of Belmont County, Ohio, met this day in regular session. Present: Mark A. Thomas, Charles R. Probst, and Gordie W. Longshaw, Commissioners and Jayne Long, Assistant Clerk of the Board. Minutes of the meeting of November 23, 2005, were read, approved and signed.

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

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

**"BILLS ALLOWED"**

The following bills having been certified in the Auditor's office, on motion by Mr. Thomas, seconded by Mr. 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
A-Ohio AFSCME Care Plan	Dental & Drug Coverage	\$ 501.00
Winbook Computer Corp.	Hard Drive-GIS Projects	106.00
D-Lash Excavating & Paving	Resurfacing-Project 05-10/Auditor	151,962.74
Lash Excavating & Paving	Resurfacing-Project 05-10/Commissioners	151,962.74
Lash Excavating & Paving	Resurfacing-Project 05-10/Engineer	151,962.74
N-Green & Associates	SSD#1 Cap. Imp.	16,000.00
Lash Excavating & Paving	Asphalt	10,937.32
P-National Road Utility Supply, Inc.	W&S Dev.	3,267.00
T-Beth Andes, MS, PCC	Consultants	3,850.00
Y-Health Plan	December Premium	145,823.17
Health Plan-HMO	December Premium	63,124.86
Health Plan-PPO	December Premium	168,406.19
Shelly & Sands, Inc.	Proj. 18-4 Resurfacing Twp. Roads/Auditor	23,097.33
Shelly & Sands, Inc.	Proj. 18-4 Resurfacing Twp. Roads/Commissioners	23,097.33
Shelly & Sands, Inc.	Proj. 18-4 Resurfacing Twp. Roads/Engineers	23,097.33

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

Motion made by Mr. Thomas, seconded by Mr. Probst to approve the Recapitulation of Vouchers dated for November 30, 2005 as follow:

FUND	AMOUNT
GENERAL/911	\$ 937.94
GENERAL/EMA	\$ 1,172.44
E-9-1-1	\$ 78.00
H-J&F, PA	\$ 3,099.85, \$2,179.13, \$4,298.88, \$38,215.41
J&F Workforce	\$ 17,062.97, \$ 197,923.18
COUNTY HOME/PARK HEALTH	\$ 65,951.81
K-ENGINEER'S MVGT	\$ 33,094.61, \$1,019.46
N-SANITARY SEWER DISTRICT	\$170,761.36
P-SANITARY SEWER DISTRICT	\$ 53,959.58, \$28,064.98, \$24,048.26, \$7,790.22, \$4,224.42
T-SANITARY SEWER DISTRICT	\$ 271.20

Upon roll call the vote was as follows:

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

**IN THE MATTER OF TRANSFER WITHIN THE**  
**BELMONT COUNTY GENERAL FUND/VETERAN SERVICE COMMISSION**

Motion made by Mr. Thomas, seconded by Mr. Probst to approve the following transfer within the Belmont County General Fund for the Veteran Service Commission.

FROM	TO	AMOUNT
A009-C01 Salary Official	A009-C06 Relief Allowances	\$900.00

Upon roll call the vote was as follows:

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

**IN THE MATTER OF TRANSFER  
WITHIN THE GENERAL FUND  
FOR THE BELMONT COUNTY JUVENILE COURT**

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

FROM	TO	AMOUNT
A002-C20 Supplies	A402-C36 Other Expenses	203.82
A002-C22 Repairs	A402-C36 Other Expenses	451.75
A002-C28 Advertising & Printing	A402-C36 Other Expenses	42.90
A002-C32 Supplies	A402-C36 Other Expenses	118.88
A002-C35 Travel	A402-C36 Other Expenses	61.09
<b>TOTAL</b>		<b>\$ 878.44</b>

Upon roll call the vote was as follows:

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

**IN THE MATTER OF TRANSFER  
WITHIN THE GENERAL FUND  
FOR THE BELMONT COUNTY TREASURER**

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

FROM	TO	AMOUNT
A001-C03 Supplies	A001-C07 Travel	750.00
A001-C03 Supplies	A401-C09 Other Expenses	1,020.00
<b>TOTAL</b>		<b>\$ 1,770.00</b>

Upon roll call the vote was as follows:

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

**IN THE MATTER OF TRANSFER BETWEEN THE  
BELMONT COUNTY GENERAL FUND AND PROSECUTORS  
VICTIM ASSISTANCE FUND W80**

Motion made by Mr. Thomas, seconded by Mr. Probst to approve the following transfer between the Belmont County General Fund and the Prosecutors Victim Assistance Program.

FROM	TO	AMOUNT
A015-A15 Transfers Out	W080-P07 Transfers In	\$ 9,415.45

Upon roll call the vote was as follows:

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

**IN THE MATTER OF TRANSFER WITHIN FUND FOR  
VARIOUS JUVENILE COURT FUNDS**

Motion made by Mr. Longshaw, seconded by Mr. Probst to approve the following transfer within fund for various Juvenile Court Funds.

**M060 Care & Custody C-CAP**

FROM	TO	AMOUNT
M060-M50 Holding	M060-M25 Salaries C-CAP	4,605.10
M060-M50 Holding	M060-M60 Salaries Rest	2,017.56
M060-M50 Holding	M060-M61 PERS Rest	410.07
M060-M50 Holding	M060-M71 Salaries Drug Ct.	257.78
M060-M62 Workers Comp Rest	M060-M50 Holding	410.07
M060-M50 Holding	M060-M52 Transfers Out	23,836.76

**M067 Alternative School**

FROM	TO	AMOUNT
M067-M05 Insurances	M067-M01 Salaries	683.47

**M077 Supreme Court**

FROM	TO	AMOUNT
M077-M02 Fringe Benefits	M077-M01 Salaries	979.86

**M078-Title IV-E Reimb (Random Moments)**

FROM	TO	AMOUNT
M078-M02 Fringe Benefits	M078-M01 Salaries	937.54

**M055-C-CAP FUND**

FROM	TO	AMOUNT
M055-M11 Medicare	M055-M09 Salaries	100.00
M055-M12 PERS	M055-M09 Salaries	665.29
M055-M16 Victims of Crime	M055-M09 Salaries	220.40
M055-M17 Donations	M055-M09 Salaries	17.26
M055-M18 Intake Fee	M055-M09 Salaries	9.28

Upon roll call the vote was as follows:

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

**IN THE MATTER OF REPAYMENT OF CASH ADVANCE OF FUNDS  
FOR THE BELMONT COUNTY JUVENILE COURT**

Motion made by Mr. Probst, seconded by Mr. Longshaw to approve the following REPAYMENT OF CASH ADVANCE of funds for the Belmont County Juvenile Court as follows:

FROM	TO	AMOUNT
<b>CARE &amp; CUSTODY C-CAP</b>	<b>TITLE IV-E REIMB. (Random Moments)</b>	
M060-M52 Transfers Out	M078-M08 Transfers In	15,788.47
<b>CARE &amp; CUSTODY C-CAP</b>	<b>ALTERNATIVE SCHOOL</b>	
M060-M52 Transfers Out	M067-M13 Advances In	3,947.57

Upon roll call the vote was as follows:

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

**IN THE MATTER OF TRANSFERS WITHIN FUND FOR THE  
BELMONT COUNTY ENGINEER'S MVGT FUND K00**

Motion made by Mr. Thomas, seconded by Mr. Probst to approve the following transfers within fund for the Engineer's MVGT Fund K00.

FROM	TO	AMOUNT
K000-K16 Contract Projects	K000-K13 Equipment	\$ 5,000.00

Upon roll call the vote was as follows:

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

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

Motion made by Mr. Probst, seconded by Mr. Longshaw to approve the following transfer of funds for the Month of October 2005 for the Belmont County Sanitary Sewer District.

FROM	TO	AMOUNT
P003-P18 SUPPLIES	Y090-Y02 SUPPLIES	
P003-P19 EQUIPMENT	Y090-Y03 EQUIPMENT	
P003-P20 LABOR	Y090-Y04 LABOR	
P003-P21 MATERIALS	Y090-Y05 MATERIALS	
P003-P22 CONTRACT REP.	Y090-Y06 CONTRACT REP.	
P003-P23 CONTRACT SERV.	Y090-Y07 CONTRACT SERV.	
P003-P24 CONTRACT PROJ.	Y090-Y08 CONTRACT PROJ.	
P003-P25 PURCHASED H2O	Y090-Y09 PURCHASED H2O	
P003-P27 ADV & PRINTING	Y090-Y04 ADV & PRINTING	
P003-P28 TRAVEL & EXP.	Y090-Y11 TRAVEL & EXP.	
P003-P29 PERS	Y090-Y12 PERS	
P003-P30 WORKERS' COMP	Y090-Y13 WORKERS' COMP	
P003-P31 OTHER EXPENSES	Y090-Y14 OTHER EXPENSES	400.00
P003-P32 TRANSFERS-OUT	Y090-Y17 TRANSFERS-OUT	
P003-P35 MEDICARE	Y090-Y18 MEDICARE	
<b>TOTAL</b>		<b>400.00</b>
P005-P18 SUPPLIES	Y090-Y02 SUPPLIES	
P005-P19 EQUIPMENT	Y090-Y03 EQUIPMENT	
P005-P21 MATERIALS	Y090-Y05 MATERIALS	
P005-P22 CONTRACT REP.	Y090-Y06 CONTRACT REP.	
P005-P23 CONTRACT SERV.	Y090-Y07 CONTRACT SERV.	
P005-P24 CONTRACT PROJ.	Y090-Y08 CONTRACT PROJ.	
P005-P25 PURCHASED H2O	Y090-Y09 PURCHASED H2O	
P005-P27 ADV & PRINTING	Y090-Y10 ADV & PRINTING	
P005-P28 TRAVEL & EXP.	Y090-Y11 TRAVEL & EXP.	
P005-P29 PERS	Y090-Y12 PERS	
P005-P30 WORKERS' COMP	Y090-Y13 WORKERS' COMP	
P005-P31 OTHER EXP.	Y090-Y14 OTHER EXP.	1,816.09
P005-P34 TRANSFERS-OUT	Y090-Y17 TRANSFERS-OUT	
P005-P35 MEDICARE	Y090-Y18 MEDICARE	
<b>TOTAL</b>		<b>1,816.09</b>
P051-P02 SUPPLIES	Y090-Y02 SUPPLIES	
P051-P03 EQUIPMENT	Y090-Y03 EQUIPMENT	
P051-P05 MATERIALS	Y090-Y05 MATERIALS	
P051-P06 CONTRACT REP.	Y090-Y06 CONTRACT REP.	
P051-P07 CONTRACT SERV.	Y090-Y07 CONTRACT SERV.	
P051-P08 CONTRACT PROJ	Y090-Y08 CONTRACT PROJ	
P051-P09 SEWAGE DIS.	Y090-Y08 SEWAGE DIS.	
P051-P11 ADV & PRINTING	Y090-Y10 ADV & PRINTING	
P051-P12 TRAVEL & EXP	Y090-Y11 TRAVEL & EXP	
P051-P13 PERS	Y090-Y12 PERS	
P051-P14 WORKERS' COMP	Y090-Y13 WORKERS' COMP	
P051-P15 OTHER EXP.	Y090-Y14 OTHER EXP.	687.82
P051-P16 TRANSFERS OUT	Y090-Y17 TRANSFERS OUT	
P051-P35 MEDICARE	Y090-Y18 MEDICARE	
<b>TOTAL</b>		<b>687.82</b>

P053-P02	SUPPLIES	Y090-Y02	SUPPLIES	
P053-P03	EQUIPMENT	Y090-Y03	EQUIPMENT	
P053-P05	MATERIALS	Y090-Y05	MATERIALS	
P053-P06	CONTRACT REP.	Y090-Y06	CONTRACT REPAIRS	
P053-P07	CONTRACT SERV.	Y090-Y07	CONTRACT SERV.	
P053-P08	CONTRACT PROJ	Y090-Y08	CONTRACT PROJ	
P053-P09	SEWAGE DIS.	Y090-Y09	SEWAGE DIS.	
P053-P11	ADVER.&PRINTING	Y090-Y10	ADVER.&PRINTING	
P053-P12	TRAVEL & EXP.	Y090-Y11	TRAVEL & EXP	
P053-P13	PERS	Y090-Y12	PERS	
P053-P14	WORKERS' COMP	Y090-Y13	WORKERS' COMP	
P053-P15	OTHER EXP.	Y090-Y14	OTHER EXP.	665.75
P053-P16	TRANSFERS OUT	7090-717	TRANSFERS OUT	
P053-P35	MEDICARE	Y090-Y18	MEDICARE	
<b>TOTAL</b>				<b>665.75</b>

P055-P02	SUPPLIES	Y090-Y02	SUPPLIES	
P055-P03	EQUIPMENT	Y090-Y03	EQUIPMENT	
P055-P05	MATERIALS	Y090-Y05	MATERIALS	
P055-P06	CONTRACT REPAIRS	Y090-Y06	CONTRACT REPAIRS	
P055-P07	CONTRACT SERV.	Y090-Y07	CONTRACT SERV.	
P055-P11	ADVER & PRINTING	Y090-Y07	ADVER & PRINTING	
P055-P12	TRAVEL & EXP.	Y090-Y11	TRAVEL & EXP.	
P055-P13	PERS	Y090-Y12	PERS	
P055-P14	WORKERS' COMP	Y090-Y13	WORKERS' COMP	
P055-P15	OTHER EXP.	Y090-Y14	OTHER EXP.	99.50
P055-P35	MEDICARE	Y090-Y18	MEDICARE	
<b>TOTAL</b>				<b>99.50</b>

P056-P02	SUPPLIES	Y090-Y02	SUPPLIES	
P056-P07	CONTRACT SERV.	Y090-Y07	CONTRACT SERV.	
P056-P09	SEWAGE DISP.	Y190-Y08	SEWAGE DISP.	
P056-P13	PERS	Y090-Y12	PERS	
P056-P14	WORKERS' COMP	Y090-Y13	WORKERS' COMP	
P056-P15	OTHER EXP.	Y090-Y14	OTHER EXP.	37.56
P056-P16	TRANSFERS OUT	Y090-Y14	TRANSFERS OUT	
P056-P35	MEDICARE	Y090-Y18	MEDICARE	
<b>TOTAL</b>				<b>37.56</b>

Upon roll call the vote was as follows:

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

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

Motion made by Mr. Probst, seconded by Mr. Longshaw to approve the following transfer of funds for the Month of November 2005 for the Belmont County Sanitary Sewer District.

FROM	TO	AMOUNT
P003-P18	SUPPLIES	Y090-Y02 SUPPLIES 110.87
P003-P19	EQUIPMENT	Y090-Y03 EQUIPMENT 268.96
P003-P20	LABOR	Y090-Y04 LABOR
P003-P21	MATERIALS	Y090-Y05 MATERIALS 4,189.59
P003-P22	CONTRACT REP.	Y090-Y06 CONTRACT REP 39.90
P003-P23	CONTRACT SERV.	Y090-Y07 CONTRACT SERV. 429.81
P003-P24	CONTRACT PROJ.	Y090-Y08 CONTRACT PROJ.
P003-P25	PURCHASED H2O	Y090-Y09 PURCHASED H2O 48,498.68
P003-P27	ADV & PRINTING	Y090-Y04 ADV & PRINTING
P003-P28	TRAVEL & EXP.	Y090-Y11 TRAVEL & EXP. 57.74
P003-P29	PERS	Y090-Y12 PERS 2,496.04
P003-P30	WORKERS' COMP	Y090-Y13 WORKERS' COMP
P003-P31	OTHER EXPENSES	Y090-Y14 OTHER EXPENSES 1,467.50
P003-P32	TRANSFERS-OUT	Y090-Y17 TRANSFERS-OUT
P003-P35	MEDICARE	Y090-Y18 MEDICARE
<b>TOTAL</b>		<b>57,559.09</b>

P005-P18	SUPPLIES	Y090-Y02 SUPPLIES 333.62
P005-P19	EQUIPMENT	Y090-Y03 EQUIPMENT 531.04
P005-P21	MATERIALS	Y090-Y05 MATERIALS 23,011.16
P005-P22	CONTRACT REP.	Y090-Y06 CONTRACT REP. 78.78
P005-P23	CONTRACT SERV.	Y090-Y07 CONTRACT SERV. 25,143.23
P005-P24	CONTRACT PROJ.	Y090-Y08 CONTRACT PROJ.
P005-P25	PURCHASED H2O	Y090-Y09 PURCHASED H2O 985.26
P005-P27	ADV & PRINTING	Y090-Y10 ADV & PRINTING
P005-P28	TRAVEL & EXP.	Y090-Y11 TRAVEL & EXP. 114.01
P005-P29	PERS	Y090-Y12 PERS 8,902.23
P005-P30	WORKERS' COMP	Y090-Y13 WORKERS'COMP
P005-P31	OTHER EXP.	Y090-Y14 OTHER EXP. 43,331.04
P005-P34	TRANSFERS-OUT	Y090-Y17 TRANSFERS-OUT 456.00
P005-P35	MEDICARE	Y090-Y18 MEDICARE

<b>TOTAL</b>		<b>102,886.37</b>
P051-P02 SUPPLIES	Y090-Y02 SUPPLIES	46.25
P051-P03 EQUIPMENT	Y090-Y03 EQUIPMENT	
P051-P05 MATERIALS	Y090-Y05 MATERIALS	651.77
P051-P06 CONTRACT REP.	Y090-Y06 CONTRACT REP.	
P051-P07 CONTRACT SERV.	Y090-Y07 CONTRACT SERV.	188.12
P051-P08 CONTRACT PROJ	Y090-Y08 CONTRACT PROJ	
P051-P09 SEWAGE DIS.	Y090-Y08 SEWAGE DIS.	7,990.24
P051-P11 ADV & PRINTING	Y090-Y10 ADV & PRINTING	
P051-P12 TRAVEL & EXP	Y090-Y11 TRAVEL & EXP	23.96
P051-P13 PERS	Y090-Y12 PERS	1,216.12
P051-P14 WORKERS' COMP	Y090-Y13 WORKERS' COMP	
P051-P15 OTHER EXP.	Y090-Y14 OTHER EXP.	794.67
P051-P16 TRANSFERS OUT	Y090-Y17 TRANSFERS OUT	
P051-P35 MEDICARE	Y090-Y18 MEDICARE	
<b>TOTAL</b>		<b>10,911.13</b>
P053-P02 SUPPLIES	Y090-Y02 SUPPLIES	26.42
P053-P03 EQUIPMENT	Y090-Y03 EQUIPMENT	
P053-P05 MATERIALS	Y090-Y05 MATERIALS	1,643.22
P053-P06 CONTRACT REP.	Y090-Y06 CONTRACT REPAIRS	600.00
P053-P07 CONTRACT SERV.	Y090-Y07 CONTRACT SERV.	4,542.40
P053-P08 CONTRACT PROJ	Y090-Y08 CONTRACT PROJ	
P053-P09 SEWAGE DIS.	Y090-Y09 SEWAGE DIS.	25,377.84
P053-P11 ADVER.&PRINTING	Y090-Y10 ADVER.&PRINTING	
P053-P12 TRAVEL & EXP.	Y090-Y11 TRAVEL & EXP	13.95
P053-P13 PERS	Y090-Y12 PERS	3,190.70
P053-P14 WORKERS' COMP	Y090-Y13 WORKERS' COMP	
P053-P15 OTHER EXP.	Y090-Y14 OTHER EXP.	80,903.00
P053-P16 TRANSFERS OUT	7090-717 TRANSFERS OUT	
P053-P35 MEDICARE	Y090-Y18 MEDICARE	
<b>TOTAL</b>		<b>116,297.53</b>
P055-P02 SUPPLIES	Y090-Y02 SUPPLIES	7.76
P055-P03 EQUIPMENT	Y090-Y03 EQUIPMENT	
P055-P05 MATERIALS	Y090-Y05 MATERIALS	114.02
P055-P06 CONTRACT REPAIRS	Y090-Y06 CONTRACT REPAIRS	
P055-P07 CONTRACT SERV.	Y090-Y07 CONTRACT SERV.	843.96
P055-P11 ADVER & PRINTING	Y090-Y07 ADVER & PRINTING	
P055-P12 TRAVEL & EXP.	Y090-Y11 TRAVEL & EXP.	4.09
P055-P13 PERS	Y090-Y12 PERS	271.62
P055-P14 WORKERS' COMP	Y090-Y13 WORKERS' COMP	
P055-P15 OTHER EXP.	Y090-Y14 OTHER EXP.	326.47
P055-P35 MEDICARE	Y090-Y18 MEDICARE	
<b>TOTAL</b>		<b>1,567.92</b>
P056-P02 SUPPLIES	Y090-Y02 SUPPLIES	
P056-P07 CONTRACT SERV.	Y090-Y07 CONTRACT SERV.	
P056-P09 SEWAGE DISP.	Y190-Y08 SEWAGE DISP.	1,041.83
P056-P13 PERS	Y090-Y12 PERS	69.31
P056-P14 WORKERS' COMP	Y090-Y13 WORKERS' COMP	
P056-P15 OTHER EXP.	Y090-Y14 OTHER EXP.	11,682.62
P056-P16 TRANSFERS OUT	Y090-Y14 TRANSFERS OUT	
P056-P35 MEDICARE	Y090-Y18 MEDICARE	
<b>TOTAL</b>		<b>12,793.76</b>

Upon roll call the vote was as follows:

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

**IN THE MATTER OF TRANSFER WITHIN FUND FOR THE PROSECUTOR'S VICTIM ASSISTANCE PROGRAM FUND W80**

Motion made by Mr. Longshaw, seconded by Mr. Probst to approve the following transfer within fund for the Prosecutor's Victim Assistance Program Fund W80.

FROM	TO	AMOUNT
W080-P07 Hospitalization	W080-P01 Salaries	\$ 2,045.00

Upon roll call the vote was as follows:

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

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

Motion made by Mr. 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 October 19, 2005.

A002-B02 SALARIES/Common Pleas	\$ 5,177.08	
A002-C31 SALARIES/Juvenile		\$ 26,347.56
A006-A02 SALARIES/Sheriff		\$ 21,015.45
A015-A15 Transfer Out/Misc.		\$ 9,415.45

Upon roll call the vote was as follows:

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

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

Motion made by Mr. Thomas, seconded by Mr. Probst to make the following Additional Appropriation in accordance with the Amended Official Certificate of Estimated Resources, as revised by the Budget Commission under the date of October 19, 2005.

<b>GENERAL FUND</b>		
A003-A06	Bd. of Elections/Contract Services	\$ 15,500.00
A102-C36	Juvenile Prob./PERS	\$ 9,575.77
A002-B28	Magistrate/PERS	\$ 1,487.27
A014-A01	CORSA	\$ 2,700.00
<b>TOTAL</b>		<b>\$ 29,263.04</b>

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADDITIONAL APPROPRIATIONS FOR THE BELMONT COUNTY- COUNTY HOME H30 FUND**

Motion made by Mr. Probst, seconded by Mr. Longshaw 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 30, 2005.

<b>County Home</b>	
H030-H02 Salary of Employees	\$ 189,605.00
H130-H14 P.E.R.S.	\$ 10,000.00
<b>TOTAL</b>	<b>\$ 199,605.00</b>

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADDITIONAL APPROPRIATIONS FOR THE BELMONT COUNTY LITTER CONTROL & RECYCLING H50 FUND**

Motion made by Mr. Probst, seconded by Mr. Longshaw 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 30, 2005.

<b>Litter Control and Recycling</b>	
H050-H02 Salaries	\$ 5,000.00

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADDITIONAL APPROPRIATIONS FOR THE VARIOUS JUVENILE COURT FUNDS**

Motion made by Mr. Thomas, seconded by Mr. Longshaw to make the following additional appropriations, in accordance with the Amended Official Certificate of Estimated Resources as revised by the Budget Commission, under the date of November 30, 2005.

**M055 C-CAP Fund**  
M055-M09 Salaries \$ 255.00

**M064 PLACEMENT FUND**  
M064-M05 Placements \$ 14,660.00

**M067 ALTERNATIVE SCHOOL**  
M067-M01 Salaries \$ 3,947.57

**M078 TITLE IV-E REIMBURSEMENTS (RANDOM MOMENTS)**  
M078-M01 Salaries \$ 3,851.10  
M078-M02 Fringes 928.28  
M078-M03 Travel 1,000.00  
M078-M04 Supplies 3,038.09  
M078-M05 Other Expense 6,899.28  
M078-M08 Advances out 71.72  
**TOTAL \$ 15,788.47**

Upon roll call the vote was as follows:

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

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

Motion made by Mr. Probst, seconded by Mr. Longshaw 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 30, 2005.  
Bel-Harrison Juvenile District Detention Home-Sargus Fund S033

S033-S33 Salaries	\$ 31,150.00
S033-S44 PERS/STRS	6,600.00
S033-S47 Hospitalization	4,275.00
S033-S34 Supplies	9,000.00
S233-S34 Food Service Expenses	21,000.00
S033-S35 Materials	450.00
S033-S36 Equipment	1,900.00
S033-S37 Contract Repairs	1,100.00
S033-S38 Contract Services	17,815.04
S033-S40 Medical	2,600.00
S033-S43 Travel & Training	350.00
S033-S60 Supplies/GS	3,700.00
S033-S61 Food Service Exp./GS	300.00
S033-S65 Contract Services/GS	300.00
S033-S67 Travel & Training/GS	800.00
S033-S69 Activities/GS	3,000.00
S033-S70 Contingency Fund/GS	150.00

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADDITIONAL  
APPROPRIATIONS FOR THE O-15 SATELLITE BUILDING  
NOTE RETIREMENT FUND**

Motion made by Mr. Probst, seconded by Mr. Longshaw 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 30, 2005.

**O-15 SATELLITE BUILDING NOTE RETIREMENT**

O015-004 Other Expenses	\$1,000.00
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Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADDITIONAL APPROPRIATIONS  
FOR THE BELMONT COUNTY BOARD  
OF MR/DD FUND S66**

Motion made by Mr. Probst, seconded by Mr. Longshaw 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 30, 2005.

**Mental Retardation**

S066-S81 Transfers Out \$ 1,000,000.00

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADDITIONAL APPROPRIATIONS  
FOR THE BELMONT COUNTY- MEDIATION GRANT  
FUND S74/COMMON PLEAS**

Motion made by Mr. Probst, seconded by Mr. Longshaw 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 30, 2005.

**Mediation Grant Fund/Common Pleas**

S074-S01	Salaries	\$ 9,656.40
S074-S02	PERS	\$ 508.16
S074-S05	Insurances	\$ 6,334.86

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADDITIONAL APPROPRIATIONS  
FOR THE CONCEALED HANDGUN LICENSE FUND S01/  
SHERIFF'S DEPARTMENT**

Motion made by Mr. Probst, seconded by Mr. Longshaw 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 30, 2005.

**SHERIFF'S DEPARTMENT**

**CONCEALED HANDGUN LICENSE FUND S01**

S001-S06 License Issuance	\$ 80.00
S001-S07 Equipment	\$ 100.00
Total	\$ 180.00

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADDITIONAL APPROPRIATIONS  
FOR THE SHERIFF'S COMMISSARY FUND S00**

Motion made by Mr. Probst, seconded by Mr. Longshaw 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 30, 2005.

SHERIFF'S DEPARTMENT  
COMMISSARY FUND S00

S000-S01 Supplies \$3,508.74

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADDITIONAL APPROPRIATIONS  
FOR THE RESERVE ACCOUNT U10/  
SHERIFF'S DEPARTMENT**

Motion made by Mr. Probst, seconded by Mr. Longshaw 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 30, 2005.

SHERIFF'S RESERVE ACCOUNT  
U010-06 Other Expense \$ 170.00

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADDITIONAL  
APPROPRIATIONS FOR THE W080  
VICTIMS-WITNESS ASSISTANCE PROGRAM**

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 16, 2005.

**W080 VICTIMS-WITNESS ASSISTANCE PROGRAM**

W080-P05 PERS \$ 1,000.00  
W080-P06 Workers Comp \$ 100.00  
W080-P07 Hospitalization \$ 983.56  
**TOTAL \$2,083.56**

Upon roll call the vote was as follows:

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

**IN THE MATTER OF REQUESTING  
CERTIFICATION OF MONIES**

Motion made by Mr. Thomas, seconded by Mr. Probst requesting certification of monies by the Budget Commission as follows:

November 30, 2005  
Budget Commission  
Belmont County Courthouse  
St. Clairsville, OH 43950

Dear Sirs:

Requesting certification of monies for the 0015 Satellite Building Note Retirement Fund as follows: **\$ 1,000.00**

Upon roll call the vote was as follows:

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

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

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

VETERANS SERVICE COMMISSION-Robert Wallace to travel to Columbus, Ohio on December 2, 3 & 4, 2005 to attend OSAVSC Winter Conference. Estimated expenses: \$700.00

VETERANS SERVICE COMMISSION-Lucinda Maupin and Jane A. Swider to travel to Columbus, Ohio on December 14, 2005 to attend OSACVSO Last Chance Training. Estimated expenses: \$300.00

Upon roll call the vote was as follows:

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

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

Motion made by Mr. Probst, seconded by Mr. Thomas to execute payment of Then and Now Certification dated November 23, 2005, presented by the County Auditor pursuant to O.R.C. 5705.41(d) 1, and authorizing the drawing of warrant(s) in payment of amounts due upon contract or order.

Upon roll call the vote was as follows:

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

**OPEN PUBLIC FORUM**

Mr. Dwayne Pielech, Director of Belmont County Department of Job & Family Services, spoke on the possibility of Early Retirement Incentives which allows turnover of workforce to bring new people in at lesser wage. Commissioner Thomas said to work up numbers to find out cost as there is no reason not to investigate. Mr. Pielech stated if the department can't afford it, they just won't offer it.

Also next week Mr. Pielech said he will have proposals for weatherization program for families with children, a new Drug Court Program, and a proposal to expand E Plus Program.

**IN THE MATTER OF ENTERING INTO  
AMENDMENT OF TITLE IV-D SERVICE CONTRACT  
WITH BELMONT COUNTY COMMON PLEAS COURT,  
GENERAL DIVISION MAGISTRATE  
ON BEHALF OF BCDJFS-CSEA.**

Motion made by Mr. Thomas, seconded by Mr. Longshaw, to authorize the Amendment No. 2 to the IV-D Service Contract with Belmont County Common Pleas Court Magistrate, on behalf of BCDJFS/Child Support Enforcement Agency, containing the ODJFS Contract Number 07050704-1 which became effective January 22, 2005. The contract total is being increased from \$44,629.70 to \$62,151.90.

*Note: The amended contract will increase in value from \$44,629.70 based on 1,070 CSEA initiated court judgment entries or orders at a unit rate of \$41.71 per unit or judgment entry to a projected annual cost of \$62,151.90 based on approximately 1,230 CSEA initiated court judgment entries or orders at a unit rate of \$50.53 per unit or judgment entry.*

*The \$62,151.90 contract total is then broken down to a federal share of \$41,020.25 or 66% and a local share of \$21,131.65 or 34%.*

**AMENDMENT TO IV-D CONTRACT  
AMENDMENT NO. 2**

This amendment, effective October 1, 2005, is to amend the IV-D contract as contained in the JFS 07018 and other JFS contract forms which are incorporated by reference into the contract between the Belmont County Child Support Enforcement Agency (CSEA) and Belmont County Common Pleas Court, General Division Magistrate, which became effective on the 22<sup>nd</sup> day of January, 2005 and containing the ODJFS Contract Number 07050704-1.

The following sections will be amended:

- I. JFS 07018, Contract Period: Changes to the termination date of the contract from <from date> to <to date>.
- II. JFS 07018, Paragraph 8, Availability of Funds: Changes the total contract value as follows:

	Amount	Source
Non-federal Matching Funds (34%) 5101:12-10-45 and supplemental rules	\$ 21,131.65	County
Federal Matching Funds (66%)	\$ 41,020.25	
Total	\$ 62,151.90	

III. JFS 07018, paragraph 6, Contract Unit Cost and Billing Requirements:

- A. Adjusts the per unit rate from 41.71 per CSEA initiated judgment entry to 50.53 per CSEA initiated judgment entry as reflected in the attached JFS 07020 Form, if applicable.
- B. Adjusts the maximum number of units purchased from 1,070 CSEA initiated judgment entries to 1,230 CSEA initiated judgment entries.

IV. Provides for changes of language in the contract forms listed below and attached to this amendment: <provide detail>.

\*\*\*\*A copy of the prior written approval from OCS for this language change must be attached to this amendment. Failure to attach the prior written approval will result in a rejection of this amendment by the Contracts Division as stated in rule 5101:12-10-45.2(F)(1) of the Ohio Administrative Code.

V. All contract forms not specifically changed by this or earlier amendments remain in full force and effect as originally executed.

Belmont County Child Support Enforcement Agency:

Dwayne Pielech per Tom King /s/ Date: 11-28-05

Signature of Authorized CSEA Representative  
Jennifer Sargus /s/ Date: 11-28-05

Signature of Authorized Contractor Representative  
Gordie W. Longshaw /s/ Date: 11/30/05

County Commissioner's Signature or Authorized Representative of the County Commissioners  
Charles W. Probst, Jr. /s/ Date: 11/30/05

County Commissioner's Signature or Authorized Representative of the County Commissioners  
Mark A. Thomas /s/ Date: 11/30/05

County Commissioner's Signature or Authorized Representative of the County Commissioners

Contractor's Street Address: 101 W. Main St.

Contractor's City, State, Zip: St. Clairsville, OH 43950

Approved as to form:  
Robert W. Quirk Date: 11/28/05

Prosecutor

The use of this form for IV-D contract amendments is required by rule 5101:12-10-45 and supplemental rules of the Ohio Administrative Code. Failure to utilize this form will necessitate follow-up activity by the Office of Child Support.

Upon roll call the vote was as follows:

Mr. Thomas Yes

Mr. Longshaw Yes

Mr. Probst Yes

**IN THE MATTER OF APPROVING A NEW  
START RATE AND RATE ADJUSTMENT  
FOR REGISTERED NURSES/PARK HEALTH CENTER**

Motion made by Mr. Thomas, seconded by Mr. Probst to approve a new start rate and rate adjustment for registered nurses at the Park Health Center as follows, based upon the recommendations of Lynn Arritt, PHC Administrator, effective with pay period ending December 10, 2005.

New State Rate: \$ 17.25 per hour

Adjustments for current employees:

EMPLOYEE	RATE PER HOUR
Derek Wheeler	\$ 17.25
Lisa Harris	18.00
Kathryn Vensel	18.00
Truda Kowalczyk	18.00
Susan Tribett	17.25
Elizabeth Billingsley	18.25
Mary Beth Saffell	18.25
Crystal McGuire Cert. MDS Nurse	20.50

Upon roll call the vote was as follows:

Mr. Thomas Yes

Mr. Probst Yes

Mr. Longshaw Yes

**DISCUSSION**-Commissioner Thomas noted that the nurses are paid solely from Park Health Center Funds, not the General Fund, and that the Center runs off fees they generated at that facility. He said they are trying to be competitive and uniform with pay rates as they have had difficulty retaining nurses.

**IN THE MATTER OF APPROVING CHANGE ORDER NO. 1  
FOR B.B.R.DRILLING CO. FOR 05-9 SLIP REPAIR  
PROJECT, COUNTY HIGHWAY 18/ENGINEER**

Motion made by Mr. Probst, seconded by Mr. Thomas to approve Change Order #1 in the amount of \$139,841.25 for Project 05-9 Slip Repair Project, County Highway 18 (Lansing-Cheermont Rd) with B.B.R. Drilling Co., based upon the recommendation of Fred Bennett, County Engineer.

**CHANGE ORDER NO. #1  
SUPPLEMENTAL CONTRACT WITH BELMONT COUNTY COMMISSIONERS  
PROJECT 05 – 9 SLIP REPAIR PROJECT COUNTY HIGHWAY 18  
(Lansing-Cheermont Road)**

Auditor's Office, Belmont County, Ohio

THIS AGREEMENT made and entered into this 30th day of November, 2005 between BBR DRILLING COMPANY and Charles Probst, Jr., Mark Thomas and Gordie Longshaw, Commissioners of Belmont County, WITNESSETH that said BBR DRILLING COMPANY hereby agrees to furnish all material and do all work requisite necessary for 05-9 SLIP REPAIR PROJECT CR 18 (Lansing-Cheermont Road) Project, located at COUNTY ROAD 18, in accordance with plans and specifications.

All work, materials and equipment shall meet said specifications.

**CHANGE ORDER  
\* ADDITIONAL QUANTITIES \***

ITEM NO.	APPROX. QUAN.	ITEM	UNIT PRICE	TOTAL AMOUNT
	1335 LF	HP 14 X 89 STEEL PILING, FURNISHED, DRILLED, ENCASED IN CONCRETE	\$104.75	\$139,841.25
		TOTAL ADDITIONS		\$139,841.25

**Reason for contract** – The original contract called for 80 each HP 14 X 89 steel piling at 25’ in length, for a total of 2000 LF of piling. On November 21, 2005, the contractor drilled a total of 3 test holes and it was determined that to comply with the plan requirement of 10’ of the piling embedded in rock, 53 each piling need to be 40’ in length (2120 LF) and 27 each piling need to be 45’ in length (1215 LF). The total length required is 3335. This is an additional 1335 LF of HP 14 x 89 steel piling.

**SUMMARY**

ORIGINAL CONTRACT		\$299,925.12
ADDITIONS		\$139,841.25
DEDUCTIONS		\$0.00
NET CHANGE		+ \$139,841.25
TOTAL WORK PERFORMED		\$439,766.37
TOTAL AMOUNT OF SUPPLEMENTAL CONTRACT PERFORMED		\$139,841.25

BELMONT COUNTY COMMISSIONERS  
Mark A. Thomas /s/

BBR DRILLING COMPANY  
NAME: BBR Drilling Company

Gordie W. Longshaw /s/

BY: Paul C. Balcar /s/

\_\_\_\_\_

TITLE Owner

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ENTERING  
RENEWAL OF SOFTWARE MAINTENANCE  
AGREEMENT WITH MAXIMUS ON BEHALF OF BCDJFS**

Motion made by Mr. Thomas, seconded by Mr. Probst to enter into renewal of the annual Software Maintenance Agreement with Maximus, on behalf of Belmont County Department of Job and Family Services, in the amount of \$1,950.00 for the Program Expenditure Tracking System for Windows (PET); this is for the period of January 1, 2006 through December 31, 2006.

**SOFTWARE MAINTENANCE AGREEMENT**

NOW ON THIS 30th day of November, 2005 come MAXIMUS, Inc., a Virginia corporation (hereinafter referred to as “Licensor”) and **Belmont County DJFS**, (hereinafter referred to as “Licensee”), and enter into this Software Maintenance Agreement, to-wit:

WHEREAS, Licensor owns and is authorized to enter into License and Maintenance Agreements for the use of the **Program Expenditures Tracking System for Windows – PET** (the “System”) consisting of computer software programs and basic and related materials pertinent to said programs in machine readable or print form, and any updated program or program portion hereafter furnished to Licensee in accordance with this Agreement or the Software License Agreement;

WHEREAS, Licensee has acquired the System in accordance with the original Software License Agreement between Licensor and Licensee dated **6/2/2000** and any amendments thereto, and Licensee desires to acquire on-going maintenance in accordance with the terms set forth in this agreement;

NOW, THEREFORE, for and in consideration of the foregoing recitals, the agreements and undertakings hereinafter provided and other good and valuable consideration, the receipt and sufficiency of which is acknowledged by the Licensor and Licensee, Licensor hereby agrees to provide software maintenance services to the Licensee.

1. SOFTWARE MAINTENANCE FEES.

- (a) Licensee shall pay Licensor a fee of **\$1,950** for the 12 month period specified herein. The fee shall be payable on the execution of this agreement for the period from **January 1, 2006 through December 31, 2006**.
- (b) In the event Licensee fails to renew this agreement for any year, the fee set forth herein shall not apply to any subsequent agreement for software maintenance. Licensor shall determine the applicable fee which shall not be less than the then annual fee plus seventy-five percent of the fee charged for each year that a maintenance agreement was not in effect.

2. TERM. The minimum term for this agreement shall be from **January 1, 2006 through December 31, 2006**. Licensee shall have the option to extend this agreement on a year-to-year basis by paying the current annual fee of **\$1,950** or, if the fee is raised by the Licensor, the then current

- annual fee. Failure to pay the annual renewal fee within thirty days prior to the beginning of the fiscal year or within thirty days of execution hereof if for a partial year, shall constitute cancellation of the Agreement by the Licensee. In addition, Licensor may terminate the Agreement at the end of any period, with or without cause.
3. SERVICES UNDER THIS AGREEMENT. The Licensor agrees to provide the Licensee with any updates or modifications to the System and to correct any problems with the System software that are made generally available to licensees of the System pursuant to an applicable Maintenance Agreement. Under the terms of this maintenance agreement, Licensee is entitled to telephone advice concerning questions on the System's operation. In the event additional services are requested by Licensee outside the foregoing scope of services, additional training and professional assistance shall be billed at then current professional fees plus expenses. This agreement does not cover problems outside of the System. Expenses associated with the Licensee's attendance at the group meetings are at the sole responsibility of the Licensee.
  4. PROVISIONS OF LICENSE AGREEMENT. This software maintenance agreement is not intended nor shall it be construed to alter, amend or modify the duties and obligations of the parties set forth in the Software License Agreement or Amendments to Software License Agreement. The parties hereto agree and acknowledge that the Software License Agreement and any amendments to which each is a party remains in full force and effect and are hereby incorporated herein.
  5. WARRANTIES. LICENSOR GRANTS NO WARRANTIES, EITHER EXPRESS OR IMPLIED, IN RESPECT TO THE SYSTEM. ALL IMPLIED WARRANTIES INCLUDING, BUT NOT LIMITED TO, THE WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE, ARE HEREBY EXPRESSLY EXCLUDED.
  6. LIMITATION OF LIABILITY. In no event shall either party, its directors, officers, employees or agents be liable for any special, incidental, punitive, indirect, or consequential damages arising out of or in connection with the services provided or software licensed under this agreement, including but not limited to lost revenue, lost profits, replacement goods, loss of technology rights or services, loss of data, or interruption or loss of use of software or any portion thereof, even if advised of the possibility of such damages. This limitation shall apply to all claims whether under theory of contract, tort (including negligence), strict liability, or otherwise. Licensor liability (if any) to Licensee or any third party is limited to the amount paid to Licensor for software license fees and/or the services.
  7. RISK. Licensee shall assume the risk for any claims and liability arising by virtue of the acts or omissions of Licensee with regard to its use, operation or control of the System to the extent allowed by law.
  8. TERMINATION. In the event of termination for any reason, Licensee agrees to provide written certification that the original and any copies of all or any portion of the System affected by the termination have been destroyed or, if Licensor provides notice to Licensee, Licensee shall deliver the original and any copies of the System to Licensor within ten (10) days of Licensee's receipt of such notice.
  9. AMENDMENTS.
    - (a) Agreement. Any modification or amendment of this Agreement must be in writing and signed by the parties.
    - (b) License. Licensor reserves the right to modify or amend the System. Licensee shall have no right to modify or amend the System, or to merge it into another work, without prior written consent of the Licensor.
  10. NOTICE. Any notice or consent required to be given in accordance with this Agreement shall be in writing and shall be either (i) actually delivered to the party thereto entitled or (ii) mailed, with first class postage prepaid, to the address of the party entitled thereto hereinafter set forth, by certified mail, return receipt requested.

**LICENSOR:**  
 MAXIMUS, INC.  
 700 Ackerman Road, Suite 150  
 Columbus, OH 43202  
 Attn: Chad Cunningham

**LICENSEE:**  
 Belmont County DJFS  
 310 Fox Shannon Place  
 St. Clairsville, OH 43950

A notice shall be deemed to be received (i) on the date of its actual receipt by the party thereto and (ii) on the date as reflected on the United States Postal Service return receipt form and if said return receipt form is not signed by the party to whom notice is to be given, upon the date of the first attempted delivery as reflected thereon.

11. ASSIGNMENT. Licensee may not assign its rights or delegate its duties under this Agreement without the prior written consent of Licensor, binding Licensor to the assignment. Licensor may assign this Agreement without the consent of the Licensee for entities that succeed to the entirety of MAXIMUS, INC. business.
12. COMPLETE AGREEMENT. This Agreement and the License Agreement represent the entire and integrated agreement between the parties and supersede all prior negotiations, proposals, communications, understandings, representations or agreements, either written or oral, express or implied. All amendments or modifications of this Agreement shall be binding upon the parties despite any lack of consideration so long as the same shall be in writing and executed by the parties hereto.
13. SEVERABILITY. If any of the provisions of this Agreement are invalid under any applicable statute or rule of law, they are, to that extent, deemed omitted.
14. GOVERNING LAW. The laws of the State of Ohio shall govern.
15. COUNTERPARTS. This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.
16. CAPTIONS. Captions used herein are inserted for reference purposes only and shall not affect the interpretation or construction of this Agreement.
17. FURTHER ASSURANCES. Each party hereto shall execute and deliver all such further instruments and documents as may reasonably be requested by the other party from time to time in order to fully carry out the intent and accomplish the purposes of this Agreement and the transaction referred to herein. Licensee grants Licensor the right to audit Licensee's use of the System, at reasonable times, in order to insure Licensee's compliance with the terms and conditions hereinabove described.
18. FORCE MAJEURE. Neither party shall be liable for any failure to perform its obligations under this Agreement if prevented from doing so by a cause or causes beyond its control. Without limiting the generality of the foregoing, such causes include acts of God, fires, floods, storms, earthquakes, riots, strikes, lockouts, wars or war operations, restraints or government or other cause or causes which could not with reasonable diligence be controlled or prevented by the party.
19. SIGNATURE AUTHORITY. Each individual signing this Agreement certifies that (i) he or she is authorized to sign this Agreement on behalf of his or her respective organization, (ii) such organization has obtained all necessary approvals to enter into this Agreement, including but not limited to the approval of its governing board, and (iii) when executed, this Agreement is a valid and enforceable obligation of such organization.

IN WITNESS WHEREOF, the parties have set their hand and seal the date and year first above written.

**LICENSEE:** Department Official Dwayne Pielech  
 Signature Dwayne Pielech /s/  
 Title Director  
 Date 11-20-05

**Belmont County DJFS**  
 310 Fox Shannon Place  
 St. Clairsville, OH 43950

**LICENSOR:** Officer Name Mitch McGaw  
 Signature Mitch McGaw /s/

MAXIMUS, INC.  
 700 Ackerman Rd. Ste. 1500  
 Columbus, OH 43202  
**BOARD OF COUNTY COMMISSIONERS** Title Senior Manager  
 Date November 07, 2005  
 Departmental Official Mark A. Thomas  
 Signature Mark A. Thomas /s/  
 Title President  
 Date November 30, 2005

**Belmont County DJFS**  
 310 Fox Shannon Place  
 St. Clairsville, OH 43950

Upon roll call the vote was as follows:

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

**IN THE MATTER OF APPOINTING TWO MEMBERS TO MENTAL HEALTH AND RECOVERY BOARD**

Motion made by Mr. Thomas, seconded by Mr. Probst appointing Randolph H. Proctor and Julia A. Bannon to the Belmont, Harrison and Monroe Counties Mental Health and Recovery Board with terms to expire June 30, 2009 and June 30, 2007, respectively.

*Note: Mr. Proctor is filling the position formerly held by Becky Klos and Ms. Bannon is filling the unexpired term of Stanley Burech.*

Upon roll call the vote was as follows:

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

**IN THE MATTER OF REAPPOINTING COMMISSIONER LONGSHAW TO BUCKEYE HILLS RESOURCE CONSERVATION AND DEVELOPMENT EXECUTIVE COUNCIL**

Motion made by Mr. Probst, seconded by Mr. Thomas to re-appoint Belmont County Commissioner Gordie Longshaw as the Belmont County Commissioners' representative to the Buckeye Hills Resource Conservation and Development Executive Council.

This is a 3 year term commencing January 1, 2006 and due to expire December 31, 2008.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF RESOLUTION ORDERING DETACHMENT OF TERRITORY DESCRIBED IN VILLAGE OF FLUSHING ORDINANCE NO. 2005-05/VILLAGE OF FLUSHING**

**RESOLUTION OF COUNTY COMMISSIONERS ORDERING THE DETACHMENT OF THE TERRITORY DESCRIBED IN**

**VILLAGE OF FLUSHING ORDINANCE NUMBER 2005-05 FROM THE VILLAGE OF FLUSHING, OHIO**

Mr. Thomas presented the Resolution, and moved for its adoption.

**Whereas**, upon the petition of the Owners of the portion of the territory of a municipality, such territory being accurately described the petitioners may pray to the Board of County Commissioners for the detachment of such territory from such municipality with the assent of the council of such municipality given by ordinance, such territory to be attached to any contiguous township; and

**Whereas**, the signers of the attached petition being the majority of freehold electors in said territory did petition for Detachment from the Village of Flushing and filed an accurate map and description of said property with such petition; and

**Whereas**, the Council of the Village of Flushing did pass Ordinance No. 2005-05 on August 11, 2005, assenting to the Detachment, and

**Whereas**, it is the opinion of the Board of County Commissioners of Belmont County, Ohio, that the Detachment should be allowed.

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF BELMONT COUNTY, OHIO:**

**Section 1.** That the Territory described in the petition and map attached as Exhibit A hereto also described Ordinance No. 2005-05, Flushing, Ohio on August 11, 2005, be detached from the Village of Flushing, and be attached to Flushing Township, Belmont County,

**Section 2.** That the Clerk of this Board be and hereby is directed to certify a copy of this Resolution, together with petition, map and ordinance to the Recorder of Belmont County, Ohio.

**Section 3.** That a complete copy of the transcript be certified to the Secretary of State, Columbus, Ohio and to the Clerk of the Village of Flushing, Ohio. Date November 30, 2005.

The foregoing resolution was seconded by Mr. Probst and upon a roll the vote resulted as follows:

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

**IN THE MATTER OF ENTERING INTO SERVICE AGREEMENT WITH MOTOROLA ON BEHALF OF BELMONT CO. 911**

Motion made by Mr. Probst, seconded by Mr. Longshaw to enter into Service Agreement with Motorola in the amount of \$126,233.04 for the Belmont County 911 Center, based upon the recommendation of Cliff Sligar, Director, for the term of 10/1/2005 through 9/30/05.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF APPROVING HIRING OF TEMPORARY EMPLOYEE FOR BELMONT COUNTY COMMISSIONERS' OFFICE**

Motion made by Mr. Thomas, seconded by Mr. Probst to approve the hiring of Christin Robinson as a temporary, part-time employee to assist in the Belmont County Commissioners' Office. Ms. Robinson will be compensated at a rate of \$7.50 per hour, not to exceed seventy hours per pay period. This position is not eligible for Belmont County benefits. Commissioner Thomas noted that Mr. Robinson was previously employed in a temporary, part-time capacity.

Upon roll call the vote was as follows:

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

**DISCUSSION HELD**

Commissioner Thomas stated that Darlene Pempek, Clerk of the Board of Belmont County Commissioners, has accepted a new position with the county’s Mental Retardation and Developmental Disabilities board. He said she has agreed to return once a week to assist with the 2006 budget and the transition. “Darlene is just a wonderful person,” said Commissioner Probst. “She’s totally supported Belmont County and everything we’ve done. On a daily basis, she went above and beyond the call of duty.” Calls to the Commissioner’s Office were routinely transferred to Ms. Pempek whenever someone asked for “the boss,” and for good reason, Commissioner Longshaw noted. “During my 11 months in office, I’ve been very impressed by her knowledge and expertise and pretty much every issue in the county, whether it’s about maintenance or parking spaces, finances or contracts,” said Longshaw. “She’ll be sadly missed. We wish her well in the future.” Commissioner Thomas said Pempek performed duties that in other counties are handled by at least two employees – a clerk and an administrator. Commissioner Thomas stated that in a professional sense, Darlene was an “exemplary employee” and in a personal sense “a true lady who was dedicated for many years to the residents of this county, to the Commissioners and staff that she worked with – there’s still not enough words to give forth today to show our appreciation on behalf of the county and on behalf of its residents on the commitment that she made to Belmont County.” “We do not want her to leave, but we respect her decision and wish her the best.” Mickey Wallace, Flood Plain Coordinator, expressed his appreciation for Darlene helping to make his job much easier. He said that whenever he needed something done, she was always there to help him. He advised the Board they were losing a big asset. Cliff Sligar, Director of the 911 Center commented that when he came on board 10 years ago, he knew nothing about Belmont County and Darlene guided him on everything he had to do and he will really miss her.

**IN THE MATTER OF ADOPTING RESOLUTION  
HONORING DARLENE PEMPEK  
FOR HER YEARS OF SERVICE  
TO BELMONT COUNTY, OHIO**

Motion made by Mr. Thomas, seconded by Mr. Probst to adopt the following resolution honoring Darlene Pempek for her years of service to Belmont County, Ohio

**RESOLUTION  
HONORING DARLENE PEMPEK  
FOR HER YEARS OF SERVICE  
TO BELMONT COUNTY, OHIO**

WHEREAS, Darlene Pempek is leaving her position as Clerk of the Board of Belmont County Commissioners; and  
WHEREAS, she has been employed with Belmont County since August 26, 1989; and  
WHEREAS, she has served in her capacity as Clerk to the Board of County Commissioners since October 1, 1996; and  
NOW, THEREFORE BE IT RESOLVED:

That the Board of Belmont County Commissioners, on behalf of all prior boards under which Ms. Pempek has served, wish to thank her for her tireless effort, dedication and commitment to Belmont County for these past 16 years; and  
That Ms. Pempek has truly served the best interests of the residents of Belmont County by fulfilling her job duties with great honor, dignity, and pride; and  
That the Board of Belmont County Commissioners are very appreciative of the work she has performed on behalf of all county residents; and,  
That the Board of Belmont County Commissioners wishes her the very best success, prosperity and good health in her future endeavors.  
Adopted this 30<sup>th</sup> day of November 2005.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF AUTHORIZATION TO  
PETITION COURT OF COMMON PLEAS TO DESIGNATE  
THE CLOSING OF IDLE GRANT FUNDS FOR BELMONT COUNTY JUVENILE COURT  
AND THE OAKVIEW JUVENILE REHABILITATION DISTRICT**

Motion made by Mr. Thomas, seconded by Mr. Probst authorizing petition to the Court of Common Pleas Court as follows:

**WHEREAS**, The Belmont County Juvenile Court and Oakview Juvenile Rehabilitation District have the following grant funds with unexpended funds that are no longer necessary in the operation of the agencies due to the termination of the activity, service, or other undertaking for which the grant funds existed, and all obligations incurred have been paid:

M-50 Youth Services Subsidy Program	\$ 32.43
M-61 Stress Challenge	314.39
M-62 Intake Coordinator	720.71
M-65 Intervention Specialist	77.46
M-66 Electronic Monitoring	3.90
S-29 Americorp Fund	5,350.47

**WHEREAS**, Pursuant to Ohio Revised Code Section 5705.16 the Belmont County Commissioners have determined to designate the aforementioned funds as idle funds upon approval of the Court of Common Pleas and;

**WHEREAS**, The Juvenile Court M50, M61, M62, M65, M66 grant fund balances in the total amount of \$1,148.89, will be transferred to the M55 grant, and

**WHEREAS**, The Oakview Juvenile Rehabilitation District S29 fund balance of \$5,350.47 will be transferred to the S30 Fund; and

**NOW BE IT RESOLVED**, The Board of County Commissioners hereby petition the Court for the closing of aforementioned funds and transfer of remaining unexpended funds.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADJOURNING  
COMMISSIONERS MEETING AT 11:53 A.M.**

Motion made by Mr. Thomas, seconded by Mr. Longshaw to adjourn the meeting at 11:53 a.m.

Upon roll call the vote was as follows:

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

Read, approved and signed this 7th day of December A.D., 2005.

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

\_\_\_\_\_

We, Mark Thomas and Jayne Long, President and Assistant 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

\_\_\_\_\_ ASSISTANT CLERK