

The Board of Commissioners of Belmont County, Ohio, met this day in regular session. Present: Charles R. Probst, Jr. and Mark A. Thomas, Commissioners and Jayne Long, Assistant Clerk of the Board. Absent: Gordie W. Longshaw. Minutes of the meeting of November 29, 2006, 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.

<u>Claim of</u>	<u>Purposes</u>	<u>Amount</u>
A-Albert L. Parkhurst et al	Salary Officials-Veterans/General Fund	5,025.00
Charles E. Arigoni	Reimburse mileage/General Fund	133.70
David Jones, Auctioneer	Auction payment/General Fund	4,876.47
David Myers	Reimburse expenses/General Fund	124.63
Heslop Funeral Home	Indigent Burial-Byard/General Fund	750.00
Jack Regis	Reimburse expenses/General Fund	28.69
Richland Township	Auction payment due/General Fund	1,050.00
SmartBill	Postage-1 <sup>st</sup> half taxes/General Fund	7,100.00
Tobias Stidd	Probation mileage/General Fund	167.32
C-Tracey Lancione Lloyd	Attorney Fees/Indigent Guardianship Fund	615.00
M-Mary Lyle	Mileage/Intake Coordinator-Juv. Court Fund	149.52
Redwood Toxicology Lab	Supplies/Title IV-E Reimb (Random Moments) Fund	365.00
P-Lowe's	Office Building Material-LEPC/Special Emergency Planning Fund	738.00
S-Belmont Senior Services	Dec. Operating expenses/In Home Care Levy-Comm on Aging Fund	117,123.43
Beth Andes, MS, PCC	Contract Services-GS/District Detention Home Fund	4,480.00
Digital Data Communications	Computer services/Juvenile Court Computer Fund	157.30
GMAC Whiteside Chevrolet, Inc.	Vehicle-Senior Services/In Home Care Levy-Comm on Aging Fund	15,429.08
GroupStar.com	Dell Laser Printer/FAX/Clerk of Courts Computer Fund	369.00
McGhee & Co.	Folders/Northern Court General Special Projects Fund	2,453.80
W-Print n' Copy	Letterhead/Prosecutor Victim Assistance Program	66.00
Y-030-Lash Excavating & Paving	Resurfacing No. 20-Proj 20-2/Issue Two Match Monies Fund	35,266.98
Y-90-American Electric Power	Services/BCSSD Fund	23,116.51
American Electric Power	Services/BCSSD Fund	49.11
American Electric Power	Services/BCSSD Fund	238.98
HD Supply Waterworks, Ltd.	Equipment/BCSSD Fund	31,200.00
Indoff	Supplies/BCSSD Fund	520.94
John Brunner	Materials/BCSSD Fund	34.15
Jo Stiles	Travel & expenses/BCSSD Fund	40.05
Karri Haglock	Travel & expense/BCSSD Fund	31.15
Municipal Utilities	Purchased Water/BCSSD Fund	288.00
W.W. System #3	Purchased Water/BCSSD Fund	147,923.31
Yeneka Construction, Inc.	WW#3 Waterline Construction Project/BCSSD Fund	28,178.00
Y-91-Health Assurance-HMO	December premium/Employer's Share Holding Account	61,744.87
Health Assurance-PPO	December premium/Employer's Share Holding Account	162,549.37
Health Plan	December premium/Employer's Share Holding Account	148,562.62

**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 December 6, 2006 as follow:

<b>FUND</b>	<b>AMOUNT</b>
A-GENERAL	\$16,423.06; \$7,678.13; \$5,143.92; \$10,010.62; \$1,346.59
GENERAL/EMA	\$2,215.33
GENERAL/SHERIFF	\$19,140.36
B-Dog and Kennel	\$932.40
H-County Home, Park Health	\$97,798.73
Job & Family, Public Assistance	\$78,541.24; \$26,563.25; \$1,599.00; \$38,628.00; \$2,284.00; \$5,904.76; \$1,887.65
Job & Family, WIA	\$1,242.71; \$681.06; \$10,987.43
K-Engineer MVGT	\$70,000.00; \$52,178.81; \$165,184.43
M-Juvenile Court Placement	\$16,888.78; \$1,043.41
P-Oakview Admin. Bldg.	\$353.76
S-Clerk of Courts-Certificate of Title	\$2,267.49
District Detention Home	\$466.96
Eastern Court Special Projects	\$15,473.80; \$2,689.98
Job & Family, Children Services	\$1,296.90
Job & Family, CSEA	\$99,609.97; \$1,096.78; \$24,276.84
Juvenile Court General Special Projects	\$11,534.91; \$18,713.54
Juvenile Court Restitution	\$100.00
Oakview Juvenile Residential Center	\$840.98
Ohio Valley Recycling	\$5,047.20
Port Authority	\$1,327.44; \$439.48
Sheriff Commissary	\$7,393.11
Sheriff CCW	\$346.86
Western Court Special Projects	\$988.00
Y-90-Belmont Co. Sanitary Sewer District	\$145.88
	\$12,080.47; \$652.61; \$1,020.06; \$96,628.58; \$1,382.73; \$9,869.60; \$1,333.26; \$6,198.71

Upon roll call the vote was as follows:

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

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

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

<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
E-0051-A001-A28.000 Other Expenses	E-0160-A009-D06.000 Memorial Day Expenses	\$500.00

Upon roll call the vote was as follows:

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

**IN THE MATTER OF TRANSFER OF FUNDS WITHIN THE BELMONT COUNTY GENERAL FUND/COMMON PLEAS COURT**

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

<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
E-0061-A002-B04.012 Equipment	E-0061-A002.B10.000 Travel	\$ 500.00

Upon roll call the vote was as follows:

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

**IN THE MATTER OF TRANSFER WITHIN GENERAL FUND**

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

<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
E-0181-A003-A09.003 PERS	E-0181-A003-A02.002 Salaries	\$5,500.00

Upon roll call the vote was as follows:

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

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

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

<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
E-0055-A004-B25.000 Bethesda Bldg Maintn	E0055-A004-B07.000 Jail Utilities	\$ 150.00

Upon roll call the vote was as follows:

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

**IN THE MATTER OF TRANSFER BETWEEN FUNDS/ THE BELMONT COUNTY GENERAL FUND TO THE BELMONT COUNTY EMPLOYER'S SHARE HOLDING ACCOUNT Y-91 FUND**

Motion made by Mr. Thomas, seconded by Mr. Probst to approve the following transfer between the General Fund to the Employer's Share Holding Account Fund Y-91.

<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
E-0256-A014-A06.006 Group & Liabilty Ins.	R-9891-Y091-Y01.500 Hospitalization	\$500,000.00

Upon roll call the vote was as follows:

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

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

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

<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
E-2813-K000-K30.013 Cont-Proj	E-2812-K000-K14.000 Contract Rep.	791.40
E-2813-K000-K30.013 Cont-Proj	E-2812-K000-K12.000 Materials	115,888.99
E-2813-K000-K26.000 Materials	E-2812-K000-K12.000 Materials	<u>30,401.31</u>
<b>TOTAL</b>		<b>\$ 147,081.70</b>

Upon roll call the vote was as follows:

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

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

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

<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
E-2813-K000-K37.000 Other Expense	E-2813-K000-K39.006 Hospitalization	\$ 37.51

Upon roll call the vote was as follows:

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

**IN THE MATTER OF TRANSFER WITHIN FUND FOR SUPREME COURT FAMILY DRUG COURT FUND**

Motion made by Mr. Probst, seconded by Mr. Thomas to approve the following transfers within fund for the Supreme Court Family Drug Court Fund.

<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
E-0400-M077-M01.002 Salaries	E-0400-M077-M02.008 Fringe Benefits	\$ 120.00

Upon roll call the vote was as follows:

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

**IN THE MATTER OF TRANSFER WITHIN FUND FOR THE DISTRICT DETENTION HOME FUND S33**

Motion made by Mr. Probst, seconded by Mr. Thomas to approve the following transfers within fund for the District Detention Home Fund S33.

<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
E-0910-S033-S69.000 Activities/GS	E-0910-S033-S65.011 Contract Services/GS	1,000.00
E-0910-S033-S67.000 Travel & Training/GS	E-0910-S033-S35.000 Materials	180.00
E-0910-S033-S67.000 Travel & Training/GS	E-0910-S033-S65.011 Contract Services/GS	211.27
E-0910-S033-S66.000 Medical/GS	E-0910-S033-S65.011 Contract Services/GS	58.50
E-0910-S033-S63.012 Equipment/GS	E-0910-S033-S65.011 Contract Services/GS	31.17
E-0910-S033-S33.002 Salaries	E-0910-S033-S39.000 Food Service Exp.	3,500.00
E-0910-S033-S50.005 Medicare	E-0910-S033-S39.000 Food Service Exp.	1,133.89

Upon roll call the vote was as follows:

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

**IN THE MATTER OF TRANSFER WITHIN FUND FOR THE DISTRICT DETENTION HOME FUND S33**

Motion made by Mr. Probst, seconded by Mr. Thomas to approve the following transfers within fund for the District Detention Home Fund S33.

<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
E-0910-S033-S67.000 Travel & Training/GS	E-0910-S033-S65.011 Contract Services/GS	1,523.28
E-0910-S033-S43.000 Travel & Training	E-0910-S033-S39.000 Food Service Exp.	341.40
E-0910-S033-S40.000 Medical	E-0910-S033-S39.000 Food Service Exp.	895.55
E-0910-S033-S37.000 Contract Repairs	E-0910-S033-S39.000 Food Service Exp.	146.19
E-0910-S033-S69.000 Activities/GS	E-0910-S033-S65.011 Cont. Services/GS	1,675.78
E-0910-S033-S69.000 Activities/GS	E-0910-S033-S39.000 Food Service Exp.	782.97

Upon roll call the vote was as follows:

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

**IN THE MATTER OF TRANSFER BETWEEN FUNDS/ ENGINEER FEMA FLOOD 2004 FUND & ENGINEER ROAD & BRIDGE IMPROVEMENTS & REPAIR FUND**

Motion made by Mr. Thomas, seconded by Mr. Probst to approve the following transfers between funds from the Engineer FEMA FLOOD 2004 Fund and Engineer Road & Bridge Improvements & Repair Fund.

<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
E-9708-T069-T02.000 Engineer Dept. Reimb.	R-9045-N045-N05.574 Transfers In	\$ 46,776.00

Upon roll call the vote was as follows:

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

**IN THE MATTER OF TRANSFER OF FUNDS FOR HOSPITALIZATION CHARGEBACKS-NOVEMBER AND DECEMBER 2006**

Motion made by Mr. Probst, seconded by Mr. Thomas to make the following transfer of funds for Hospitalization Chargebacks for November and December 2006.

<b>FROM</b>	<b>TO</b>		
E-0054-A006-F08.006	DISASTER SERVICES	R-9891-Y091-Y01.500	533.90
E-0170-A006-G11.000	PUBLIC DEFENDER	R-9891-Y091-Y01.500	8,126.74
E-0056-A006-E11.006	911 FUND	R-9891-Y091-Y01.500	10,163.98
E-0181-A003-A11.000	BD OF ELECTIONS	R-9891-Y091-Y01.500	9,305.66
E-0041-A002-H05.006	PROBATION OFFICER	R-9891-Y091-Y01.500	533.90
E-0064-A002-B53.006	DRUG COURT WORKS	R-0064-A002-B53.006	574.60
E-0820-S039-V15.006	OHIO VALLEY RECYCLING	R-9891-Y091-Y01.500	3,743.80
E-0910-S033-S47.006	DETENTION HOME	R-9891-Y091-Y01.500	24,369.84
E-1210-S078-S14.006	COUNTY RECORDER	R-9891-Y091-Y01.500	718.37
E-1310-J000-J06.000	REAL ESTATE	R-9891-Y091-Y01.500	3,029.68
E-1511-W080-P07.006	PROS-VICTIM	R-9891-Y091-Y01.500	1,912.60
E-1520-S077-S04.006	CORRECTIONS ACT	R-9891-Y091-Y01.500	1,338.00
E-1573-S074-S05.006	Mediation Grant-Comm Pleas	R-9891-Y091-Y01.500	1,871.90
E-1600-B000-B13.006	DOG & KENNEL	R-9891-Y091-Y01.500	2,873.48
E-1600-B000-B13.006	D/K AUDITOR CLERK	R-9891-Y091-Y01.500	
E-1810-L001-L14.000	SOIL CONSERVATION	R-9891-Y091-Y01.500	5,582.59
E-2150-H030-H11.000	PARK HEALTH CENTER	R-9891-Y091-Y01.500	104,728.18
E-2310-S049-S63.000	MENTAL HEALTH	R-9891-Y091-Y01.500	3,308.64
E-2410-S066-S80.000	MENTAL RETARDATION	R-9891-Y091-Y01.500	90,336.18
E-2510-H000-H16.006	HUMAN SERVICES	R-9891-Y091-Y01.500	142,086.42
E-2760-H010-H12.006	CHILD SUPPORT	R-9891-Y091-Y01.500	11,911.37
E-2811-K200-K10.006	K-1	R-9891-Y091-Y01.500	1,436.74

E-2811-K200-K10.006	K-2	R-9891-Y091-Y01.500	3,277.40
E-2812-K000-K20.006	K-11	R-9891-Y091-Y01.500	34,023.62
E-2813-K000-K39.006	K-25	R-9891-Y091-Y01.500	12,938.16
E-4110-T075-T52.008	WIC	R-9891-Y091-Y01.500	1,857.74
E-6010-S079-S07.006	CLRK OF COURTS	R-9891-Y091-Y01.500	6,935.16
E-1561-S086-S03.006	Northern Court-Special	R-9891-Y091-Y01.500	574.60
E-1571-S087-S03.006	Eastern Court - Special	R-9891-Y091-Y01.500	1,338.00
E-8010-S030-S68.006	OAKVIEW JUVENILE	R-9891-Y091-Y01.500	13,640.92
E-9799-S012-S02.006	Port Authority	R-9891-Y091-Y01.500	1,338.00
E-9890-Y090-Y14.000	WATER/SEWER	R-9891-Y091-Y01.500	27,123.18
<b>COUNTY HEALTH</b>			
E-2210-E001-E15.006		R-9891-Y091-Y01.500	9,039.04
E-2214-F076-F01.002	PH infrastructure	R-9891-Y091-Y01.500	991.30
E-2215-F077-F01.002	Family Planning	R-9891-Y091-Y01.500	401.40
E-2216-F078-F02.002	Tobacco	R-9891-Y091-Y01.500	67.02
E-2217-F079-F01.002	Women's Health	R-9891-Y091-Y01.500	227.48
E-2223-T077-T01.002	IAP	R-9891-Y091-Y01.500	682.38
E-2226-T079-T01.002	Welcome Home	R-9891-Y091-Y01.500	26.76
<b>Juv Court/Grants</b>			
E-0400-M067-M05.008	Alternative Schools	R-9891-Y091-Y01.500	1,323.84
E-0400-M060-M64.008	Care and Custody	R-9891-Y091-Y01.500	574.60
E-0400-M060-M29.008	Care and Custody	R-9891-Y091-Y01.500	1,323.84
E-0400-M078-M02.008	Title IV-E	R-9891-Y091-Y01.500	2,011.34
<b>TOTALS</b>			<b>548,202.35</b>

Upon roll call the vote was as follows:

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

**IN THE MATTER OF TRANSFER OF FUNDS  
FOR THE WAIVED HOSPITALIZATION CHARGEBACKS FOR  
THE MONTHS OF SEPTEMBER, OCTOBER and NOVEMBER 2006**

Motion made by Mr. Probst, seconded by Mr. Thomas to make the following transfer of funds.  
for Waived Hospitalization for the months of September, October and November 2006.

<b>FROM</b>		<b>TO</b>	
E-2210-E001-E15.006	COUNTY HEALTH	R-9891-Y091-Y03.500	375.00
E-2226-T079-T01.002	WELCOME HOME	R-9891-Y091-Y03.500	0.00
E-2150-H030-H11.000	COUNTY HOME	R-9891-Y091-Y03.500	2,062.50
E-1600-B000-B13.006	DOG & KENNEL	R-9891-Y091-Y03.500	0.00
E-9890-Y090-Y14.000	WATER & SEWER	R-9891-Y091-Y03.500	187.50
E-8010-S030-S68.006	OAKVIEW JUVENILE REHAB	R-9891-Y091-Y03.500	875.00
E-0910-S033-S47.006	DISTRICT DETENTION	R-9891-Y091-Y03.500	187.50
E-0400-M060-M29.008	JUVENILE (Care & Custody)	R-9891-Y091-Y03.500	187.50
E-0400-M067-M05.008	JUVENILE (Alternative School)	R-9890-Y091-Y03.500	187.50
E-0400-M077-M02.008	JUVENILE (Supreme Court)	R-9890-Y091-Y03.500	187.50
E-4110-T075-T52.008	WIC FRINGES 2006	R-9891-Y091-Y03.500	375.00
E-2510-H000-H16.006	PUBLIC ASSISTANCE	R-9891-Y091-Y03.500	5,666.66
E-2760-H010-H12.006	PUBLIC ASSISTANCE/CS	R-9891-Y091-Y03.500	1,250.00
E-2310-S049-S63.000	MENTAL HEALTH	R-9891-Y091-Y03.500	375.00
E-2812-K000-K20.006	MVGT-K11 ENGINEERS	R-9891-Y091-Y03.500	375.00
E-2410-S066-S80.000	MENTAL RETARDATION	R-9891-Y091-Y03.500	2,562.50
E-1550-S082-S14.006	WESTERN COURT/ HOSP.	R-9891-Y091-Y03.500	0.00
E-1520-S077-S04.006	CORRECTION ACT GRANT	R-9891-Y091-Y03.500	0.00
E-1810-L001-L14.000	SOIL AND WATER	R-9891-Y091-Y03.500	0.00
E-1210-S078-S14.006	RECORDER/SUPP EQUIPMENT	R-9891-Y091-Y03.500	0.00
E-1511-W080-P07.006	VICTIM ASSISTANCE	R-9891-Y091-Y03.500	0.00
E-6010-S079-S07.006	CERT OF TITLE/CLK OF CTS	R-9891-Y091-Y03.500	187.50
E-9799-S012-S02.006	PORT AUTHORITY	R-9891-Y091-Y03.500	62.50
<b>TOTAL</b>			<b>15,104.16</b>

Upon roll call the vote was as follows:

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

**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 December 6, 2006.

E-0021-A002-E09.003 PERS (Clerk of Courts)	\$ 18.00
E-0040-A002-G08.003 PERS (County Courts)	\$ 375.34
E-0055-A004-B01.002 Salaries (Maintenance)	\$ 16,640.69
E-0055-A004-B16.003 PERS (Maintenance)	\$ 775.55
E-0056-A006-E01.002 Salaries (911)	\$ 20,002.84
E-0056-A006-E08.003 PERS (911)	\$ 2,335.16
E-0061-A002-B14.003 PERS (Common Pleas Court)	\$ 1,631.46
E-0063-A002-B25.002 Salaries (Magistrate)	\$ 10,219.04
E-0063-A002-B28.003 PERS (Magistrate)	\$ 1,416.99
E-0111-A001-E09.003 PERS (Prosecutor)	\$ 121.77
E-0131-A006-A02.002 Salaries (Sheriff)	\$200,000.00
E-0131-A006-A13.003 PERS/SPRS (Sheriff)	\$ 11,300.00
E-0151-A002-F02.002 Salaries (Coroner)	\$ 717.64
E-0160-A009-D07.003 PERS (Veterans)	\$ 507.31
E-0181-A003-A02.002 Salaries (Bd of Elections)	\$ 15,851.50

E-0210-A001-F01.002 Salaries (Budget Commission)	\$	250.00
E-0210-A001-F02.003 PERS (Budget Commission)	\$	27.00
Total		\$282,190.29

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADDITIONAL APPROPRIATIONS  
FOR THE GENERAL FUND/COMMON PLEAS COURT**

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 December 6, 2006.

E-0061-A002-B05.000	Intense Probation/Clerk of Courts	
	Supervisory Fees Collected in October	\$ 2,273.01

Upon roll call the vote was as follows:

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

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

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 December 6, 2006.

E-0063-A002-B25.002	Salaries-Employees	3,042.83
E-0063-A002-B27.012	Equipment	216.69
E-0063-A002-B30.000	Other Expenses	<u>1,679.14</u>
<b>TOTAL</b>		<b>4,938.66</b>

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADDITIONAL APPROPRIATIONS  
FOR THE BELMONT COUNTY GENERAL FUND/DRUG COURT WORKS**

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 December 6, 2006.

E-0064-A002-B50.002	Salary/Drug Court Works	\$8,015.01
E-0061-A002-B12.000	Other Exp/Drug Court Works	553.53
E-0064-A002-B51.003	PERS/Drug Court Works	<u>405.00</u>
<b>TOTAL</b>		<b>\$8,973.54</b>

Upon roll call the vote was as follows:

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

**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 November 11, 2006.

E-0181-A003-A06.011	Contracts-Services/Election Board	\$75,000.00
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Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADDITIONAL APPROPRIATIONS  
FOR THE GENERAL FUND / SHERIFF'S DEPARTMENT**

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 December 6, 2006.

SHERIFF'S DEPARTMENT/GENERAL FUND		
E-0131-A006-A12.000	Travel	\$ 416.22

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADDITIONAL APPROPRIATIONS  
FOR THE GENERAL FUND / SHERIFF'S DEPARTMENT**

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 December 6, 2006.

**SHERIFF'S DEPARTMENT  
GENERAL FUND**

E-0131-A006-A24.000	E-SORN Expense Fund	\$ 175.00
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Upon roll call the vote was as follows:

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

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

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 December 6, 2006.

E-0131-A006-A23.000 Background Checks \$ 254.00

Upon roll call the vote was as follows:

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

**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 November 15, 2006.

E-0256-A014-A06.006 Group & Liability Insurance \$32,190.29

Upon roll call the vote was as follows:

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

**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 December 6, 2006.

E-0256-A014-A06.006 Group & Liability Insurance \$467,809.71

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADDITIONAL APPROPRIATIONS  
FOR THE H000 BELMONT CO. PUBLIC ASSISTANCE 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 December 6, 2006.

**BELMONT COUNTY  
PUBLIC ASSISTANCE FUND H000**

E-2510-H000-H01.002	Salaries	\$ 350,000.00
E-2510-H000-H05.000	Public Assistance	50,000.00
E-2510-H000-H12.003	PERS	200,000.00
E-2510-H000-H16.006	Hospitalization	<u>100,000.00</u>
<b>TOTAL</b>		<b>\$ 700,000.00</b>

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADDITIONAL APPROPRIATIONS  
FOR THE H030 COUNTY HOME 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 November 29, 2006.

**COUNTY HOME FUND H030**  
E-2150-H030-H02.002 Salaries \$ 150,000.00

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADDITIONAL APPROPRIATIONS  
FOR THE JUVENILE COURT ALTERNATIVE SCHOOL FUND**

Motion made by Mr. Probst, seconded by Mr. Thomas to make the following additional appropriations, in accordance with the Amended Official Certificate of Estimated Resources as revised by the Budget Commission, under the date of December 6, 2006.

**M-67-ALTERNATIVE SCHOOL**

E-0400-M067-M06.012 Equipment \$ 455.00

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADDITIONAL APPROPRIATIONS  
FOR THE P001-WATER WORKS SERVICE #1**

Motion made by Mr. Probst, seconded by Mr. Thomas to approve the following additional appropriation in accordance with the Amended Official Certificate of Estimated Resources, as revised by the Budget Commission under the date December 6, 2006.

**E-3700-P001-P23.011 WW#1 Contract Services \$ 44,000.00**

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADDITIONAL APPROPRIATIONS  
FOR OAKVIEW JUVENILE REHABILITATION S030 FUND**

Motion made by Mr. Probst, seconded by Mr. Thomas to make the following additional appropriations, in accordance with the Amended Official Certificate of Estimated Resources as revised by the Budget Commission, under the date of December 6, 2006.

**OAKVIEW JUVENILE REHABILITATION S030**  
E-8010-S030-S54.000 Food \$ 2,192.17

Upon roll call the vote was as follows:

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

**IN THE MATTER OF ADDITIONAL APPROPRIATIONS  
FOR THE ENGINEER'S FEMA FLOOD 2004 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 December 6, 2006.

E-9708-T069-T02.000 Engineer Dept. Reimb. \$ 46,776.00

Upon roll call the vote was as follows:

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

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

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 December 6, 2006.

**SHERIFF'S DEPARTMENT  
RESERVE ACCOUNT**  
E-9710-U010-U06.000 Other Expenses \$ 15.00

Upon roll call the vote was as follows:

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

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

Motion made by Mr. Probst, seconded by Mr. 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 December 6, 2006.

E-1511-W080-P07.006 Hospitalization \$ 255.00

Upon roll call the vote was as follows:

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

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

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

**GENERAL FUND** - \$416.22 paid into R-0050-A000-A45.500 Refunds & Reimbursements on 11-30-06. \*Reimbursement check from Fleetcor Tech – payment made to wrong company-Sheriff's Dept.

**P01 WWS #1 REVENUE FUND** - \$44,000.00

Upon roll call the vote was as follows:

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

**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 21, 2006 and November 29, 2006, 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	Absent

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

Motion made by Mr. Probst, seconded by Mr. Thomas granting permission for county employees to travel as follows:  
**BCDJFS** – Various employees to various meetings and trainings in December, 2006. Estimated expenses: \$257.95.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF VACATION OF A PORTION  
OF THIRD ALLEY, NORTH ST., SOUTH ST., AND  
FIRST ALLEY IN KINSMAN SUBDIVISION, WHEELING  
TOWNSHIP, SECTION 8, T-8, R-4/RD IMP 1097**

**“Hearing Had – 11:15 a.m.  
Belmont County, Ohio**

Present for hearing were Rick Oberdick, Engineer’s Drafting Tech II; Joselyn King and Al Molnar of The Intelligencer. Mr. Oberdick advised this area was all pasture and there was no opposition to vacation.

**REPORT OF COUNTY ENGINEER  
OHIO REV. CODE, SEC. 5553.06**

Date: 12/05/06

To the Board of County Commissioners of Belmont County, Ohio:

The undersigned, in obedience to your order, dated November 29, 2006, proceeded on November 30, 2006 to make an accurate survey and plat of the Public Road proposed to be improved and respectfully submits the following report:

In the opinion of the undersigned the proposed improvement should \_\_\_\_\_ be granted.

An accurate survey and plat, and an accurate and detailed description of each tract of land which the undersigned County Engineer believe will be necessary to be taken in the event the proposed improvement be made, together with the name of each owner, accompany this report and are made apart hereof.

An accurate and detailed description of the proposed improvement describing therein the center line and right of way lines follow:

“see attached plat”

The undersigned recommends the following changes in the proposed improvement which in his judgment should be made in the event the proposed improvement be granted, to-wit:

Fred F. Bennett/s/

County Engineer of Belmont County, Ohio

Motion made by Mr. Thomas, seconded by Mr. Probst to grant Road Improvement #1097, vacation of a portion of Third Alley, North Street, South Street and First Alley in the subdivision of Kinsman, Township of Wheeling, Sec. 8, Township 8, R-4, based upon the recommendation of Fred Bennett, Belmont County Engineer.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF VACATION OF A PORTION  
OF THIRD ALLEY, NORTH ST., SOUTH ST.,  
AND FIRST ALLEY IN KINSMAN SUBDIVISION  
WHEELING TWP./SEC 8, T-8, R-4/RD IMP 1097**

**Office of County Commissioners  
Belmont County, Ohio**

**RESOLUTION-GRANTING PROPOSED IMPROVEMENT  
ORDERING RECORD, ETC.  
RD. IMP. #1097**

Mr. Thomas moved the adoption of the following Resolution:

WHEREAS, This day this matter came on to be heard on the report, survey, plat, and detailed and accurate descriptions as filed by the County Engineer, and said report having been read in open session, the Board proceeded with the hearing of testimony bearing upon the necessity of the said improvement for the public convenience or welfare and offered either for or against going forward with the proposed improvement by interested persons; and

WHEREAS, Said Board has considered said report and all the testimony offered, and all the facts and conditions pertaining to said matter; therefore, be it

RESOLVED, That said Board of County Commissioners do find said improvement will serve the public convenience and welfare; and be it further

RESOLVED, That said improvement as set forth and defined in said report, survey, plat and detailed and accurate descriptions as filed by the County Engineer be and the same is hereby granted and said road is hereby ordered vacated.

RESOLVED, That the County Engineer be and he is hereby directed to cause and record the proceeding, including the survey and plat and accurate and detailed description of said proposed improvement, to be forthwith entered in the proper road records of said County; and be it further

Upon roll call the vote was as follows:

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

Adopted the 6th day of December, 2006

Jayne Long /s/

Assistant Clerk, Board of County Commissioners, Belmont County, Ohio

**11:30 AGENDA ITEM: ROBERTA JENKINS, DIRECTOR, BELMONT COUNTY FAIR HOUSING COMMISSION  
RE: YEAR END REPORT**

Present were Director Roberta Jenkins and Board Members Steve Solar, Kirk Thompson and Joseph Bencur. Commissioners Probst and Thomas both thanked Mrs. Jenkins for the good job she does as Director of Fair Housing. Mrs. Jenkins submitted the following Year-End Report.

**YEAR-END REPORT  
December 2006**

The Belmont County Fair Housing Commission has once again completed a report on all activities that have occurred throughout this past year. All documentation for the year 2006 is compiled in Fair Housing Log #25, and is on file and available for review.

The current Fair Housing Board members are as follows: Susan Gay (President), Marie Hanlon (Vice- President), Steve Solar (Secretary), Kirk Thompson (Hearing Officer), Joseph Bencur, Ann Traylinek and Mayor Mark McVey.

The Fair Housing Commission’s monthly board meetings are held on the second Thursday of each month and are currently held at the Agriculture Extension Office in St. Clairsville.

This year April was once again designated as “Fair Housing” Month. The Fair Housing Commission was once again presented with a resolution that was adopted by the Belmont County Board of Commissioners. Billboards were posted around the county, St. Rt. 149 near Bethesda, Rt. 7 near Bridgeport, and Rt. 40 East near the Eagles Lodge). Fair housing promotional advertisements were also placed in the local newspaper. This year we purchased a full-page promotional ad. In addition, the Fair Housing Commission had radio advertisements placed with two popular local stations. The ads ran during a week-long event. In addition, fair housing brochures were distributed around the County. Fair housing presentations were held once again throughout various communities. These presentations, which are listed below, were held from March through August:

Bridgeport High School            Martins Ferry Recreation Center  
Martins Ferry Schools             Martins Ferry Senior Center  
Union Local High School          Morristown Village Hall

Belmont Co. Courthouse Powhatan Municipal Building

To date, there have been one hundred fourteen (114) phone calls documented this year. The majority of the calls came from the towns of Bellaire and Martins Ferry. Last year was the highest number of calls received over the last several years, which was 146 calls. The calls related to anything from tenants needing repairs to being evicted. Tenants have also called wanting to know how they can get their security deposit returned once they have moved out. Some calls also related to neighbor disputes and questions concerning their lease. The Fair Housing Commission has had two (2) discrimination complaints filed this past program period. All documentation was forwarded to the Ohio Civil Rights Commission in Columbus.

The Fair Housing Commission recently completed another Analysis of Impediments Update for Belmont County. It included various issues as well as goals of possible impediments to fair housing. A copy of the report will be forwarded on to the State for their review and any possible recommendations.

The Fair Housing Commission added additional information this year to the Belmont County web site [www.belmontcountyohio.org](http://www.belmontcountyohio.org). The topic of "discrimination complaint filing" was added, which included the necessary forms to utilize.

I would like to thank you, the Board of Commissioners, for everything that you do in order to keep this program in place. Over the years, I have seen that there is much need for this program, and as long as the County continues to receive grant funding for this program, the Fair Housing Commission will continue to take every step it needs to in order to further fair housing in Belmont County.

I want to thank the Fair Housing Board members for all of their help. They are always available to me, whether it is by phone or e-mail. I want to publicly thank them for their commitment to this Fair Housing Commission.

I would like to ask for approval to renew the 3-year terms of board members Mrs. Susan Gay and Mr. Mark McVey. Their new terms would commence on 1/1/07 and follow through to 12/31/09.

In concluding this report, on behalf of the Fair Housing Board and myself, I would like to ask for the adoption of this year's Fair Housing Year-End report, dated December 2006. Thank you.

Belmont County Fair Housing Commission  
Roberta Jenkins, Director

**IN THE MATTER OF ACCEPTING BELMONT COUNTY  
FAIR HOUSING COMMISSION YEAR END REPORT FOR 2006**

Motion made by Mr. Thomas, seconded by Mr. Probst to accept the Belmont County Fair Housing Commission Year End Report for 2006 as submitted by Roberta Jenkins, Director.

Upon roll call the vote was as follows:

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

**IN THE MATTER OF RE-APPOINTMENTS  
TO THE FAIR HOUSING COMMISSION**

Motion made by Mr. Thomas, seconded by Mr. Probst to re-appoint two members of the Belmont County Fair Housing Commission, based upon the recommendation of Ms. Roberta Jenkins, Director, Belmont County Fair Housing Commission and the Fair Housing Commission Board. The members are as follows:

Mrs. Susan Gay and Mr. Mark McVey

These three-year terms will be effective from January 1, 2007 through December 31, 2009.

Upon roll call the vote was as follows:

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

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

Motion made by Mr. Thomas, seconded by Mr. Probst to approve the minutes of the Belmont County Board of Commissioners regular meetings of: November 15 and November 21, 2006.

Upon roll call the vote was as follows:

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

**DISCUSSION HELD**

Commissioner Probst was pleased to introduced Jason Wilson, the newly appointed State Senator, who stopped in the Commissioners meeting. He was given the opportunity to offer his comments, and Commissioner Probst stated the board looked forward to working with him in the near future. Mr. Wilson stated he was humbled by the opportunity to be appointed. He was present to offer his interest and wants to come and listen to what the Commissioners' office needs from the state, as he wants to be a strong voice and advocate for Belmont County. "I'm trying to team up with Governor-elect Ted Strickland. I think our area has a unique opportunity with the Governor's Office, the Congressional Office and now in the State Senate Office, and I want to team up with you, partner with you, for the success of this county," said Mr. Wilson. Commissioner Thomas advised Mr. Wilson there were a lot of pending issues that needed to be discussed with him to bring him up to speed as things relate to the legislature.

Also in attendance were Larry Merry, Director, and Bill Morgan, Assistant Director, of the Belmont County Port Authority. Their office is putting together a short white paper with a "wish list" of items regarding economic development that will be sent to the state. Mr. Merry stated he was thrilled that Jason Wilson was present so he could hear first hand about the items on the list that will be sent to the Department of Development and the new state administration. Included is the I-70 mall area improvements, the need for broadband access county wide, better cross-loading for economic development (rail to truck, rail to water or vice versa). Mr. Merry wants more riverfront development. Also needed is the development of a large tract of land for an industrial park; continued expansion of sewer and water lines throughout the county; and continuation of workforce development. Mr. Merry said the county has a very strong asset of having both a branch of Ohio University and Belmont Technical College.

Commissioner Probst concluded discussion by saying, "I'm very impressed by your knowledge in the short time you have been working with us here in Belmont County, Mr. Morgan and Mr. Merry; on your knowledge of basically the needs of our county. I know you have visited many, many areas in the communities within the county. Obviously, you've talked to many, many people and you've got a sense and a feel of what our county needs. The short list is great." "It's nice to have a team now that is going to put this all together."

Commissioner Thomas added the need for additional large tracts of land are essential.

**BREAK 12:10 p.m.**

**IN THE MATTER OF APPROVING CHANGE ORDER #2  
FOR OHIO-WEST VIRGINIA EXCAVATING COMPANY/  
ENGINEER'S PROJECT 06-3 SLIP REPAIR**

Motion made by Mr. Probst, seconded by Mr. Thomas to approve Change Order #2 for Ohio-West Virginia Excavating Company in the amount of \$21,975.51, for the Belmont County Engineer's Project 06-3 Slip Repair (Blaine-Cheermont, Kilgore & Pipe Creek Roads), based upon the recommendation of Fred Bennett, Belmont County Engineer.

*Note: This Change Order is for extras due to field conditions.*

**CHANGE ORDER NO.   #2    
SUPPLEMENTAL CONTRACT WITH BELMONT COUNTY COMMISSIONERS  
PROJECT   06-3 SLIP REPAIR (Blaine-Cheermont, Kilgore & Pipe Creek Roads)**

Auditor's Office, Belmont County, Ohio

THIS AGREEMENT made and entered into this 6th day of December, 2006 between Ohio-West Virginia Excavating Company and Charles Probst, Jr., Mark Thomas and Gordie Longshaw, Commissioners of Belmont County, WITNESSETH that said Ohio-West Virginia Excavating Company hereby agrees to furnish all material and do all work requisite necessary for 06-3 SLIP REPAIR PROJECT (Blaine-Cheermont, Kilgore & Pipe Creek Roads) Project, located at CR 54 PW 215 & CR 32 PW 792 and 899, in accordance with plans and specifications.

All work, materials and equipment shall meet said specifications.

**CHANGE ORDER  
• ADDITIONAL QUANTITIES \***

PW NO.	APPROX. QUAN.	ITEM	UNIT PRICE	TOTAL AMOUNT
215	10 EACH	6" X 24" X 44" CONCRETE LAGGING	\$110.00	\$1,100.00
		TOTAL PW 215		<b>\$1,100.00</b>
792	125 LF	RESET EXISTING GUARDRAIL	\$7.50	\$937.50
792	18.3 TON	AGGREGATE FOR CULVERT INSTILLATIONS	\$36.23	\$662.92
792	41 LF	36" DIAMETER CULVERT	\$73.67	\$3,020.39
792	15.15 TON	ASPHALT CONCRETE BASE COURSE	\$160.00	\$2,424.00
792	8.73 TON	ASPHALT CONCRETE LEVELING & SURFACE COURSE	\$130.00	\$1,134.90
		TOTAL PW 792		<b>\$8,179.71</b>
899	275 LF	REMOVE & INSTALL NEW GUARDRAIL	\$17.00	\$4,675.00
899	2 EACH	TYPE A ANCHOR ASSEMBLIES	\$850.00	\$1,700.00
899	LUMP SUM	DUMPED ROCK @ 2 CULVERT LOCATIONS	\$598.34	\$598.34
899	LUMP SUM	REMOVE & REPLACE EXISTING 12" AND 24" DIAMETER CULVERTS WITH AGGREGATE BACKFILL	\$3,497.66	\$3,497.66
899	10.85 TON	ASPHALT CONCRETE BASE COURSE	\$160.00	\$1,736.00
899	3.76 TON	ASPHALT CONCRETE LEVELING & SURFACE COURSE	\$130.00	\$488.80
		TOTAL PW 899		<b>\$12,695.80</b>
		TOTAL ADDITIONAL QUANTITIES FOR ALL THREE PW'S		<b>+ \$21,975.51</b>

Reason for additional quantities: The additions are based on actual field measurements. (See letter dated November 21, 2006 from Ohio-West Virginia Excavating and Quotation from M.P. Dory Company dated October 30, 2006)

**SUMMARY**

ORIGINAL CONTRACT	\$431,992.00
CHANGE ORDER NO. 1	+ \$4,565.00
ADDITIONS CHANGE ORDER NO. 2	+ \$21,975.51
NET ADDITIONS CHANGE ORDER NO. 1 & 2	+\$26,540.51
TOTAL WORK PERFORMED	\$458,532.51
TOTAL AMOUNT OF CHANGE ORDER NO. 2	\$21,975.51

BELMONT COUNTY COMMISSIONERS  
Mark A. Thomas /s/  
Charles R. Probst, Jr. /s/

OHIO-WEST VIRGINIA EXCAVATING CO  
NAME: W. Roger Lewis  
BY: W. Roger Lewis /s/  
TITLE President

Upon roll call the vote was as follows:

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

**IN THE MATTER OF APPROVING PAY REQUISITION NO. 2 FOR  
BCSSD BELMONT LIFT STATION & FORCE MAIN PROJECT**

Motion made by Mr. Probst, seconded by Mr. Thomas to approve and sign Pay Requisition No. 2 for the Belmont County Sanitary Sewer District Belmont Lift Station & Force Main Project as follows, based upon the recommendation of David Grum, Project Consultant and Jeffrey A. Vaughn, Project Engineer.

Glen James & Sons, Inc.             \$95,203.58  
Vaughn, Coast & Vaughn, Inc.       \$ 1,425.00

Upon roll call the vote was as follows:

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

**IN THE MATTER OF RENEWING ANNUAL MAINTENANCE AGREEMENT WITH SIMPLEXGRINELL/BELMONT CO. JAIL**

Motion made by Mr. Probst, seconded by Mr. Thomas to renew the annual Maintenance Agreement with SimplexGrinell in the amount of \$2950.00, effective November 1, 2006 through October 31, 2007, for the fire alarm system at the Belmont County Jail.

*Note: Last year's contract was \$2,810.00*

Upon roll call the vote was as follows:

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

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

Motion made by Mr. Probst, seconded by Mr. Thomas 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 \$2,050.00 for the Program Expenditure Tracking System for Windows (PET); this is for the period of January 1, 2007 through December 31, 2007.

*Note: Last year's contract was \$1950.00. There have been significant updates to the PET Ledger Suite within the last year and numerous updates to existing reports and additional reports added.*

**SOFTWARE MAINTENANCE AGREEMENT**

NOW ON THIS 6 day of December, 2006 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 **\$2,050.00** for the 12 month period specified herein. The fee shall be payable on the execution of this agreement for the period from **January 1, 2007 through December 31, 2007**.
- (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, 2007 through December 31, 2007**. Licensee shall have the option to extend this agreement on a year-to-year basis by paying the current annual fee of **\$2,050.00** 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: Mitch McGaw

**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 11-29-06

**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

Title Senior Manager  
Date November 23, 2006

**BOARD OF COUNTY COMMISSIONERS** Departmental Official Mark A. Thomas  
Signature Charles R. Probst, Jr. /s/  
Title President  
Date 12/6/06

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

Upon roll call the vote was as follows:

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

**IN THE MATTER OF AUTHORIZING THE HIRING OF AN INTERMITTENT EMPLOYEE: TRAINER/ BCDJFS**

Motion made by Mr. Thomas, seconded by Mr. Probst to adopt the following resolution:

**RESOLUTION**

**WHEREAS**, pursuant to the Ohio Revised Code, the Belmont County Board of Commissioners serves as co-appointing authority for the Belmont County Department of Job and Family Services;

**WHEREAS**, in this capacity, the Board has the authority to establish compensation and benefit levels and authorize any hiring and/or other employment changes, and

**NOW THEREFORE, BE IT RESOLVED THAT**, the Belmont County Board of Commissioners does hereby grant the Director of the Belmont County Department of Job and Family Services the authority to hire Mrs. Ruth Campbell as a temporary intermittent trainer. Compensation will be in accordance with the current non-bargaining unit pay schedule. The employment period will be from December 7, 2006 through December 15, 2006.

**Additional closed ended periods are also authorized as needed over the next twelve months ending as of December 31, 2007. The total hours worked over the 2007 calendar year are not to exceed one thousand hours.** (1,000 hours is the limit for intermittent employment)

Adopted this 6<sup>th</sup> day of December 2006

Upon roll call the vote was as follows:

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

**IN THE MATTER OF THE VACATION OF  
A PORTION OF WESLEY ROAD IN UNION  
TOWNSHIP, SEC 2, T-8, R-5/RD IMP 1098**

**Office of County Commissioners  
Belmont County, Ohio**

**Journal Entry--Order Upon view of Proposed Improvement  
ORDER TO COUNTY ENGINEER  
Rev. Code. Sec. 5553.06**

Petitioned for by freeholders and others

Mr. Thomas moved the adoption of the following:

**RESOLUTION**

WHEREAS, On the 6th day of December 2006, the time heretofore fixed for view of the proposed improvement, we, the Board of County Commissioners having jurisdiction in said matter, went upon the line of said proposed improvement and made personal view of the proposed route and termini thereof, and after full investigation and due consideration of all the facts and conditions pertaining thereto; therefore be it

RESOLVED, That we do find and consider said improvement of sufficient public importance to instruct the County Engineer to make an accurate survey and plat of the same, and furnish an accurate and detailed description of the proposed improvement describing the center line and right of way lines thereof.

Said County Engineer shall also furnish an accurate and detailed description of each tract of land which he believes will be necessary to be taken in the event the proposed improvement be made, together with the name of each owner.

Said County Engineer shall also, at the time of making such survey, set stakes at the termini of each right of way line and at all angles between such termini, and at sufficient other points on the right of way lines so that the bounds of the proposed improvement may be discernible to property owners and other interested persons; and be it further

RESOLVED, That the said County Engineer be and he is hereby directed to make a report in writing to this Board, on or before the **14th** day of **December, 2006** the date fixed for the final hearing, setting forth the opinion of said County Engineer either for or against said proposed improvement, <sup>2</sup> and the width to which said improvement shall be opened, which shall not be less than thirty feet; said report shall be accompanied by said plat and detailed and accurate descriptions, and filed with the County Commissioners, and this case is continued unto said date.

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

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

Adopted December 6, 2006

Jayne Long /s/  
Assistant Clerk, Board of County Commissioners  
Belmont County, Ohio

**IN THE MATTER OF ADJOURNING  
COMMISSIONERS MEETING AT 12:42 P.M.**

Motion made by Mr. Probst, seconded by Mr. Thomas to adjourn the meeting at 12:42 p.m.

Upon roll call the vote was as follows:

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

Read, approved and signed this 14th day of December, 2006.

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

Gordie W. Longshaw – Absent

We, Charles R. Probst, Jr., 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